

BOROUGH OF KETTERING

Committee	Full Planning Committee - 10/02/2015	Item No: 5.4
Report Originator	Rebecca Collins Development Team Leader	Application No: KET/2014/0654
Wards Affected	Welland	
Location	Eckland Lodge Farm, Desborough Road, Braybrooke	
Proposal	Full Application: Erection of grain store and chemical/fertiliser store	
Applicant	Stuart Howes & Son/Eckland Lodge Business Park	

1. PURPOSE OF REPORT

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The buildings hereby permitted shall be used only for purposes of Chemical/Fertiliser and Grain Store ancillary to the agricultural unit and for no other purpose whatsoever.

REASON: In the interests of protecting rural enterprise in accordance with Policy 3 of the NPPF.

3. No development shall commence on site until details of the types and colours of all external facing and roofing materials to be used, together with samples, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of the visual amenities of the area in accordance with policy 13(h) of the North Northamptonshire Core Spatial Strategy.

4. No development shall take place until a plan prepared to a scale of not less than 1:500 showing details of existing and intended final ground and finished floor levels for the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: To preserve the character of the area in accordance with policies 13 (h and o) of the North Northamptonshire Core Spatial Strategy.

5. No development shall commence on site until details of the materials to be used for hard and paved surfacing have been submitted to and approved in writing by the Local

Planning Authority. The surfacing shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity in accordance with policy 13 (h and o) of the North Northamptonshire Core Spatial Strategy.

6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted. The approved scheme shall be carried out in the first planting and seeding seasons following the occupation of the building. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To improve the appearance of the site in the interests of visual amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

7. No development shall take place on site until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately-owned, domestic gardens, has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

REASON: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal public, nature conservation or historical significance in accordance with policy 13 (o) of the North Northamptonshire Core Spatial Strategy.

8. Prior to the commencement of development a Great Crested Newt survey, to determine the presence of Great Crested Newt's, shall be submitted to and approved in writing by the Local Planning Authority. If any species are found a scheme providing details of the mitigation measures required to avoid any damaging effects during the development shall accompany the updated survey and be submitted to and approved in writing by the local planning authority. The development shall not be carried out other than in accordance with the approved survey and any mitigation measures.

REASON: In the interest of protected species in accordance with policy 13(o) of the North Northamptonshire Core Spatial Strategy.

9. No equipment, materials, products, parts, containers, waste or any other articles shall be stacked or stored on the site at any time except within the building.

REASON: In the interests of the appearance of the site and the visual amenities of the surrounding area in the interests of amenity in accordance with policy 13 (h and o) of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2014/0654

This application is reported for Committee decision because the applicant or agent is a Council member or is a friend or relative of a Council member.

3.0 Information

Relevant Planning History

KE/87/0217 – Change of use from agricultural buildings to small industrial units (approved).

KE/89/0383 – Storage of caravans (refused).

KE/97/0453 – Change of use from agricultural units to B1 light industrial/offices, craft workshop, toilet block and tea rooms (withdrawn).

KE/98/0353 – Additional farm units to include calf rearing unit, silage/sheep enclosure and shed (approved).

KET/2000/0181 – Change of use of buildings with consent KE/97/0732 for B1(c) to general B1 permission (approved).

KET/2000/0415 – New milling up barn and cattle feed store to replace existing old units to comply with regulations (approved).

KET/2004//0158 – Phase 3 conversion of redundant farm buildings into B1 business use (approved).

KET/2006/0764 – Renovation of redundant farm building to provide B1 office accommodation (approved).

KET/2008/0697 - Demolition of existing agricultural buildings and erection of office buildings with B1. Formation of a new vehicular and pedestrian access, parking areas and associated landscaping (refused).

KET/2009/0596 – Demolition of existing agricultural buildings and erection of office buildings with B1. Formation of a new vehicular and pedestrian access, parking areas and associated landscaping (approved).

KET/2014/0653 – Erection of workshop and machinery store (pending).

KET/2014/0655 – Solar Farm (pending).

Site Description

Officer's site inspection was carried out on 18/11/2014.

The application site is to the south of Eckland Lodge farmhouse in open countryside between Braybrooke and Desborough. The site occupies a hilltop position and is visible from the new Desborough bypass (A6), linking Kettering to Market Harborough, and the old A6 (B576) linking Desborough to Market Harborough. Access to the site is via the old A6 (B576), Harborough Road.

The land between the site and Harborough Road to the north, and to the east and west is open flat land with slight variation in levels. To the south of the existing business park there is a decrease in land levels from the site towards the A6 Desborough bypass.

The application site is the northern part of the larger farmstead/business park site and comprises of a large open area currently used for open storage of pallets etc. There is very a small red brick building to the east boundary of the site. Ground levels at this part of the site slope gradually to the south. Eckland Lodge Farm extends in excess of 120ha involving land surrounding the farm house as well as land on the opposite side of the A6.

At the site, the buildings to the south of the application site are a former barn complex converted into 18 B1 business units resulting in Eckland Lodge Business Park. Planning permission was granted in November 2013 for the further construction of B1 office buildings including landscaping and vehicular access.

Proposed Development

The proposal is for the construction of a grain store and chemical/fertiliser store.

The proposed chemical and fertiliser store is 562m² in area with a 7.5 metre eaves height and an 8.75 metre ridge height. The proposed grain store is 633m² in area with an eaves height of 7.0 metres and a ridge height of 8.0 metres.

Any Constraints Affecting the Site

B Road

4.0 Consultation and Customer Impact

Parish/Town Council's Desborough Town Council

No objection.

Brampton Ash Parish Council

The amount of screening shown on the planting plan is insufficient to reduce the impact of the proposal on the open countryside.

A Transport Impact Assessment is requested as the proposed grain store is significantly larger than the existing one, which will increase the number of grain deliveries to and from the site. An increase in vehicular movements could cause further deterioration to Hermitage Road.

Braybrooke Parish Council

No objection as the proposal will improve the visual appearance of the site, subject to no construction traffic travelling through Braybrooke village and the provision of natural planting.

Highway Authority

No objection subject to the access to the proposal with appropriate visibility splays being laid out prior to the use of the building commencing. Measures to ensure mud on the highway should be adopted. No works to the highway should commence without the relevant consent of the Highways Authority.

Northamptonshire Police

No objection subject to further consideration of the storage of dangerous substances.

Natural England

No objection, subject to standing advice.

Wildlife Trust – 18th December 2014

Object to the application on the grounds that:

The submitted Ecological Survey Report is inaccurate; the applicants have not taken any form of prior Data Search exercise/Desk Top Survey; there is no ecological investigation of the buildings to be demolished for the presence of birds or bats; this document refers to an out of date version of the County's BAP document; rare plant species have been recorded; and further survey works are required for the presence of Great Crested Newts – therefore the application contains insufficient ecological information to determine this application.

22nd January 2015

The applicants have submitted further ecological information. The Wildlife Trust continue to object to the proposal on the grounds:

Great Crested Newts (GCN) are a European Protected Species (EPS) - the highest level of wildlife species legislation protection applicable in the UK. It is not accepted that these survey works should not be undertaken on the basis that there has been insufficient time.

The applicants have revised the submitted Ecological Survey information but are focussing-in on the one SSSI site area, without giving due consideration to any potential, non-statutory, site designations that could lie closer to the proposed development site area and could represent a potential constraint in terms of local sensitivities and existing natural environmental assets

Failure to undertake a Data Search Exercise, with the relevant Local Records Centre resource, and other sources of historical information, is not a Good Practice approach; it means that the ecological consultants run the risk of being totally unaware of potential constraints caused by local sensitivities and local conditions.

The Wildlife Trust recommends that without a survey exercise for a (European, in the case of the GCNs) Protected Species Matter; your Authority does not have sufficient ecological information available to it in order to be able to make a fully-informed determination decision in respect of this application.

North Northants Badger Group

No comments.

Environmental Health

No comments.

Consultation and Customer Impact

No third party comments have been received.

5.0 Planning Policy

National Planning Policy Framework

Core Principles

Policy 1. Building a strong, competitive economy

Policy 2. Ensuring the vitality of town centres

Policy 4. Promoting sustainable transport

Policy 7. Requiring good design

Policy 11. Conserving and enhancing the natural environment

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 1. Strengthening the Network of Settlements

Policy 6. Infrastructure Delivery and Developer Contributions

Policy 8: Delivering Economic Prosperity

Policy 9. Distribution & Location of Development

Policy 11. Distribution of Jobs

Policy 13. General Sustainable Development Principles

Policy 14: Energy Efficiency and Sustainable Construction

Local Plan

7. Environment: Protection of the Open Countryside

SPGs

Sustainable Design SPD

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle
2. Landscape and Visual Impact
3. Highways safety and access
4. Ecology

1. Principle

The application site is located within open countryside, where development is restricted by policies 7 of the Local Plan for Kettering Borough and Policy 1 of the North Northamptonshire Core Spatial Strategy. The application site is part of a wider farm complex where a number of planning permissions have been granted converting or constructing buildings to form a business park. This has led to a number of uses on site including, B1 offices, car sales and workshop and other uses.

This proposal is for a replacement grainstore and chemical/fertiliser store covering approximately 0.88 hectares of the site. The buildings proposed are approximately 562m² in area (the chemical and fertiliser store) with a 7.5 metre eaves height and an 8.75 metre ridge height and 633m² in area (the grain store) with an eaves height of 7.0 metres and a ridge height of 8.0 metres.

The applicants have submitted information as to why these buildings are required. The applicants state that the chemical/fertiliser store is 'a requirement from insurers and Environment Agency / HSE compliance has informed the detailed design process for the replacement agricultural buildings. Ammonium Nitrate-based fertilisers are classed as dangerous substances. The Agricultural Industries Confederation (AIC) offers guidance to farmers on how to use them safely. The storage and use of Fertilisers is also covered by The Fertilisers Regulations 1991 (agriculture). These need to be stored separately and insurers stipulate that any new storage buildings maintain 12m (minimum) separation to any other buildings on site. It is important to note that Eckland Lodge Farm have never previously been able to comply with this requirement'.

A Grain Store building is also required. The existing grain store is to be demolished as part of approved application reference KET/2009/0596 for new B1 offices. The existing grain store and equipment is said to be beyond its design life and the building is failing. The applicants state that 'although the agricultural assessment sets out a strategy for Eckland Lodge Farm to return to a beef enterprise this is not currently the case and the farm is purely an arable farm. A building is proposed with 3 separate compartments/loading areas serviced by a concrete hardstanding area to enable the efficient movement of tractors and trailers during harvest. Since 2011 the European Union has been negotiating a new CAP which will start in 2015. From 2015 new 'greening rules' will apply. Crop diversification is one of the three greening rules requires that Farmers with over 30ha of eligible arable land will need to grow at least 3 crops. Eckland Lodge Farm has 130.154 hectares (325.04 acres) of land which will require them to produce three crops from 2015. The farm will therefore require a Grain Store with three separate sections to store the harvested crop as necessary'.

There are currently two other applications awaiting determination on the wider site for a replacement workshop/machinery store (KET/2014/0653) included in this agenda and a Solar Farm (KET/2014/0655) to go to a later Committee. Within the application, the applicant envisages that energy produced by the Solar Farm is used to power farm buildings.

Policy 3 of the NPPF states that 'planning policies should support economic growth in rural areas . . . and take a positive approach to sustainable new development'. Policy 3 goes on to state that Local Plans should support sustainable growth through the conversion of existing buildings and well designed new buildings; and promote the development and diversification of agriculture.

Although the site is located in open countryside, where development is usually restricted and it is located in an elevated position within the landscape, the proposed use of the buildings is for the purpose of the continued operation of the agricultural unit and will be viewed on the backdrop of existing buildings of varying quality. Therefore, on this basis the proposal is considered to be acceptable in principle in this instance.

2. Landscape and visual impact

The applicants state that 'the fertiliser and chemical store building proposes elevational treatment which incorporates a low level brick plinth with vertical timber Yorkshire boarding. The grain store is more functional in appearance with low level horizontal reinforced precast concrete panels with plastisol coated profiled steel cladding at high level'. The applicants state that 'an attempt has been made to exploit the site topography in order to reduce the massing and visual appearance of the new built form'.

The site holds a very prominent position in the landscape. The raised ground levels and limited existing planting means that this site can be viewed clearly from the north, south and east of the application site and is clearly visible from the B576 Desborough Road and the A6, especially travelling from Kettering to Market Harborough. Alternative locations were investigated for the proposed buildings. However, they were discounted as they would have a stand alone position in the landscape. Despite the proposed buildings prominent position at least the proposal would be viewed on the backdrop of other farm buildings.

The applicant has included with the application a planting plan, it is considered that a site wide landscape strategy is required. Previously approved landscaping and bunding associated with application KET/2009/0596 does not respond well to the surrounding Northamptonshire landscape, with unusual mounds and groups of trees located in banks. As the site is clearly visible from most directions it is easy to identify predominant and typical Northamptonshire rural landscape patterns which include strong species rich hedgerows interdispersed with large trees and other small clusters of a few trees spread randomly across fields. The proposed and already approved landscaping does not reflect these typical patterns and therefore will assist only in making new developments onsite stand out more prominently within the landscape. It is therefore suggested that a condition is applied to any subsequent approval requiring a revised landscaping plan. The proposed landscaping shall constitute native Northamptonshire species and relate better to the wider countryside in this location.

Although, the positioning of the buildings, in landscape and visual impact terms is not desirable, an alternative location, physically separated from the rest of the farm/business park buildings could have a greater landscape impact. On the basis the buildings will be viewed on a backdrop of the existing buildings and it is for the

purposes of agriculture then the chemical/fertiliser store and grain store are considered acceptable at this time, in accordance with Policy 13(h) of the CSS, subject to conditions with regards to materials and landscaping.

3. Highway safety and access

The proposal will be accessed off an extension to the currently under construction fork off the original access, approved under application reference KET/2009/0596. The applicants state that as the application proposes only replacement buildings, required as a result of existing farm buildings being demolished, no transport intensification will take place. However, a modest intensification may take place during construction. The applicants state that 'it is envisaged materials and labour will be transported via the A14 with vehicles entering the site via the A6 and B576. No delivery or construction vehicles will therefore travel through Desborough or the surrounding villages. A construction phase transport plan can be conditioned if necessary'.

The applicants state that the existing access to the site is 7.4 metres wide, which offers a suitable access and good visibility. As amendments have already been approved to the access to the site through application reference KET/2009/0596 and these are replacement buildings then it is not considered that further works to the access are required as part of this application. It is not considered that the replacement buildings will generate significant additional movements, except for during construction phase, to warrant further transport assessment. Given the likely limited period of construction then it is not considered that transport impacts would be so significant to warrant refusal of planning permission. The proposal is therefore considered in accordance with policy 13(n) of the CSS.

4. Ecology

Policy 13(o) of the CSS states that new development should conserve and enhance landscape character. Policy 11 of the NPPF re-iterates this approach and states that in determining planning applications Local Planning Authorities should apply the following principles:

- If significant harm cannot be avoided it should be adequately mitigated or as a last resort compensated for;
- Development which would have an adverse impact effect on a SSSI should not normally be permitted;
- Opportunities to incorporate biodiversity should be encouraged;
- Planning permission should be refused for development resulting in loss of irreplaceable habitats.

The Wildlife Trust has objected to the proposal on the grounds that there is insufficient information submitted with regards to ecology. The applicants have submitted a joint Ecological Survey Report, which covers all three planning applications for the site including the Solar Farm (KET/2014/0655) and the grain store (KET/2014/0654). Further survey information is required to ensure works do not unduly impact local ecology. From the site visit, there was no visible habitat for Great Crested Newts (GCN), the applicant has been asked to submit a ponds survey to understand the potential impact of this development on GCN's. Although, we usually require survey works to be undertaken prior to the granting of planning permission, given the location of this building and the ponds then it is unlikely that

this development would have an unacceptable impact. Also, GCN's are protected species so works affecting this species are regulated by law. Having reviewed Natural England's standing advice; the requirement for undertaking GCN surveys at specific times which would mean the applicant could not continue with this application until after March; the relationship of this site with potential habitat and that no Newts were found during the surveys which have already been done, in this instance, it is considered that further survey works can be required by condition.

The applicants have not included a suitable bat and bird survey to cover existing buildings to be removed. However, actually the buildings to be demolished are those buildings which need to be removed to accommodate the approved office development. This approval contains a condition requiring bat and bird surveys therefore it is not considered further survey works are required with this application.

There are no SSSI's or Local/County Wildlife Sites within the application site boundary. The closest sites are over 800metres from the application site across the B576. The application site is largely compacted soil, partially used for outside storage, it is not considered that the addition of this building will have a significant impact to warrant its refusal on this basis.

Subject to conditions with regards to further Great Crested Newt surveys and landscaping, then the proposal is considered in accordance with Policy 13(o) of the CSS and Policy 11 of the NPPF.

Conclusion

The proposal is to be located in an elevated position and will be highly visible within the surrounding landscape. However, the buildings will be viewed on a backdrop of surrounding buildings and has been justified in terms of its requirement to support local farming practices. On this basis the proposal is considered to be in accordance with Policy 3 of the NPPF and Policy 13 of the CSS and is recommended for approval subject to conditions.

Background Papers

Title of Document:

Date:

Contact Officer:

Rebecca Collins, Development Team Leader on 01536 534316

Previous Reports/Minutes

Ref:

Date: