Planning Statement

Prior Notification for the Erection of an Agricultural Storage Tank

Spendla's Farm, Long Sutton

Introduction

This Planning Statement has been prepared to accompany a prior notification application submitted pursuant to Schedule 2, Part 6 Class A of the General Permitted Development Order 2015 (as amended) and seeks confirmation that the prior approval of the LPA is not required for the erection of an agricultural store at Spendla's Farm, Long Sutton.

Site Location & Agricultural Requirements

The application notifies the local authority of our client's intention to erect an agricultural store at an established agricultural holding extending to approximately 395ha comprising an extensive network of arable fields around the village of Sutton St James.

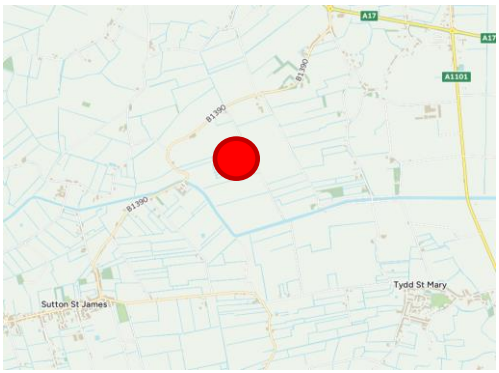


Figure 1: Location Plan

The tank comprises of a galvanised steel mesh construction with a Nicroflex 800 HSPO lining. The store measures approximately 3.0 metres (m) in height, albeit 0.3m is contained below ground level (i.e. therefore a maximum of 2.7m above ground level). The store has a footprint of approximately 556sq.m.

The proposed store is necessary for the storage of fertiliser to be applied to aid crop growth, which is undertaken by our client as required in accordance with EA land spreading regulations. The current proposal will provide dedicated storage facilities for fertiliser for spreading on the fields that are part of our client's agricultural operation.

There are currently insufficient storage facilities to meet the land spreading requirements for this part of the holding and the current lack of sufficient fertiliser storage capacity raises logistical issues for the agricultural enterprise as additional fertiliser needs to be imported in from elsewhere and there is no guarantee that the requisite volume of material will be available to be imported at the optimal times of year when the uptake of nitrogen within the crops is at its greatest. Wider market supply issues have meant that the applicant has experienced difficulties in sourcing the requisite volume of fertiliser to meet their requirements in recent years. An inability to source the required volume of fertiliser can result in crops not being provided with sufficient nutrients with a resultant negative impact on the yields capable of being achieved. The provision of additional fertiliser storage capacity will enable the business to acquire greater volumes of fertiliser out of season when there is a greater level of supply and costs are lower, which can then be stored on site until Spring before being applied to the landholding. The current proposals will therefore ensure that the business is more resilient and less exposed to wider market volatility, as well as helping to reduce the costs involved in sourcing a sufficient supply of fertiliser to meet the spreading requirements of their agricultural landholdings in the surrounding area.

The material to be stored within the structures will be limited to organic fertiliser imported to the land in a form which can be applied to land to confer agricultural benefit under Environment Agency land spreading regulations. The use of such organic fertilisers provides a source of organic material to the soil, thereby improving its health and capturing carbon, as well as enhancing the sustainability credentials of the business by reducing reliance on manufactured chemical fertilisers.

The proposed structure will therefore meet a clear need to store material that can be applied to land to aid crop growth at this large agricultural holding and is therefore reasonably necessary for the purposes of agriculture and is clearly designed for such purposes.

Compliance with Paragraph A.1 of Part 6 Class A of the GPDO

The proposals do not conflict with any of the circumstances outlined at Paragraph A.1 of Part 6 Class A of the GPDO whereby development is not permitted, as follows:

The development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area

The parcel of land where the development is to be carried out exceeds 1 hectare.

it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins

There has been no development carried out under Class Q or Class S on the unit.

It would consist of, or include, the erection, extension or alteration of a dwelling;

The proposals do not involve works to a dwelling.

It would involve the provision of a building, structure or works not designed for agricultural purposes:

The proposed structure is clearly designed for agricultural purposes, as outlined above.

The ground area which would be covered by (i) any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations would exceed 1,000 square metres; or (ii) any building erected or extended or altered by virtue of Class A would exceed 1,500 square metres

The ground area covered by the proposed development is less than 1,500 sq.m.

The height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;

The structure is 2.7m in height.

The height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;

The structure is 2.7m in height.

Any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;

The proposed development does not lie within 25m of a truck road or classified road.

It would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;

The structure will not be used to accommodate livestock or for the storage of slurry or sewage sludge.

It would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming;

The proposals are not connected to fish farming.

Any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit or is or would be within 400 metres of the curtilage of a protected building

The structure will not be used for the storage of fuels or waste products.

The erection or extension of a building would be carried out on land or a building that is, or is within the curtilage of, a scheduled monument

The erection of the building would not be carried out on land or a building that is within the curtilage of a scheduled monument.

Impact of Proposed Development on its Surroundings

Having clearly established that the proposed store is necessary for the purposes of agriculture and meets the relevant conditions and limitations of Part 6 Class A of the GPDO, it is now relevant to assess whether the proposed structure will have a significant impact on its surroundings by virtue of its siting, design and external appearance. Whilst PPG7 was replaced by PPS7, which, in turn, has been replaced by the NPPF, Annex E of PPG7 remains relevant to the consideration of the current proposal insofar as it sets out general guidance on the application of permitted development rights for agricultural buildings. Paragraph E15 of Annex E of PPG7 states:

> *'Provided all the General Permitted Development Order requirements are met, the principle of whether the development should be permitted is not for consideration, and only in cases where the local planning authority considers that a specific proposal is likely to have a significant impact on its surroundings would the Secretary of State consider it necessary for the authority to require the formal submission of details for approval. By no means all the development proposals notified under the Order will have such an impact.'*

Paragraph E22 of the guidance goes on to confirm *'the arrangements do not impose full planning controls over the development to which they apply – the development remains "permitted development" under the General Permitted Development Order. The principle of development will not be relevant providing the Order conditions are satisfied, nor will other planning issues.'* The GPDO conditions have been satisfied and it is therefore evident that the principle of development and other planning matters are not relevant to the consideration of the application. The siting, design and external appearance of the structures and their relationship with the surroundings are the only matters to be taken into consideration.

The location of the proposed store has been determined having regard to the operational needs of the applicant and the spreading requirements for this part of the holding, as well as ensuring that the visual impact of the proposed development is minimised as far as possible. The proposed store will occupy a central location relative to the network of fields within the part of the holding that the fertiliser store is intended to serve. The proposed site also lies adjacent to an established loose surfaced access track from St James' Road (B1390) enabling fertiliser to be readily transported to / from the structure.

There are no public rights of way in the immediate vicinity of the site from which the proposed structure would be visible. There are residential properties flanking the southern edge of St James' Road approximately 600m to the north of the site, however, in view of the separation distance involved and intervening vegetation, the proposed structure is unlikely to be visible from these receptors. Nonetheless, the proposals relate to the erection of an agricultural structure to meet an identified agricultural need within a prevailing rural setting where there is a prevalence of large-scale agricultural buildings and structures. The proposals would not therefore appear as a visually intrusive or incongruent feature within this rural setting. It is therefore wholly evident that the proposed structure, by virtue of its siting, design and external appearance, will not have a significant impact on its surroundings.

Conclusions

It has been clearly demonstrated that the development proposed is reasonably necessary for the purposes of agriculture and, taking into consideration the siting, design and external appearance of the structure as originally advocated by Annex E of PPG7, it is evident that the proposed agricultural stores will have no significant impact on its surroundings. We therefore trust that the LPA will be able to confirm that prior approval is not required for the proposed development at the earliest convenience to enable the applicant to proceed with the proposed works.