

DPP Planning

One Park Row
Leeds
LS1 5HN

0113 819 7280

info@dppukltd.com

www.dppukltd.com



Development Management
Gravesham Borough Council
Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Ref: L001B\4463LE

Date: 6 Jan 2022

Dear Sir / Madam,

PRIOR NOTIFICATION FOR THE PROPOSED ERECTION OF FERTILISER STORAGE TANK TO CONFER AGRICULTURAL BENEFIT AS A FERTILISER UNDER ENVIRONMENT AGENCY LANDSPREADING REGULATIONS AT LAND SOUTH OF LILLECHURCH ROAD.

This covering letter accompanies an application of prior notification, 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 Gravesham Borough Council is not required for erection of a fertiliser store on land to the south of Lillechurch Road.

Proposals

The application notifies the local authority of our client's intention to erect a fertiliser store on arable farmland located to the south of Lillechurch Road, adjacent to Lillechurch Farm. The below plan extract indicates the location of the proposed store.

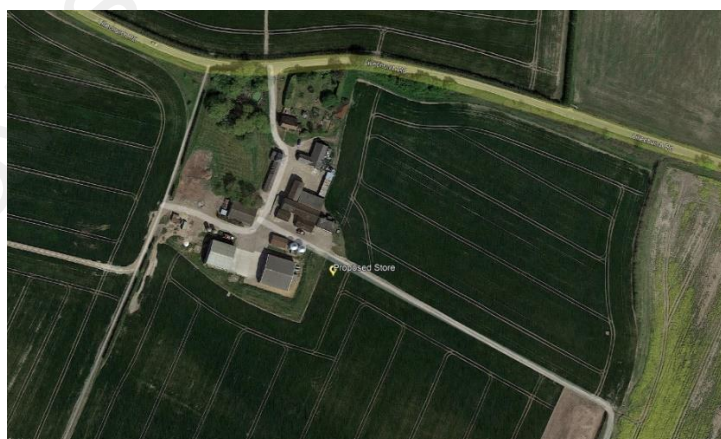


Figure 1 - Plan Indicating the Location of the Proposed Store

Cardiff

Leeds

London

Manchester

Newcastle upon Tyne

DPP One Limited
Company number 08129507
VAT number 138284595

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

To provide some context, the proposed store is necessary for the storage of fertiliser to be applied to aid crop growth, which is undertaken by the farmer as required in accordance with EA land spreading regulations.

Justification

Over 318ha of arable farmland must be fertilised to aid the growth of various crops (including wheat, barley, oil seed, rape, beans and oats on a rotational basis). Such is the extent of arable land, there are currently no appropriate facilities within the vicinity of the land parcels at present that would allow for the storage of fertiliser that can be spread onto the land at the optimal times to confer agricultural benefit.

In the absence of such facilities, it is necessary to import fertiliser to site as and when to enable spreading to occur. However, there is no guarantee that the requisite volume of fertiliser will be available at the optimal times of the year, when the uptake of nitrogen within the crops is at its greatest.

The proposed tank would therefore offer a practical cost-effective solution, which would enable provision of a steady supply of fertiliser (between applications) over a period of months, rather than days. Such will generate no additional vehicle movements above and beyond the existing arrangement but would instead absorb these movements over a far greater period of time.

Provision of some form of storage on the holding will therefore provide substantial benefits for the existing agricultural enterprise through the provision of a ready supply at the holding which can be applied to the land when required. The provision of a readily available supply of fertiliser will enable a far more efficient spread during optimal weather conditions, when wind speed and rainfall is suitable.

The material to be stored within the structure will be limited to fertiliser, as opposed to slurry, imported to the land in a form which can be applied to land to confer agricultural benefit under Environment Agency land spreading regulations. 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 arable holding and is therefore reasonably necessary for the purposes of agriculture and is clearly designed for such purposes.

Compliance with Part A

This section demonstrates that the proposed tank is permitted under Part A. Each of the relevant provisions are outlined below and followed by confirmation in bold that the development is compliant.

A.1 Development is not permitted by Class A if—

(a) 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 field in question is greater than 1ha in area.

(b) 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;

Development under Class Q or S or Part 3 has not occurred within the last ten years on this holding.

(c) it would consist of, or include, the erection, extension or alteration of a dwelling;

Development does not relate to a dwelling.

(d) it would involve the provision of a building, structure or works not designed for agricultural purposes;

The store is required for agricultural purposes as described in the preceding section.

(e) 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; or

(ii) any building erected or extended or altered by virtue of Class A, would exceed 1,000 square metres, calculated as described in paragraph D.1(2)(a) of this Part;

The floor space of works, structures or buildings erected under Class A will not exceed 1,000 square metres.

(f) 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 store is 2.7 metres in height.

(g) 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 store is 2.7 metres in height.

(h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;

The tank is over 25 metres from Lillechurch Road to the north.

(i) 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 tank will exclusively be used to store PAS110 fertiliser. It categorically will not be used to store slurry.

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

N/A

(k) any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system —

(i) 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

(ii) is or would be within 400 metres of the curtilage of a protected building.

PAS110 fertiliser is not a waste, or a type of fuel and the tank would not lie within 400 metres of the curtilage of a protected building.

Paragraph A.2 (2)(i) states that prior to development, the developer must apply for a determination as to whether the prior approval of the authority is required as to *the siting, design and external appearance of the building*.

In terms of siting, the store is located in a position whereby it relates well to the wider expanse of land to which the fertiliser will be applied. Equally, it is sited within the corner of the field in question, in a position which is readily accessible from the adjacent farmstead and Lillechurch Road. This position is such that views across the wider expanse of arable farmland will not be affected. The visual impact in this sense is localised to the immediacy of the tank. Views could only be achieved through the gap in the existing boundary hedge found towards the east of the field's northern boundary with is directly adjacent to Lillechurch Road. This hedgerow gap begins at an angle 165m away from the proposed store location and, since the store will be located close to the farmstead buildings, will therefore be barely distinguishable from the conjunction of farmstead buildings that will be visible in the backdrop of the store. The remainder of the road is lined with an existing hedgerow boundary, reducing the visual impact.

In terms of design and external appearance, the tank will be painted in a dark recessive colour to further reduce any impact on its wider setting. The proposed structure has been designed for a specific agricultural function and, as such, will sit comfortably within the wider rural setting and will not be perceived an unduly prominent feature.

Conclusion

It has been clearly demonstrated that the development proposed is reasonably necessary for the purposes of agriculture and is otherwise permitted under the provisions of Class A, Part 6 Schedule 2 of the GPDO. We have demonstrated that the siting, design and external appearance of the structures as originally advocated by Annex E of PPG7, it is evident that the proposed agricultural store will have no significant impact on its surroundings, and 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.

Yours faithfully,



Chris Wallace

Assistant Planner

DPP