

APPLICATION: MA/09/1061 Date: 22 July 2009 Received: 21 December 2009

APPLICANT: Mr Robert Pascall, Clock House Farm Ltd

LOCATION: MARSHALLS FARM, HUNT STREET, WEST FARLEIGH, MAIDSTONE, KENT, ME15 0ND

PARISH: West Farleigh

PROPOSAL: Construction of temporary Spanish Polythene Tunnels as shown on elevations received on 22/6/09; and location plan and block plan received on 21/12/09.

AGENDA DATE: 4th February 2010

CASE OFFICER: Geoff Brown

The recommendation for this application is being reported to Committee for decision because:

- it is contrary to views expressed by West Farleigh Parish Council

POLICIES

Maidstone Borough-Wide Local Plan 2000: ENV28, ENV43
The South East Plan 2009: CC1, C4, NRM5
Village Design Statement: N/A
Government Policy: PPS1, PPS7

HISTORY

There is no planning history relevant to a proposal of this nature.

BACKGROUND

This application was reported to Planning Committee on 15 October 2009. Members deferred consideration to allow the applicant to provide further information relating to the impact of the proposed development on ecology and biodiversity, and the character of the landscape, including details of landscaping, screening, ecological mitigation methods and rotation of crops.

The applicant has now responded to this request and provided amended plans and documentation to address these issues. All parties have been re-notified.

This is a supplementary report to deal with the deferred matters and I therefore attach my previous main and urgent update reports as Appendix 1 hereto.

ADDITIONAL VIEWS RECEIVED POST COMMITTEE

After the Planning Committee of 15 October 2009 (but before re-notification on amended plans) I received additional views from Teston Parish Council, Councillor Mortimer and the NFU.

TESTON PARISH COUNCIL requests that a policy on polytunnels is produced as a matter of urgency. In the absence of an agreed policy there would also appear to be reasonable grounds to request that, if any reasonable doubts are raised about the merits of a future application, it should not be approved other than on a temporary basis and, in more contentious instances, refused.

COUNCILLOR MORTIMER writes to reiterate his previously voiced objections to the scheme. A thorough assessment should be made as to impact on the landscape and a business case should be put forward. Flood risk and ecological issues should be explored, as well as impact on the amenities of neighbours.

THE NATIONAL FARMERS UNION writes to support the scheme, emphasising the importance of polytunnels to the British and Kentish soft fruit industry.

CONSULTATIONS (on the amended details)

WEST FARLEIGH PARISH COUNCIL states: "I refer to the amended details that have been submitted for the above application and can advise that West Farleigh Parish Council has considered these documents but has not changed its original recommendation of refusal and would like to see this application reported to Planning Committee."

REPRESENTATIONS (on the amended details)

None yet received.

FURTHER CONSIDERATIONS

Submissions on Landscape and Ecology Issues

The amended details delete completely from the application the majority of the block of polytunnels previously proposed to be located on the western part of

the site bordering Hunt Street. This leaves only Block 4 bordering that rural lane. The proposed rotation of the tunnels (see below) also means that, according to the time of year, not all of the site would be covered in tunnels.

I enclose parts of the applicant's latest submissions as Appendix 2, including his statement on the proposed means of operation at Hunt Street and copies of Clock House Farm's Policy Statements on the Use of Poly tunnels and Wildlife and Landscape Conservation and Enhancement. I note from the latter that the farm has been involved with The Farming and Wildlife Advisory Group. The detail is there for Members' information but, in summary, the applicant indicates that a grass margin would be retained around the blocks of tunnels and mown once a year, with no pesticides or herbicides used on field margins. Parts of the margins would be used to gain access during harvesting times. No vehicles would be allowed onto the fields except the fruit transport van. Field boundaries would be preserved and encouraged. Hedges would be trimmed normally once every two years.

Submissions on Rotation

The applicant has provided a table to illustrate how the poly tunnels would be rotated with other cropping over the period 2010 to 2013 (attached as part of Appendix 2). Essentially this shows blocks of land without tunnels, blocks with hoops but no covering and blocks with the full poly tunnel structure in place. It should be noted that no tunnels would be in place on Block 4 after July 2010. It is clear that the summer months are the most intensive in terms of tunnel use but even then full poly tunnel structures would not cover Blocks 1 to 4.

As an example, for 2010, June would be the busiest month with the full structures in Blocks 2, 3 and 4 and no tunnels in Block 1. In November there would be hoops only in Blocks 1 and 2 and no tunnels in Blocks 3 and 4. As a further example, in 2011 Blocks 3 and 4 would have no poly tunnels on the land at all.

Agricultural Need

Further information is enclosed with the applicant's submissions reiterating the benefits of poly tunnels to soft fruit production. Members will be aware that Rural Planning Ltd have already emphasised the benefits of this scheme to this established and productive local farm enterprise (see original report).

Officer Comment

The recent submissions reinforce my previously expressed view that the development would not be so prominent and harmful to the character and appearance of the landscape as to warrant a refusal of permission. Clearly the deletion of what would have been the most prominent block (Block 5 in the north west corner) is a change that had not been requested by Members but which would, in my view, significantly reduce the impact of the polytunnels on the landscape. A further factor that has emerged is the clarification of rotation which illustrates how the siting of the structures moves between blocks according to the season and it is only in the summer months that more than two blocks would accommodate tunnels at any one time. Such rotation would clearly reduce the impact of the development on the landscape.

On agricultural management and impact on ecology, the applicant has provided statements on the preservation of grassed field margins and landscaped boundaries (see Appendix 2) and the proposed non-use of pesticides and herbicides which again underlines my view that there are no grounds to refuse this application on the grounds of harm to ecology.

I recommend that planning permission be granted. The applicant has already indicated that field boundaries are to be preserved and I do not consider that a landscaping scheme is required. I recommend a temporary permission until the end of 2013 and a condition to ensure that the land is managed as per the rotation schedule submitted. I attach an informative on the issue of residential amenity.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions:

1. The polytunnels hereby approved (and all resulting materials) shall be completely removed from the land on or before the 31 December 2013;

Reason: To reflect the terms under which permission is sought and in the interests of visual amenity. This in accordance with Policies ENV28 and ENV43 of the Maidstone Borough-Wide Local Plan 2000.

2. Unless otherwise agreed in writing with the Local Planning Authority the land shall be managed (in terms of polytunnels being moved on and off the land) in accordance with the rotation schedule submitted with the application;

Reason: In the interests of visual amenity. This in accordance with Policies ENV28 and ENV43 of the Maidstone Borough-Wide Local Plan 2000.

3. No pesticides or herbicides shall be used on the field margins outside the polytunnels.

Reason: In the interests of the ecology of the area. This in accordance with Policy NRM5 of The South East Plan 2009.

Informatives set out below

The Farm Policy Statement submitted with the application indicates that you wish to work closely with local residents to ensure that their standard of living is preserved. Please be aware that neighbours have voiced objection to the application on the basis that the tunnels cause noise, disturbance, flooding, etc. and the Council asks you to ensure that these problems are fully addressed.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.