



Stradbroke Parish Council met on Tuesday, 4th May 2021 and reviewed current applications being considered by Mid Suffolk for Barley Brigg Farm, Laxfield Road, Stradbroke IP21 5NQ

- DC/21/02047** – Retention of extension to an agricultural building approved under DC/19/01673, including minor changes to eaves and ridge height and use of building for crop drying & storage.

The Parish Councillors noted that this is a new application for the whole building as per the planning statement and submitted plans 2173 1A and should be reviewed as such. Councillors voted to **OBJECT** to this application and recommend that this application is called in to planning committee given the difficult and complicated history of planning on this site.

Stradbroke Parish Council’s comments:

It was noted that the applicant states in the planning statement for DC/21/02047 the following (relevant points highlighted in yellow):

Page 2 2.2	In support of this planning application, we point out that planning permission 1837/17 gave approval to the appearance of the building as built in the context of the development plan and planning permission DC/19/01673 gave permission as to its use.
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The following conditions were included in the grant of planning for 1837/17, which the applicant has based the appearance of the building on:

Condition 6	SPECIFIC RESTRICTION ON DEVELOPMENT: ADDITIONAL FLOOR RESTRICTION No mezzanine, entresol or additional floors shall be inserted into any buildings constructed pursuant to this permission except pursuant to the grant of planning permission on an application made in that regard. Reason - To prevent intensification of use that would result in detrimental impact on traffic impact
Condition 10	SPECIFIC RESTRICTION ON DEVELOPMENT: RESTRICTION ON CHANGES OF USE The building hereby permitted shall only be used for storing of grain, straw, and farm equipment/machinery. No grain drying or straw burning equipment shall be installed. Reason - To enable the Local Planning Authority to retain control over the development in the interests of the amenity

In addition, as part of the granted application for DC/19/01673, Mid Suffolk District Councillors would have, in part, based their decision on the applicant’s planning statement which makes the following points, *note: where reference is made to the ‘previously approved building’, this refers to application 1837/17:*

Page 2 1.7	This report explains how the new proposal is likely to result in reduced traffic movements and noise and disturbance impacts when compared to that of the previously approved building. This is primarily due to the smaller scale of the proposal to that approved, but also that the proposal relates to the drying of product, such as grain, instead of a large and unlimited storage building. In contrast to the new proposal, the previously approved scheme was not limited and this means that the entire building could be used for storage and is likely to have resulted in a greater volume of materials arriving and departing the site than what is now proposed.
Page 5	The development description is:

2.10	'Agricultural Crop Product Drying Building'
2.15	The proposal is for a new building which would be used for crop drying purposes associated with the farm. Wholly within the building would be equipment associated with the drying processes. The product which would be dried within the building relates to wheat, straw and oil seed rape which is already grown on the farm or bought in from other farms.

Parish Councillors noted that the application submitted under DC/21/02047 is for "Retention of extension to an agricultural building approved under DC/19/01673, including minor changes to eaves and ridge height and use of building for crop drying & storage"

Reason for refusal:

The comments highlighted above show that the applicant has noted that a larger barn with storage would result in greater volume of traffic. Parish Councillors note that this large barn will add to the vehicle movements to and from the site, and this is **contrary to policy STRAD13** of the made Stradbroke Neighbourhood Plan:

POLICY STRAD13: EMPLOYMENT PROVISION

The expansion of existing commercial premises will be permitted, subject to certain criteria identified below:

- the proposals are not significantly detrimental to the character of the wider countryside or the views across it; and
- the activities to be undertaken on the premises do not have an unacceptable impact on the amenity of neighbouring properties; and
- there is sufficient off-street parking to accommodate workers and visitors; and
- the activities to be undertaken on the premises will not result in significant increase in heavy goods vehicular traffic on the roads in the vicinity of the premises or elsewhere in and around the parish.

Councillors noted the following comment at point 4.5 page 8 on the planning statement for DC/21/02047: *"In addition to this, the building adjacent to this one (permitted under 0801/08) has an approved HGV traffic allowance of 150 loads in and 150 loads out per day but has never acceded to this level. Therefore, the wider site as a whole could permissibly generate far more traffic than this proposal will without recourse to planning. Refusal of planning permission now, on the basis of traffic movements alone, would simply see the applicant utilise this permitted allowance in the building next door."*

Note: Application for 0801/01 lists per day HGV movements as "150 in / 150 out – harvesting times".

Councillors noted that the previously constructed barn is not included in the red line plan for this application therefore any vehicle movements permitted under 0801/08 could not be used for the current application. Suffolk County Council recently approved an increase in the permitted imported feedstock tonnage for the Anaerobic Digester site that shares the same access road. Both the 0801/08 application and the recent Suffolk County decision already put a large volume of traffic on the local roads to service both sites and any increase would be unacceptable.

Proposed Conditions:

Should Mid Suffolk District Council be minded to grant retrospective permission for this application the Parish Council request that the following conditions be added to any grant of planning:

1. As the applicant has stated the barn has been built to the size of the 1837/17 granted permission, the Councillors recommend that **conditions 6 and 10** from that grant (as referenced above) are added to any new grant of planning to prevent intensification of use

that would result in detrimental impact on traffic impact and to enable the Local Planning Authority to retain control over the development in the interests of the amenity.

2. As the answer to question 20 on the application form shows the building is “*not intended for industrial or commercial activities or processes, and is not a waste management proposal*”, and this statement is supported by the statements referenced above in the original application for DC/19/01673, Councillors recommend a condition that limits the use of the barn to the crops from the applicant’s own farming activities and for use in the applicant’s own pig units and should not be used for any separate commercial enterprise. Together with a further condition that the use of the building and land hereby permitted shall be as a grain storage and drying facility and for no other purpose within use class E(g), B2 or B8 of the Use Classes Order as amended without the prior express grant of planning permission. These conditions would prevent intensification of use that would result in detrimental impact on traffic impact and enable the Local Planning Authority to retain control over the development in the interests of the amenity.
3. To protect the interests of the residential amenity in both the nearby residential properties and the nearby centre of the village through which vehicles must travel, the Council recommends a condition that limits use of the building as follows: Any drying equipment shall only be operated between the hours of 08:00-22:00 during the harvest period from 21st July to 30th September inclusive and between the hours of 08:00-17:00 Monday and Friday and 09:00-12:00 on Saturdays throughout the rest of the year. During the period from 1st October to 20th July inclusive there shall be no outgoing movements of grain from the site outside of the hours 07:00 – 18:00 Monday to Fridays, 08:00 to 12:00 Saturdays and at no time on Sundays, bank and public holidays.
4. Given the planning history of this site the Councillors also request the following condition be added in the interests of the amenities of the locality and highway safety: Notwithstanding the provisions the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to the building as approved or other additional structures erected on site without the prior express grant of permission.

2. Other Matters:

DC/21/02045 and DC/21/02046

DC/21/02045 seeks to discharge condition 4 relating to landscaping. The application form states that the building granted permission under **1837/17 was built out on site** between 1st July and 1st October 2020.

DC/21/02046 seeks to discharge condition 6 relating to landscaping. The application form states that the building granted permission under **DC/19/01673 was built out on site** between 1st May and 1st September 2020 – although these dates are not supported by the google image on page 4 of this consultation response, which was submitted by the applicant and is dated 23/8/2019. Both of the statements relating to the build out of the barn for each planning reference above cannot be true as both applications were for a building on the same site.

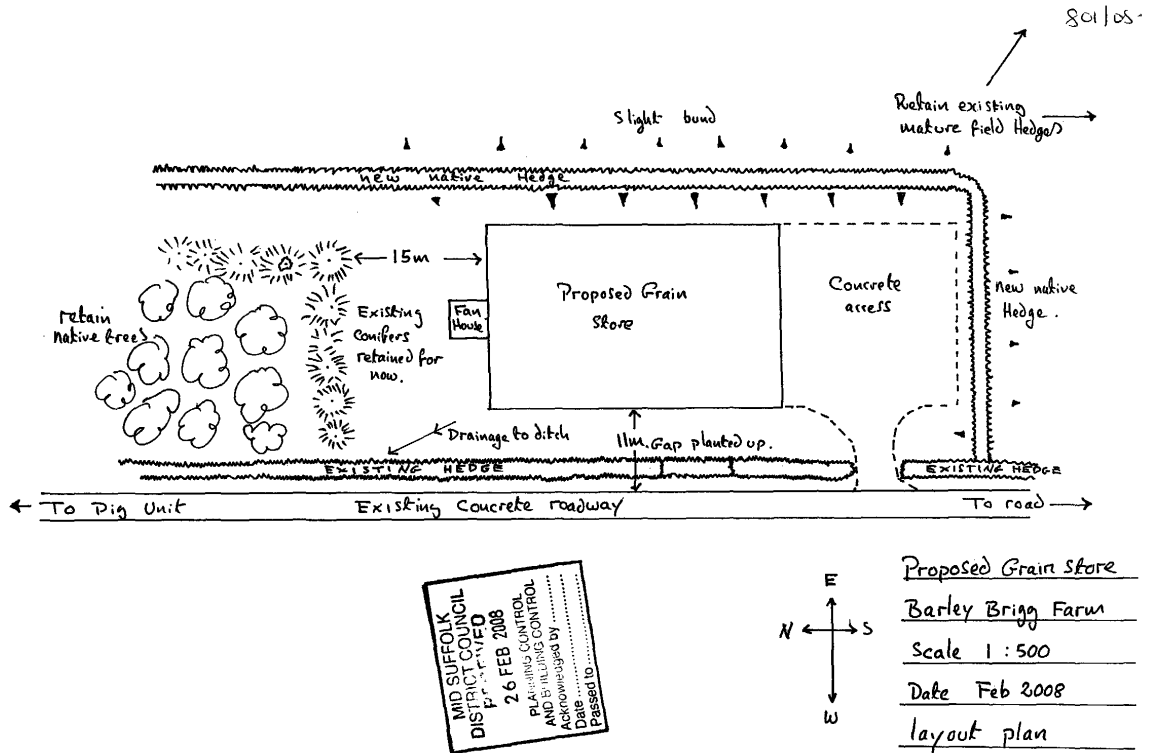
0801/08 – Enforcement issues

The grant of planning for 0801/08 contains several conditions regarding landscaping and planting on the site which appear not to have been closely adhered to.

There is a specific note at the end of the grant letter as follows:

The boundary hedges and trees within the site are protected by the Hedgerow Regulations 1997. It should be noted that it is an offence to destroy or remove the protected hedge or trees without prior Notification of Intent to the Council.

The plan submitted with 0801/08 showing native trees to the north of the site of the barn built in 2008 and a full hedge to the western boundary.



The following aerial images from 2019 (Planning Statement DC/21/02047 page 4) and August 2020 shows that the western boundary hedge has been reduced in size from the original application, and the native trees appear to have been removed and an access road laid – this road has not been included in any of the applications on this site, including 0801/08 and DC/21/02047 and all those in between.



Your Ref:DC/21/02047
Our Ref: SCC/CON/1664/21
Date: 29 April 2021
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



All planning enquiries should be sent to the Local Planning Authority.

Email: planning@babberghmidsuffolk.gov.uk

The Planning Department
MidSuffolk District Council
Planning Section
1st Floor, Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

For the attention of: Daniel Cameron

Dear Daniel,

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/21/02047

PROPOSAL: Planning Application. Retention of extension to an agricultural building approved under DC/19/01673 including minor changes to eaves and ridge height and use of the building for crop drying and storage.

LOCATION: Barley Brigg Farm, Laxfield Road, Stradbroke, Suffolk IP21 5NQ

Notice is hereby given that the County Council as Highway Authority make the following comments:

The current proposal would not have a significant impact on the highway network at this location. Therefore, SCC does not wish to raise any objections to DC/21/02047 under highway safety grounds.

Yours sincerely,

Kyle Porter
Development Management Technician
Growth, Highways and Infrastructure

From: David Harrold <David.Harrold@babberghmidsuffolk.gov.uk>

Sent: 28 April 2021 16:22

To: BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>

Cc: Daniel Cameron <Daniel.Cameron@babberghmidsuffolk.gov.uk>

Subject: Plan ref DC/21/02047 Barley Brigg Farm, Laxfield Road, Stradbroke. Environmental Health - Noise/Odour/Light/Smoke

Thank you for consulting me on the above application for the retention of an extension to agricultural building approved under DC/19/01673 and use of the building for crop drying etc

I note the comments and recommendation of my colleague and senior environmental health officer in respect of approval DC/19/01673 dated 23 April 2019, which are still valid in this instance. For completeness I reiterate:

“Having studied this application and the previously approved planning granted due to the nature of the proposed development and the plant associated with the grain drier there is a potential for the existing amenity to be affected

I suggest that the following is conditioned:

NOISE

Prior to the commencement of any construction activity the applicant is required to submit an assessment in accordance with British Standard 4142: 2014 Methods for rating and assessing industrial and commercial sound, to show that noise from the drying unit and storage building does not have an adverse impact of the occupiers of nearby noise sensitive premises. The assessment shall be submitted as a written report by a competent person (typically an acoustic consultant) and include details of any mitigation measures to be implemented, for the approval of the Planning Authority.”

Reason: To prevent any adverse noise impact from the operation of drying and storage plants and equipment on occupiers of nearby noise sensitive premises.

LIGHTS

Any external lighting associated with the development shall be kept to the minimum necessary for the purposes of security and site safety and shall prevent upward and outward light radiation.

Reason – To minimise detriment to nearby residential amenity”

I note a proper BS 4142 noise assessment (if any) is not on the planning portal and the decision notice for approval 19/01673 has a condition (3) to control noise from crop drying which sets a simple limit of 35 dB LAeq without stating a measurement period, so as to be unenforceable.

I trust this is of assistance, should you require any further advice, please do not hesitate to contact me.

David Harrold MCIEH
Senior Environmental Health Officer

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