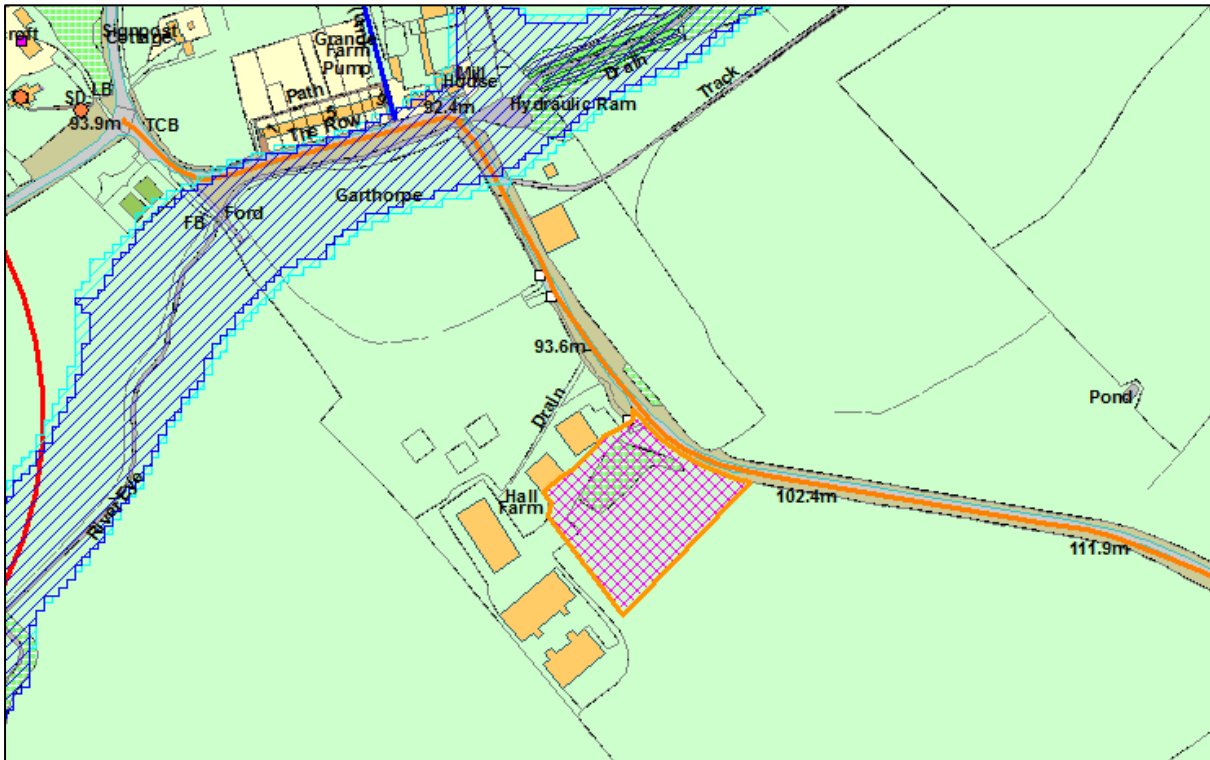


Reference: 16/00904/FUL
Date Submitted: 29.11.2016
Applicant: Buckminster Farms Ltd:- Mr Richard Tollemache
Location: Hall Farm, Wymondham Road, Garthorpe
Proposal: Construction of new grain store and drier



The application seeks permission to erect a grain store and drier at Hall Farm, Garthorpe. The proposed grain drier will have a floor area of 1200sq m. It is proposed that the grain store will have a floor area of 18m by 52 m, control room of 6.107m by 8m and drier area of 6m by 6.013m. The proposed building will have a maximum height to ridge of 15.456m and eaves height of 12.958m. Part of the building will cut into the slope of the ground, with the remaining soil creating a bund. It is proposed that the building will meet the needs of the farming estate an accommodate more modern vehicles and machinery, and will reduce the need to transport the grain to other locations and will be constructed to meet the requirements of modern lorries and trailers.

It is considered that the main issues arising from this proposal are:

- **Compliance or otherwise with the Development Plan**
- **Impact on the character of the area**
- **Impact on local biodiversity.**

The application is required to be presented to the Committee due to the size of the proposed development.

Planning Policy:-

Melton Local Plan 1999 (Saved policies)

Policy OS2 – Planning permission will not be granted for development outside the town and village envelopes shown on the proposals map except for:-

- A) Development essential to the operational requirements of agriculture and forestry.

Policy C3 – Planning permission for agricultural buildings outside the town and village envelopes shown on the proposals map will be granted provided:-

- The building is reasonably necessary for agriculture and would not occupy a prominent position in the landscape which in itself could not be ameliorated by tree planting or other suitable methods of screening;
- The size, scale, design and construction materials of the building are appropriate to its setting and specific use;
- The development would not cause loss of amenities through unacceptable noise, smell, dust or other forms of pollution;
- There would be no significant adverse effects on residential amenities;
- Satisfactory access and parking is provided to accommodate the level and type of traffic likely to be generated.

Policy BE1 - Planning permission will not be granted for new buildings unless:-

- The buildings are designed to harmonise with surroundings in terms of height, form, mass, siting, construction materials and architectural detailing;
- The buildings would not adversely affect occupants of neighbouring properties by reason of loss of privacy or sunlight / daylight;
- Adequate vehicular access and parking is provided.

The National Planning Policy Framework introduces a ‘presumption in favour of sustainable development’ meaning:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that whilst the NPPF does not automatically render older policies obsolete, where they are in conflict, the NPPF should prevail.

It also establishes 12 planning principles against which proposals should be judged. Relevant to this application are those to:

- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

- promote mixed use developments, and encourage multi benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation)
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
- Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

On Specific issues it advises:

Building a strong, competitive economy

- Local Planning Authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

Supporting a prosperous rural economy

- Support the sustainable growth and expansion of all types of business and enterprise in rural area (including well designed new buildings).
- Promote the development and diversification of agricultural and other land-based rural businesses.

Require Good Design

- Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Conserving and enhancing the natural environment

- Aim to conserve and enhance biodiversity by taking opportunities to incorporate biodiversity in and around developments

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF para. 12)

Consultations:-

Consultation Reply	Assessment of Head of Regulatory Services
<p>LCC Highways – No objection</p> <p>The County Highway Authority advice is that, in its view the residual cumulative impacts of development are not considered severe in accordance with Paragraph 32 of the NPPF, as outlined in this report.</p> <p>The proposed development would be accessed from the farms existing site access with a new internal access road leading to the grain store.</p> <p>The Applicant currently moves large amounts of grain to various premises on the B676, however if the proposed development is granted planning permission the number of trips would be reduced as this would be done in one location. There will be no increase in the amount of grain produced by the Applicant therefore the number of lorry deliveries from the site to the B676 and A1 will remain the same.</p>	<p>Noted. It is proposed that the development will achieve access to the highway using the existing access drive to the site and a concrete apron which is proposed within the site boundary.</p>

<p>Therefore based on the comments above the proposals are on balance, considered acceptable from a highway point of view should the LPA be minded to approve this application.</p>	
<p>LCC Ecology – No objection, subject to conditions There is no need for ecological surveys of the area affected by the development due the managed nature of the stand of trees and grassland and arable nature of the remainder of the site. However, the stand of trees should be retained within the landscape and whilst a portion of the trees would be lost to the new access track the feature would still be retained.</p> <p>Looking at the overhead photo for the site, the boundary of the tree canopies as they extend away from the road are in alignment with the side elevation of the middle building to the south west. This line is roughly in accordance with the top of the proposed side bund which would mean that the edge of the stand of trees could be buried to approximately halfway up their canopies (according to the heights given on drawing 1630D3.4 Section Elevations). If this is the case could the development be moved by a few metres to reduce the number of trees that would need to be removed and limit the impact on the remaining trees?</p> <p>In light of the above points and the fact that there is proposed planting to the bunds, the following should be included in any permission granted:</p> <ul style="list-style-type: none"> • All works to trees outside of the bird breeding season of March to August inclusive. • All landscape planting to be of locally native species only. 	<p>The Agent was made aware of the comments made by LCC Ecology and have responded with the following points:</p> <ol style="list-style-type: none"> 1. To move the building away from the existing stand of trees by a few metres, based on the levels given and cross sections shown on the drawings submitted, will involve considerable extra removal of soil and extra cost. 2. The applicant is very willing to replace the trees lost and suggests the replacement trees being planted in the meadows between Hall Farm and Garthorpe village. 3. These trees, along with those already specified in the planning application, will be locally native species. <p>The statement provided for the application has stated that the development would require the removal of 5 trees to create an access to the concrete apron which would provide access to the building. It is considered that on balance the removal of the 5 trees would be acceptable, especially as repositioning the building would result in the need for more ground works to be carried out.</p> <p>Although the trees are not protected, a condition can be included in the decision to require that any trees removed should be replaced elsewhere in the site. The Agent has agreed to this condition.</p> <p>The points raised by Ecology can be included in a condition (to protect birds) and note to applicant (native species for landscaping).</p>
<p>MBC Building Control Looks fine, although this is exempt building regulations.</p>	<p>Noted.</p>
<p>MBC Environmental Health</p> <ol style="list-style-type: none"> 1. From the FlaktWoods sound power data and using the equation $L_p = L_w - 20 \log r - 11$ a sound pressure level of 73.5 dBA per fan @ 10m is calculated. This is not too dissimilar from Perry Engineering’s unsilenced figure of 75.4 dBA. <p>If each silenced fan is 68.6 dBA @ 10m then the total sound pressure level for four silenced fans would be 74.6 dBA. Although I note the silencer information remains absent. With that in mind, the origin of 59 dBA @ 10m for the main fan in table 5.1 of the report is unclear. The report would have benefitted from additional work on the origin of the input data. This is all the more important where the results are computer modelled and wholly reliant upon the integrity of the data fed into the model.</p> <ol style="list-style-type: none"> 2. The results provided in table 5.2 of the report are 	<p>Noted all comments received from Environmental Health. An amended noise assessment was received following the initial comments received.</p> <p>The agent has been informed of the proposed condition and is willing to accept the condition.</p>

the product of a computer model. Whilst there are advantages to this method, there are disadvantages in that the statutory consultees to the planning process are unable to replicate the results through calculation. The results can only be taken on face value and require a significant trust. This is a disbenefit to the peer-review approach of the planning system.

On balance, Environmental Health accepts the findings of the reports and withdraw the holding objection. However as the viability of the development (in public health terms) is dependent on the mitigation scheme outlined within the report, we recommend a conditional permission to ensure compliance.

Condition:

The approved scheme shall be implemented prior to the commencement of the use and be permanently maintained thereafter.

The recommendations set-out in noise assessment ‘Garthorpe Grain Store Noise 120117.docx’, dated January 2017, as prepared by LFAcoustic in support of application 16/00904/FUL shall form the ‘approved scheme’ for the noise attenuation of the development and must be completed prior to bringing the development into use and retained thereafter.

(Original comments -

Having reviewed the application I offer the following comments.

- 1. The noise assessment provided does not provide essential detail such as: author, the authors acoustic qualification, report date etc. The quality of the report would fall short of the standard expected from a professional acoustic report. The Local Planning Authority should determine whether the report quality is commensurate with the scale of development.*
- 2. There are a number of errors and inconsistencies with the report:*
 - The report references a single fan (with 1D silencer) as emitting a LpA 48.6 dBA @ 100m. However the information from Perry Engineering quotes 48.6 dBA for 4 fans (with 1D silencer) @ 100m.*
 - The spectrum data is taken from FlaktWoods but only accounts for the drier ‘outlet’. The ‘inlet’ data has been omitted.*
 - The sound power data from FlaktWoods is already A-weighted (LwA). A further A-weighting is inappropriate.*
 - There is a calculation error at the 4k & 8K*

<p>octaves. LpA of 4 fans @ 340m should be 35 dBA and 28 dBA respectively. This would increase the broadband LpA to 40.6 dBA.</p> <ul style="list-style-type: none"> • The silencer performance data is missing. The distance correction calculation is missing. • The BS4142 calculation is incomplete. The background assumption of 25 dBA is too conservative for day-time noise (07:00 – 23:00). I would estimate 35 dBA as being more representative. Actual background data could be obtained without difficulty. • The BS8233 and WHO night-time (23:00 – 07:00) maximum recommended thresholds are not applicable to a process that isn't to occur during that time. The applicant needs to give thought as to whether this process will be limited to day-time operations as this is likely to be conditioned. • The FlaktWoods data assumes spherical propagation. Although propagation is largely over soft ground, complete absorption is unlikely. • Directionality and the sound barrier is acknowledged in the absence of quantification. A 5 dBA reduction for the sound barrier can be assumed. <p>3. Under the circumstances, I would suggest the applicant return to first principles using the verified FlaktWoods data. Using the equation $L_p = L_w - 20 \log r - 11$ for both the inlet and outlet ('breakout' discounted) @ 10m and 50m I achieve 73.5 dBA and 59.5 dBA respectively for a single fan. These numbers are similar to the figures quoted by Perry Engineering. As such I would be inclined to consider the data representative of a single fan.</p> <p>Environmental Health raises a holding objection to the application to allow further consideration of the noise impacts of the development on residential amenity)</p>	
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Representations:-

A site notice was posted to advertise the application and advert placed in the Melton Times. No representations were received for the application.

Other material considerations (not raised through consultation or representation):-

Material Consideration	Assessment of Head of Regulatory Services
<p>Design of proposed building and impact on amenity</p> <p>The proposed grain drier will be constructed with olive green steel doors, fibre cement roofing (grey), concrete panels (lower cladding) and olive green plastisol coated profile sheet (upper cladding).</p> <p>The building will be separated into 4 areas including</p>	<p>It is not considered that the proposed building would be detrimental to the amenity of residential occupiers due to the location of the building approximately 280m from the nearest residential occupier. The building has been designed so as to reduce any potential noise impacts on neighbouring residential occupiers and MBC Environmental Health have raised no objection to the application (subject to a condition).</p>

<p>two grain stores, intake area and control room. The drier will be placed externally to the building. The building has been designed so that the fans required will be positioned facing away from Garthorpe and bunds are also proposed to provide a noise buffer (to be created from the soil removed to construct the building).</p>	<p>There are a number of other agricultural buildings on site. It is considered that the proposed building will sit well with the existing buildings on site and would not be harmful to the appearance and character of the area.</p>
<p>Traffic issues The farming business grows and harvests crops across a wide area from South Witham in the east to Saxby in the west.</p> <p>Currently a large amount of grain is double handled in moving wet grain to the drier at Manor Farm and back to the existing stores at the western extreme of the holding along the B676. With the proposed new grain store and drier this would cut down the number of tractor and trailer journeys along the B676 at harvest time and improve the storage and drying at the western end of the holding where the bulk of the need is.</p> <p>The proposed new grain store and drier would replace stores lost due to redundancy, and tenancy changes. Centralising much of the farming output of combinable crops at Hall Farm will provide economies of scale, increased efficiency and a reduction in drying and storage costs with a modern high capacity drier (60 tonnes per hour) and handling equipment (120 tonnes per hour), together with good in-store ventilation with eaves height sufficient to safely allow modern farm trailers and lorries to tip their loads.</p>	<p>The facility is intended to serve the applicants business and landholding only and would not be a drier made available for third parties.</p> <p>It is therefore considered that the predictions of traffic routes and their quantity are reliable and the basis on which the Highway Authority made their comments and recommendation can be relied upon.</p> <p>However its alternative (wider) use could give rise to traffic issues that had not been anticipated and may be problematic on the rural road network. It is therefore considered necessary to apply a condition limiting the use to the applicants crops only.</p>
<p>Application of the Development Plan Policies.</p>	<p>The National Planning Policy Framework is a material consideration in the determination of this application that is considered to be of significant weight. The NPPF is clear in its advice that the presumption is in favour of sustainable development. The guidance also states that where the development plan is absent, silent or relevant policies are out-of-date, local planning authorities should grant planning permission unless “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits”.</p> <p>The NPPF supports economic development and states its commitment to securing sustainable economic growth, explaining that planning should do “everything it can” to facilitate this. Paragraph 28 of the NPPF relates to supporting a prosperous rural economy. It states that local planning authorities should support the sustainable growth and expansion of all types of business and enterprise in rural area. The key to this policy is considered to be the consideration of ‘sustainable’.</p> <p>The NPPF defines sustainable development as economic, social and environmental. The site proposed is located within the open countryside, some distance from any settlement and some distance from Melton Mowbray. The location of the proposal is</p>

	<p>intended to reduce overall travel distances for the collection of raw materials and their subsequent distribution, and of course facilitates the storage and processing of materials from the applicants immediately surrounding land without the need for their transportation.</p> <p>Whilst it is considered that the proposed development would be located in a rural area, remote from any significantly sized settlement, it is considered that it would bring advantages in terms of overall travel distances and uses of the highway network and would represent economic growth of the type encouraged by the NPPF.</p>
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Conclusion

The application seeks to build upon the use of the farm. This will be a more central location for the applicant's activities and would update the facilities for the farm, which are currently over 40 years old and do not match the current farm assured standards for long term storage and have insufficient ventilation. The proposed grain drier and store will be designed to be able to accommodate modern lorries and trailers. The impact of the traffic will be restricted mainly to the harvest time when such activities would be anticipated in the countryside and the Highways Authority have no objections. The NPPF supports rural economic growth. Accordingly the application presents the need to **balance economic growth considerations with those of sustainable development.**

The proposal is not considered to adversely impact on the character and appearance of the area, the residential amenities of neighbouring properties or highway safety and would represent an improvement from the previous use in terms of traffic generation and policy objectives.

Recommendation: PERMIT, subject to conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with drawings numbered: 1630D3.3 Rev A, 1630D3.2 Rev 0 and 1630D3.1 Rev 0, received by the Local Planning Authority on 29 November 2016.
3. The external materials to be used in the development hereby permitted shall be in strict accordance with those specified in the application unless alternative materials are first agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.
4. Any works to trees shall be carried outside of the bird breeding season of March to August inclusive.
5. The recommendations set-out in noise assessment received by the Local Planning Authority on 13 January 2017 (dated January 2017), as prepared by LFAcoustic in support of application 16/00904/FUL shall form the 'approved scheme' for the noise attenuation of the development and must be completed prior to bringing the development into use and retained in perpetuity thereafter.
6. Any trees removed on site as part of the development shall be replaced within the site area (as indicated on drawing numbered 1630D3.3 Rev).
7. The grain drier hereby approved shall be used only for the purposes of the treatment of the produce of applicant and not produce imported from other suppliers,, unless agreed otherwise in writing with the Local Planning Authority

Reasons:

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure a satisfactory standard of external appearance.
4. To protect birds on site.
5. In the interests of amenity for nearby residential occupiers.
6. In the interests of Ecology on site.
7. In the interest of residential amenity and road safety

Officer to contact: **Miss J Stokes**

Date: 08.02.2017