

REPORT SUMMARY

REFERENCE NUMBER: 23/502572/FULL		
APPLICATION PROPOSAL: Change of use of existing building to B8 (storage and distribution) for temperature-controlled fruit storage (retrospective).		
ADDRESS: Fourayes Farm, Church Lane, Bicknor, Sittingbourne, ME9 8BJ		
RECOMMENDATION: GRANT PLANNING PERMISSION subject to planning conditions and a s106 legal agreement.		
SUMMARY OF REASONS FOR RECOMMENDATION: <ul style="list-style-type: none"> • Application is only assessing the potential impact from a change in the origin of stored apples and the building location is acceptable in terms of neighbour impact and public viewpoints. • Appearance of the existing building has been found to be acceptable in previous applications in relation to visual impact including on the Kent Downs NL. • No open storage is proposed on red line application site with a restrictive planning condition recommended. • Application is in accordance with the statutory duty in the Levelling Up and Regeneration Act, in accordance with Local Plan Review policy LPRSP9 and with NPPF advice. • Impact on the road network from any associated vehicle movements would not be severe (NPPF test). • Use of planning conditions and a s106 legal agreement will ensure consistency across storage and processing operations and that impact caused to the road network is mitigated. • Application is acceptable in relation to the site access, highway safety and parking. 		
REASON FOR REFERRAL TO COMMITTEE: Call in from Stockbury Parish Council and Hollingbourne Parish Council for the reasons given in section 4 of this report.		
WARD: North Downs	PARISH COUNCIL: Bicknor	APPLICANT: Mr. Lee Burnside AGENT: DHA Planning Ltd
CASE OFFICER: Francis Amekor	VALIDATION DATE: 29/06/23	DECISION DUE DATE: 30/07/24
ADVERTISED AS A DEPARTURE: No		

Relevant planning history

- 94/0853 Two storey office/canteen and removal of existing portable office and canteen buildings. Approved 30.09.1994.
- 96/0133 Erection of apple preparation and storage building. Approved 21.03.1996.
- 01/0028 Retention and extension to an apple preparation and storage building, including a 3-bay extension, lean to plant room and steam pit and provision of a ramp with associated landscaping (Part retrospective). Approved 21.06.2001.
- 04/0956 Demolition of existing agricultural storage building and erection of replacement building Approved 14.07.2004.
- 07/0048 Erection of extension to provide chilled despatch facilities, chilled storage of dry goods and additional toilets, changing, canteen and training facilities to comply with customer health and safety requirements. Approved 29.03.2007.
- 16/500180/FULL Demolition of an existing building and the construction of a steel framed building purposely designed to support 4 No. controlled atmosphere stores. Approved 27.07.2016. (EIA Screening Opinion: 16/500296/ENVSCR No further action required 09.02.2017.
- 17/500167/FULL Erection of a steel framed machinery store. Approved 09.08.2017. (EIA Screening Opinion: 17/500270/ENVSCR No Further Action Required 26.01.2018).
- 18/504002/FULL Proposed construction of membrane bioreactor (MBR) extraction unit to serve the existing apple processing plant/factory at Fourayes Farm. Approved 30.10.2018.

- 20/500328/AGRIC Prior notification for proposed portal framed agricultural building for temperature-controlled fruit storage Siting, design, and external appearance. Prior Approval Not Required 25.02.2020.
- 22/500920/AGRIC Prior notification for erection of enclosed portal framed Agricultural building for temperature-controlled fruit storage with canopy. Siting, design, and external appearance. Prior Approval Granted 25.03.2022.

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site (0.24 hectares) is in the countryside, on the east side of Church Lane, and in the Kent Downs National Landscape (formally AONB).
- 1.02 The existing agricultural building on the application site is located to the north-east of the larger group of Fourayes Farm buildings (with hardstanding areas and all buildings the total area covers circa 1.7 hectares). This larger group of Fourayes Farm buildings, that separate the application building from Church Lane, are mainly of utilitarian agricultural design, and include storage, processing sheds, workshops, associated chilled despatch and loading facilities and offices.
- 1.03 The application building and other Fourayes Farm buildings are occupied and run by Puratos – Fourayes. Puratos – Fourayes are well established growers and processors of apples. Apples grown on the farm and sourced from other English growers are processed on the wider site into various food products for the dessert and bakery sectors of the food industry.
- 1.04 Local character is mainly agricultural with fields to the north, east and south, Church Wood (ancient woodland) is along the southeast boundary of the wider farm. A dwelling ('Hawthorns') is adjacent to the northern site boundary of the main Fourayes site with two further dwellings (Walnut Tree Farm and Bramley Lodge) on the opposite (west) side of Church Lane. A public footpath (KH159) runs through the Fourayes Farm buildings in a southwest- northeast alignment and to the south of the application site.
- 1.05 Fourayes Farm is in the Bicknor Parish. The boundary with Stockbury Parish is to the west and northwest (Kennel Barn Road). The boundary with Hollingbourne Parish is to the south (circa 1.85km). At the closest point the borough boundary with Swale and Bredgar Parish is 390 metres to the northeast. Sittingbourne Road (A249) is circa 2.4 miles to the north. The M20 (junction 8) is 5.2 miles to the southwest. Church Lane runs into South Green Lane north of site and north of the junction with Kennel Barn Road.

Aerial photograph



2.0 PROPOSAL

- 2.01 The current retrospective application is to change the use of existing agricultural building to B8 (storage and distribution) for temperature-controlled fruit storage.
- 2.02 The majority of agricultural buildings do not require full planning permission, however permitted development rights set out in national legislation require an application to be made for the Council's prior approval. Considerations as part of a prior approval submission are restricted to siting, design, and external appearance. A prior approval application also requires the proposed building to be reasonably necessary for the purposes of agriculture, as well as meeting other criteria in Part 6 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
- 2.03 The Council gave prior approval in February 2020 (20/500328/AGRIC) for an agricultural building on the application site. A further prior approval was given in March 2022 (22/500920/AGRIC) for a larger replacement agricultural building for temperature-controlled storage of fruit. The prior approval decisions were made on the basis that building was agricultural as storing fruit originating from Fourayes Farm. The retained building is 30 metres in length, 22 metres in width, with a maximum height of 7.7 metres and located adjacent to the southeast boundary of the existing main Fourayes Farm complex.
- 2.04 A planning enforcement investigation found that the building at least in part, was being used for the temperature-controlled storage of fruit which did not originate from Fourayes own orchards but from partner growers. With this change representing an industrial use, the application has been submitted to regularise the planning position.

3.0 POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan Review (2024)

The Maidstone Borough Local Plan Review (LPR) was adopted by the Council on the 20 March 2024. Strategic level legal challenges were made to adoption that relate to specific strategic development sites within the LPR and do not affect the full weight that should be applied to the LPR2024 itself. Maidstone Borough Local Plan 2017 policies are therefore now superseded. The relevant LPR policies are as follows:

Policy LPRSS1- Maidstone Borough Spatial Strategy
Policy LPRSP9- Development in the Countryside
Policy LPRSP15- Principles of Good Design
Policy LPRSP11 - Economic Development
Policy LPRSP14(A) - Natural Environment
Policy LPRQD4 - Design principles in the Countryside
Policy LPRSP11(B) – Creating new Employment Opportunities
Policy LPRCD6 - Expansion of existing businesses in rural areas
Policy LPRQD 2 - External lighting
Policy LPRTRA4 – Parking
Policy LPRTRA2 - Assessing the Transport Impacts of Development

The National Planning Policy Framework (2023):

Section 2 – Achieving Sustainable Development
Section 4 – Decision Making
Section 6 - Building a strong, competitive economy.
Section 12 – Achieving well Designed Places

National Planning Practice Guidance (NPPG):

Supplementary Planning Documents:

Maidstone Landscape Character Assessment
Kent AONB Management Plan

4.0 LOCAL REPRESENTATIONS

Local residents

4.01 25 representations received objecting to the application for the following (summarised) reasons:

- Surrounding rural road network is unsuitable for increased HGV traffic.
- South Green Lane is a single-track road with limited passing places.
- The lorries are damaging road verges.
- Business use is unsuitable in an area designated as National Landscape
- HGV traffic decreases highway safety for drivers and pedestrians.
- Noise, dust, fumes, and safety hazards from HGV movements
- Light and noise pollution as well as a lake and river of strongly smelling effluent.

4.02 Response from a planning consultant instructed by a local resident makes the following points:

- South Green Lane and the surrounding road network are single track roads. They have limited forward visibility due to the curve in the road alignment, limited passing opportunities and the site access sight lines are below recommended standards.
- Access to the site via A249 is generally steep and very much steeper from the Hollingbourne area from the A20.
- With average road width of just over 3m no opportunity for oncoming cars or HGV's to turn or pass resulting in need to reverse potentially over 100m. Reversing in inclement, icy, wet conditions increases risk to highway safety.
- The application should be refused as application does not accord with Local Plan and NPPF policies as traffic impacts are severe including in relation to employees and associated site related operational traffic.

Stockbury Parish Council

4.03 Objection and committee call in for the following reasons:

- Significant increase in HGV traffic has harmed local character and the fragile road network.
- The single lane narrow road access has resulted in property damage and harm to amenity.
- Growth from small local farm minor fruit processing to the industrial scale of one of the country's largest soft fruit processors has harmed the AONB.
- Harm to the wider rural community in an AONB.

Hollingbourne Parish Council

4.04 Objection and committee call in.

Patrick Garten (former ward councillor)

4.05 Requested the application is reported to the planning committee if the case officer is minded to recommend approval.

Bredgar Parish Council (Borough of Swale)

4.06 Objection for the following reasons:

- Narrow local lanes are increasingly overburdened with HGV traffic, with significant detrimental impact on local traffic, pedestrians, and quality of life.
- Associated noise and light pollution have a negative impact on the AONB.
- Any decision should take account of a full traffic assessment.
- Support for comment from Stockbury PC

5.0 CONSULTATIONS

(Please note that summaries of consultation responses are set out below. Comments are discussed in more detail in the appraisal section where necessary)

KCC Ecology

5.1 No objection

Forestry Commission

5.2 No objection

KCC Highways

5.3 No objection subject to the following planning conditions (pre-existing controls imposed on HGV movements for the entire farm complex) and s106 planning obligations:

5.4 Recommended planning conditions

- A maximum of 3 HGV Movements (*number of vehicles*) shall take place between 1800hrs and 2000hrs Monday to Friday during September and October.
- A maximum of 2 HGV Movements (*number of vehicles*) shall take place between 1800hrs and 1900hrs Monday to Friday during November to August
- A maximum of 2 HGV Movements (*number of vehicles*) shall take place between 0600hrs and 1900hrs on Good Friday.
- A written record of all HGV movements to and from the development shall be kept and made available for inspection by the Local Planning Authority at their reasonable request.

5.5 Recommended s106 planning obligations.

- A routing agreement to formalise and control HGVs routes travelling to and from the site.
- Maximum average limit of 24 HGV (defined as a vehicle of 7.5 tonnes or above) movements per day from the whole farm complex over any calendar month.
- Completion of road condition surveys and remedial works to rectify any damage to the local highway in accordance with a method statement that has been agreed by the planning and highway authorities.

KCC Public Right of Way Team

5.6 No objection.

6.0 APPRAISAL

6.01 The key issues are:

- Expansion of an existing business in a rural area
- Character and appearance
- Road network and vehicle movements
- Site access, highway safety and parking.

Expansion of an existing business in a rural area

6.02 Policy LPRCD6 of the Local Plan Review (2024) states that planning permission will be granted for the sustainable growth and expansion of rural businesses in the countryside subject to the list of criteria that are considered below:

New buildings and proposed access are appropriate in scale and resultant development as a whole is appropriate in scale and can be satisfactorily integrated into the local landscape (LPRCD6 -1i).

6.03 This application does not involve a new building or a new access. The application is for the change of use of an existing agricultural building (temperature-controlled fruit storage for Fourayes Farm) to include temperature-controlled fruit storage for other farms (Use Class B8 - storage and distribution). The requirements of (LPRCD6 -1i) is not relevant for the current application. Site access is considered later in the traffic and transport section of this report.

Floorspace increase would not result in unacceptable traffic levels/ traffic (LPRCD6 -1ii).

6.04 Traffic and transport are considered later in this report.

New development, together with the existing facilities will not result in an unacceptable impact on amenity with emphasis on assessing impact on nearby properties and appearance from public roads (LPRCD6 -1iii).

6.05 The lawful use of the existing application building is the storage of apples. The current application does not change the use of the building from the storage of apples. The only proposed difference is that the stored apples will come from a wider area. The proposals will not increase floorspace or the external building dimensions.

6.06 The application building is set back behind an agricultural field and located circa 124 metres from the closest residential property ('Hawthorns') and set back circa 145 metres from Church Lane. In this context the views of the building are heavily screened from neighbours and by roadside hedges from the public road.

- 6.07 The application building will be visible from the public right of way that runs to the south of the application site. The building appearance and relationship with the public right of way was found to be acceptable as part of the earlier prior approval assessment, the change in the origin of the stored apples does not change these conclusions. There has been no objection raised by the KCC Public Right of Way team. Similarly, the impact on neighbour amenity was found to be acceptable and this conclusion has been reached again.

No open storage of materials permitted (LPRCD6 -1iv).

- 6.08 The applicant has confirmed "No open storage is associated with the building in question". A planning condition is recommended to ensure that there is no open storage provided on the application site (0.24 hectares). It is highlighted that the application is a small part of the wider site (total area circa 1.7 hectares), and the planning condition will not apply to this wider site.

- 6.09 In summary:

- Application does not involve a new building or a new or altered site vehicle access.
- Application is only assessing the potential impact from a change in the origin of stored apples.
- Use of the building supports the wider fruit processing use and could allow this use to operate more efficiently.
- Building location is acceptable in terms of neighbour impact and public viewpoints.
- No open storage proposed on red line application site with a restrictive planning condition recommended.

Character and appearance

- 6.10 The application site is in the Kent Downs National Landscape (formerly AONB). Section 245 of the Levelling Up and Regeneration Act (Dec 2023) states "*In exercising or performing any functions in relation to, or so as to affect, land in [a National Landscape] ... a relevant authority ... must seek to further the purpose of conserving and enhancing the natural beauty of the [National Landscape]*".
- 6.11 The NPPF states "*Great weight should be given to conserving and enhancing landscape and scenic beauty in [a National Landscape] ... which have the highest status of protection in relation to these issues*" (para 182). Policy LPRSP9 of the Local Plan Review advises "*Great weight should be given to the conservation and enhancement of the Kent Downs National Landscape*".
- 6.12 The visual impact of the building on the application site is not a relevant consideration with the current planning application. The visual impact of the building was previously considered as part of a permitted development right provided in national legislation and found to be acceptable.
- 6.13 The change to the origin of the apples that are stored has no bearing on the visual impact of the building. Planning conditions are recommended to seek details of existing external lighting associated with the application building and for details of any future lighting to be submitted for approval.
- 6.14 Consultation responses have referred to the negative impact of HGV movements on local roads and character and appearance of the Kent Downs National Landscape. The Fourayes Farm fruit processing operation is well established and whilst the application site is adjacent, the current application only relates to a change in the nature of the existing storage use. As set out later in this report planning conditions and a s106 legal agreement is recommended to mitigate impact from the proposed change.
- 6.15 In summary and in relation to the application building:
- There is no change to the appearance of the existing building on the application site which has been found to be acceptable in a previous application in relation to visual impact.
 - The proposed change to the origin of the stored apples has no bearing on the visual impact of the building.

- The application is in accordance with the statutory duty in the Levelling Up and Regeneration Act, in accordance with Local Plan Review policy LPRSP9 and with NPPF advice.

Road network and vehicle movements

- 6.16 Policy LPRTRA2 of the Local Plan Review states "*...development proposals must demonstrate that the impacts of trips generated to and from the development are accommodated, remedied or mitigated to prevent severe residual highway safety or capacity impacts*". Policy LPRSP15 advises that proposals should "Safely accommodate the vehicular and pedestrian movement generated by the proposal on the local highway network...". A requirement of policy LPRCD6 is that any floorspace increase should not result in unacceptable traffic levels or traffic types.
- 6.17 The current application is for the change of use of a lawful agricultural building (temperature-controlled fruit storage for Fourayes Farm) to include temperature-controlled fruit storage for other farms (Use Class B8 - storage and distribution). The application provides additional floorspace to the fruit processing operation that takes place on the wider site.
- 6.18 The existing lawful use of the wider Fourayes Farm site includes the storage and processing of fruit both from Fourayes Farm and from other off-site farms. The diversification of farming operations to process produce and to take produce from other farms is part of a wider trend (River Farm, Chart Hill Road). *The Kent Downs Management Plan describes "...an increase in the changing nature of farm holdings in the Kent Downs...There has been a move to larger 'contract' farming and cooperative farming ventures, ...to achieve economies of scale...".* These larger processing operations grow piecemeal on farm sites and whilst generally close to the source of the produce, the locations are rarely ideal for HGV access.
- 6.19 The applicant states "*...the highway network is typical of that in agricultural areas throughout the county, where farm vehicles including tractors, milk tankers and combine harvesters are commonplace throughout the year*". The applicant has also highlighted crossing places of a suitable size for HGVs.
- 6.20 It is acknowledged that large vehicles and farm equipment commonly use narrow rural lanes. The issue raised in consultation responses (including by the highways authority) is the 'frequency' of HGV trips on narrow country lanes that are associated with the Fourayes Farm site.
- 6.21 The applicant's Transport Statement indicates that the whole farm operation generates an average of 24 HGV movements per day (Monday – Friday) during the seasonal peak. This is the equivalent of 2 HGV movements per hour if an even spread through the day. With reference to the planning condition restricting the hours of operation, a day is assumed as 07:00 – 19:00.
- 6.22 In the interests of neighbour amenity and consistency between the application building and wider site operations, it is recommended that the following two planning conditions attached to the planning permission MA/12/0239 are reapplied. These conditions are as follows:
- On site activities (including loading and unloading to and from vehicles) shall not take place outside the hours of 0600 and 2200 Monday to Friday, 0600 and 1300 on Saturdays, and at no times on Sundays or any public holidays except Good Friday and one other nominated public holiday where the use shall not operate outside the hours of 0600 and 1300.
 - No deliveries shall be received or despatched outside the hours of 0700 and 1900 Monday to Friday November to August inclusive, and 0700 and 2000 Monday to Friday during September and October; 0700 and 1300 on Saturdays, and at no times on Sundays or any public holidays except Good Friday and one other nominated public holiday outside the hours of 0600 and 1300.
- 6.23 The applicant states "*...HGV movements to and from the farm are dictated by the amount of fresh fruit being transported from partner farms and other associated movements and deliveries together with products being dispatched to customers. The building itself sits within the wider Fourayes operation and does not therefore directly generate any movements itself*".

- 6.24 In response to the applicant, the flexibility in the use of the storage offered by the current planning application allows increased storage capacity and allows the wider site processing to operate more efficiency. With the storage building part of the wider operation, this greater efficiency could result in an increase in the number of HGV trips to the site.
- 6.25 With these conclusions it is recommended that a permission is subject to a s106 legal agreement that includes a HGV routing agreement to formalise and control HGVs routes travelling to and from the site and a requirement that existing vehicle movements are maintained at a maximum average limit of 24 HGV movements (defined as a vehicle of 7.5 tonnes and above). It is also recommended that to monitor compliance there is a requirement for the applicant to keep a written record of all HGV movements and their routes and for this to be available to the Local Planning Authority upon request.
- 6.26 KCC Highways also recommend a third s106 planning obligation relating to road condition surveys and remedial work for any road damage. Planning obligations are required to meet following legal tests.
- necessary to make the development acceptable in planning terms.
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
- 6.27 With reference to KCC Highways comments, public roads are used to access the application site and these roads can be used by large vehicles and HGV's unrelated to the application site. In this context any damage to local roads cannot be proven to be directly related to the development and would not be fairly and reasonably related.

Vehicle passing bays on the local highway network (Submitted Transport Statement)



Site access, highway safety and parking.

- 6.28 Policy LPRSP15 advises that proposals should "Safely accommodate the vehicular and pedestrian movement generated by the proposalthrough the site access". Policy LPRTRA2: states that proposals must. "Demonstrate that the impacts of trips generated to and from the development are accommodated, remedied or mitigated to prevent severe residual highway safety or capacity impacts".
- 6.29 The current application does not provide any new floorspace for fruit processing and there are no additional staff. The current application does not involve a new or altered site access on to the highway. The existing access is suitable for the vehicle movements generated by the application building and the wider use including in relation to driver sightlines and highway safety.

- 6.30 The Fourayes farm site also has capacity for onsite turning allowing HGV entry and egress in a forward gear. KCC Highways have no objection to the continued use of the site access "...on account of the generous width of the access (approximately 30m) and low vehicle speeds likely to be present on the Church Lane approaches to the access junction".
- 6.31 As highlighted by KCC Highways, this section of Church Lane has no recorded crashes over the period 01.04.2018 to 31.03.2023. The current application does not result in any additional staff and there are no changes proposed to onsite parking arrangements which are acceptable. The applicant's Transport Statement acknowledges the width of the carriageway to/from the A249 is constrained but highlights the opportunities for opposing vehicles to pass with several passing bays.
- 6.32 In summary, NPPF guidance states "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*" (Paragraph 115).
- Current application does not involve a new building only a change in the use of existing floorspace, the impact on the road network from any associated vehicle movements would not be severe.
 - The use of planning conditions and a s106 legal agreement will ensure consistency across storage and processing operations and that impact caused to the road network is mitigated.
 - The application is acceptable in relation to the site access, highway safety and parking.

Existing site access from Church Lane (Google Streetview)



Biodiversity net gain

- 6.33 Unless in the list of specified exemptions, biodiversity net gain is required for all non-major planning applications made after the 2 April 2024 (and for major applications made after 12 February 2024).
- 6.34 The current planning application is a non-major application but was made before the commencement date of the 2 April 2024. The development is as a result exempt from statutory biodiversity net gain requirements. A planning condition is recommended seeking ecological enhancements which is a separate requirement.

PUBLIC SECTOR EQUALITY DUTY

- 6.35 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

7.0 CONCLUSION

- 7.1 The application is only assessing the potential impact from a change in the origin of stored apples and the building location is acceptable in terms of neighbour impact and public viewpoints. The appearance of the existing building on the application site has been found to be acceptable in previous applications in relation to visual impact including on the Kent Downs NL. No open storage is proposed on red line application site with a restrictive planning condition recommended. The application is in accordance with the statutory duty in the Levelling Up and Regeneration Act, in accordance with Local Plan Review policy LPRSP9 and with NPPF advice.

- 7.2 The impact on the road network from any associated vehicle movements would not be severe (NPPF test). The use of planning conditions and a s106 legal agreement will ensure consistency across storage and processing operations and that impact caused to the road network is mitigated. The application is acceptable in relation to the site access, highway safety and parking.

- 7.3 A recommendation of approval of the application is made on this basis.

- 8.0 RECOMMENDATION – GRANT PLANNING PERMISSION Subject to the following conditions and the prior completion of a legal agreement to secure the heads of terms set out below with delegated powers to the Head of Development Management to be able to settle or amend any necessary Heads of Terms, planning conditions and/or informatives in line with the matters set out in the recommendation and as resolved by the Planning Committee.**

HEADS OF TERMS:

1. The completion of a HGV routing agreement between the applicant, Maidstone Borough Council and KCC to formalise and control the routes used by HGVs on the local highway network travelling to and from the application site.
2. The maximum average number of HGV (defined as a vehicle of 7.5 tonnes or above) vehicle movements per day from the whole complex over any calendar month shall be 24 HGV movements.
3. Applicant to maintain a written record of all HGV movements to and from the development which shall be kept and made available for inspection by the Local Planning Authority at their reasonable request.

CONDITIONS:

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Site Location Plan
 - Existing and Proposed Block Plan
 - Existing/Proposed Floor and Elevations
 - Planning Statement
 - Transport StatementReason: For the avoidance of doubt and in the interests of proper planning.
- 2) On site activities (including loading and unloading to and from vehicles) shall not take place outside the hours of 0600 and 2200 Monday to Friday, 0600 and 1300 on Saturdays, and at no times on Sundays or any public holidays except Good Friday and one other nominated public holiday where the use shall not operate outside the hours of 0600 and 1300.
Reason: To safeguard the visual amenity, character, and appearance of this countryside location.
- 3) No deliveries shall be received or despatched outside the hours of 0700 and 1900 Monday to Friday November to August inclusive, and 0700 and 2000 Monday to Friday during September and October; 0700 and 1300 on Saturdays, and at no times on Sundays or any

public holidays except Good Friday and one other nominated public holiday outside the hours of 0600 and 1300.

Reason: To safeguard the visual amenity, character, and appearance of this countryside location.

- 4) No open storage shall take place on the application site including, plant, materials, produce or waste

Reason: To safeguard the visual amenity, character, and appearance of this countryside location.

- 5) The application building shall only be used for the storage of fruit in connection with the fruit processing taking place in the adjacent Fourayes Farm buildings.

Reason: To safeguard the visual amenity, character, and appearance of this countryside location.

- 6) The use hereby permitted shall cease and all brought onto the land for the purposes of such use shall be removed within 6 weeks of the date of the failure to meet any one of the requirements set out in (i) to (iv) below:

i) Within 6 weeks of the date of this decision a Site Development Scheme, hereafter referred to as the 'Scheme', shall have been submitted for the written approval of the Local Planning Authority. The Scheme shall include:

a) details of measures to enhance biodiversity at the site (see condition 7).

b) existing external lighting on the boundary of and within the site (see condition 8); and,

c) a timetable for implementation of the scheme including a) and b) with all details implemented in accordance with the agreed timetable and all details retained and maintained for the lifetime of the development.

ii) Within 11 months of the date of this decision the Scheme shall have been approved by the Local Planning Authority or, if the Local Planning Authority refuse to approve the Scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

iii) If an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted Scheme shall have been approved by the Secretary of State.

iv) The approved Scheme shall have been carried out and completed in accordance with the approved timetable and thereafter maintained and retained as approved.

Reason: To ensure the visual amenity, character, and appearance of the open countryside location.

- 7) The enhancement of biodiversity on the site, required by condition 6 shall include the installation of a minimum of one bat tube on the approved building and the installation of ready-made bird and bat boxes on the site. The development shall be implemented in accordance with the approved details by the end of a two-month period following approval and all these features shall be maintained as such thereafter.

Reason: To enhance ecology and biodiversity on the site in line with the requirement to achieve a net biodiversity gain from all development.

- 8) The details of existing lighting required by condition 6 shall:

a) show that the existing lighting is in accordance with the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2021 (and any subsequent revisions) with reference to environmental zone E1.

b) include a layout plan with beam orientation.

c) include a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles).

d) include an ISO lux plan showing light spill.

Reason: To safeguard residential amenity, wildlife and to protect dark skies and prevent undue light pollution, in accordance with the maintenance of the character and quality of the countryside.

- 9) Any future external lighting installed on the site (whether permanent or temporary) shall be in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The submitted details shall:

a) be in accordance with the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2021 (and any subsequent revisions) with reference to environmental zone E1.

- b) include a layout plan with beam orientation.
- c) a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles).
- d) an ISO lux plan showing light spill.

The scheme of lighting shall be installed, maintained, and operated thereafter in accordance with the approved scheme.

Reason: To safeguard residential amenity, wildlife and to protect dark skies and prevent undue light pollution, in accordance with the maintenance of the character and quality of the countryside.

NB: For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.