

REFERENCE NO - 19/505352/FULL			
APPLICATION PROPOSAL Erection of polytunnels with associated soft landscaping and drainage works, including the provision of swales.			
ADDRESS Land at Rankins Farm Linton Hill Linton Kent ME17 4AU			
RECOMMENDATION Grant Planning Permission subject to planning conditions			
SUMMARY OF REASONS FOR RECOMMENDATION The proposal is justified as being essential to the continuing development and viability of this important rural business while being acceptable in in landscape, amenity, flooding, wildlife and highway impacts.			
REASON FOR REFERRAL TO COMMITTEE Contrary to the views of Linton Parish Council			
WARD Coxheath and Hunton	PARISH/TOWN Linton	COUNCIL	APPLICANT Mr O Pascall AGENT Bloomfields
TARGET DECISION DATE 05/03/20		PUBLICITY EXPIRY DATE 06/12/19	

Relevant Planning History

- 18/500214/FULL
Application for the erection of polytunnels with associated landscaping
Approved Decision Date: 10.05.2018
- 19/505068/ENVSCR
EIA Screening Opinion - Installation of polytunnels.
The land has been intensively farmed and the development is not so significant or wide ranging so as to warrant an Environmental Statement an Environmental Impact Assessment Decision Date: 29.10.2019

MAIN REPORT

1. SITE DESCRIPTION

- 1.1 The application site has an area of approximately 20 ha comprising a mainly level area of farmland located on the west side of Linton Hill to the south west of Rankins Farm and immediately abutting the western side of 10 ha of polytunnels permitted under ref: 18/500214.
- 1.2 Abutting the application site to the west is the main processing, packing and distribution centre serving this farming enterprise known as Clock House Farm.
- 1.3 In a wider context the site lies in open countryside with part of the site falling within a KCC minerals safeguarding area.
- 1.4 To the south of the site and some distance away from it is the River Beult Site of Special Scientific Interest (SSSI). Public footpath KM 129 runs in an east -west direction to the south of the site.

2. PROPOSAL

- 2.1 Permission is sought for a further 20 ha of polytunnels for soft fruit production (strawberries and blackberries). Cross section details show the polytunnels having a width of 5 metres and a height of 4.6 metres. The polytunnels will only be covered between March and November.

- 2.2 Also proposed as part of the current application are a series of narrow swales running along the southern perimeter of the application site. The proposed swales and existing measures are sufficient to manage the runoff from the proposed polytunnels. The reservoir shown on the proposed plans is outside the application site boundary, it does not form part of the water management system for the current proposal and does not form part of the current proposal.
- 2.3 The landscape strategy plan shows existing hedgerows defining the northern site boundary, running east west through the centre and along the southern site boundary being thickened up. In addition, a length of the southern site boundary is to be defined by a new hedge and tree line. All new planting will be native species comprising a mix of Hawthorn, Field Maple, Hornbeam, Dogwood, Beech, Holly, Blackthorn, and Dog Rose.
- 2.4 The application is accompanied by supporting information the key points of which are paraphrased below:
- Clock House Farm Ltd has approximately 385 hectares of land spread over a number of farms in Kent producing top and soft fruit.
 - Clock House Farm Ltd supply Tesco, Marks and Spencer, Waitrose, Morrison's, Asda, Sainsbury's, The Co-operative and local outlets.
 - Clock House Farm have received awards relating to food standards and the quality of their produce.
 - Currently employ 45 full time staff with 600 seasonal staff (May to November)
 - Polytunnels are essential to support the farming practices of Clock House Farm for the growing of strawberries, blackberries and raspberries, to meet customer and market demands over an extended season.
 - Since 2012 supermarkets no longer accept soft fruit for onward sale unless grown under polytunnels.
 - 10% of the raspberries and 40% of the sweet blackberries sold in the UK are from Clock House Farm Ltd. Without the use and associated benefits of polytunnels, Clock House Farm Ltd would not be able to provide the amount and level of quality to meet a growing market and which provide 80% of farm turnover.
 - Polytunnels permit earlier fruit production, extend the growing season, allowed substantial increase in yields, less wastage, weather protection, improved pollination need to use less pesticides continuity of supply and better protection for staff as a consequence of the controlled environment achieved by their use.
 - Over the last fifteen years the sale price of soft fruit has not increased despite large increases in input, harvesting and labour costs.
 - Increases in yields and crop reliability through tunnel use means the productivity of Clock House Farm has continued to rise, allowing the farm to remain competitive.
 - However increased input costs without increases in sale prices means there is even more importance for the fruit to be delivered to the market in larger higher quantities and of a higher quality to maintain contracts and provide a sustainable income.
- 2.5 The application is accompanied by an ecological appraisal, landscape strategy and landscape and visual impact assessment (LVIA), Flood Risk Assessment (FRA) along with farm policy statements relating to Landscape and Nature Conservation/Enhancement, use of energy, water and other natural resources, recycling, health and safety, pollution prevention and nuisance management.

3. POLICY AND OTHER CONSIDERATIONS

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Maidstone Borough Local Plan 2017 SP17, DM1, DM3, DM30, DM36
Maidstone Landscape Character Assessment (2015)

4. LOCAL REPRESENTATIONS

Local Residents:

- 4.1 2 objections received from local residents raising the following (summarised) issues:
- Proposal will have a significant impact on the landscape character of Linton while being visible from the Greensand Ridge, footpaths along the Beult River, and also from Redwall Lane (including being visible from my property at Redwall Bungalows).
 - The landscape character assessment states that the landscape in this area is sensitive to development and that the undeveloped nature of the landscape with orchards and small fields should be maintained.
 - If permitted will be a swathe of polytunnel almost a mile long running along the Beult Valley, a SSSI.

5. CONSULTATIONS

(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)

- 5.1 **Linton PC:** Object on the following grounds: The proposed polytunnels will directly affect the view from the Greensand Ridge, (various footpaths, but notably KM134, the Greensand Way), from Redwall Lane, from footpath KM146 (between Redwall Lane and the A229) and from the two footpaths alongside the Beult, ie KM129 and KM229.
- The site also falls within the Beult Valley SSSI.
 - Area falls within the Yalding Farmland designation which seeks to conserve the traditional small-scale field pattern, largely undeveloped rural landscape and remote quality of existing development, the rural setting of traditional buildings and farmhouses, distinctive ragstone walling, the undeveloped character of the landscape, resist conversion to arable land, avoid linear infill development along roads.
 - Consider the majority of the above guidelines will be breached by the proposal.
- 5.2 **Kent Highways:** Does not trigger criteria justifying a response.
- 5.3 **MBC Landscape:** There are no protected trees on, or immediately adjacent to, the site. However, there are hedgerows marking the lines of field boundaries which may be considered as 'important'.

A third of the site is located in the Beult Valley landscape character area (58) and public footpath KM129 is in closer proximity.

The landscape guidelines for this latter character area contains a guideline to plant oak standards within new hedgerow planting which can be dealt with by condition.

- 5.4 **KCC Ecology:** No objection as the provision of polytunnels within low biodiversity value agricultural land means they are unlikely to result in any significant ecological impacts.
- 5.5 **Natural England:** No objection but mitigation measures are required to avoid damage or destruction to the River Beult Site of Special Scientific by the use of sustainable drainage systems (SuDS) to ensure water quality in the SSSI is

not affected and reuse of run-off from the SuDS for use in the polytunnels to minimise the need for abstraction which may affect the River Beult SSSI.

5.6 **EHO:** No objection

5.7 **Environment Agency:** No objection as proposal has a low environmental risk.

5.8 **Southern Water:** As proposal involves the use of SUDS to maintain its effectiveness details need to be secured by condition specifying who is responsible for implementation of the SUDS, a timetable for implementation and a management and maintenance plan for the lifetime of the development.

5.9 **KCC Flood and Water Management:** No objection subject to conditions dealing with the following:

- Attenuating runoff rate to 1 in 1 year greenfield rates acceptable.
- Recommend rainwater harvesting/reuse is incorporated into the drainage design to reduce runoff while providing additional benefits to the land owner.
- The detailed design stage needs to include cross sections of the proposed swale including details of the available freeboard and outfall including the hydrobrake.

5.10 **Rural Planning:** No objection subject to conditions:

- Clock House Farm Ltd. is a large and well-established top and soft fruit farming business which currently occupies a total of 385 ha of land across several farms in Kent. Growing soft fruit under polytunnels forms a significant part of their overall production.
- It has been recognised for some years that the use of polytunnels is now a necessary part of modern soft fruit production. The system has a number of advantages over conventional unprotected growing including the ability to protect crops from the wind and rain, reduce pesticide/ fungicide use, extend the growing season, provide better yields and continuity of supply, and greater ease of managing the plants and picking the fruits.
- The use of tunnels assists UK growers to meet customer demand as opposed to what might be regarded as the less sustainable alternative of foreign imports.
- In effect the tunnels comprise units of production in themselves, and can be regarded as inherently required and appropriate for the purpose of modern UK soft fruit production.
- Such tunnels have been allowed on many other holdings across the County, as well as on the applicants' farms, subject to the imposition of appropriate conditions.

5.11 **Health and Safety Executive:** No objection

APPRAISAL

6. Main Issues

6.1 The key issues for consideration relate to:

- Principle
- Impact of the proposal on the character and setting of the countryside
- Highways
- Flooding
- Wildlife

Principle

6.2 The NPPF at paragraph 83 seeks to promote a prosperous rural economy, by amongst other things, promoting the development and diversification of agricultural and other land-based rural businesses;

- 6.3 Policy SP17 of the local plan states, amongst other things, that proposals which accord with other policies in the plan and which do not harm the countryside will be permitted.
- 6.4 Policy DM30 of the Local Plan specifically requires, amongst other things, that the type, siting, materials and design, mass and scale of development and the level of activity would maintain, or where possible, enhance local distinctiveness including landscape features; that impacts on the appearance and character of the landscape will be appropriately mitigated and that any new buildings should, where practicable, be located adjacent to existing buildings or be unobtrusively located and well screened by existing or proposed vegetation reflecting the landscape character of the area.
- 6.5 Policy DM36 sets out specific requirement for new agricultural buildings and structures.
- 6.6 Given the above it is considered that there is no objection to the proposal in principle and consideration turns on whether it can be seen to meet the detailed criteria of policy DM36 set out below.

Compliance with policy DM36:

- 6.7 The first test is whether the proposal is necessary for the purposes of agriculture.
- 6.8 The applicants advise that soft fruit production is a growing market providing 80% of farm turnover. Notwithstanding, the sale price of soft fruit has not increased despite large increases in input, harvesting and labour costs. As such it is only by increasing yields through polytunnel use that productivity continues to rise allowing the farm to remain competitive and to provide a sustainable income.
- 6.9 The Agricultural Advisor confirms that the use of polytunnels assists UK growers in meeting customer demand as an alternative less sustainable foreign imports and can be regarded as inherently required and appropriate for the purpose of modern UK soft fruit production.
- 6.10 Given the importance of this enterprise both in its local and wider economic impacts along with its significant employment generating benefits, it is considered the proposed polytunnels are necessary to enable the enterprise to continue to operate profitably and by implication are therefore necessary for the purposes of agriculture.
- 6.11 Regarding whether the proposal will have an impact on the amenity of local residents, there are not considered to be any neighbouring properties sufficiently close to be adversely affected contrary to the provisions of policy DM1 of the local plan. In making this comment it is acknowledged that concerns have been raised regarding harm to the character and setting of the wider rural landscape. However, this is protected in the public interest in accordance with the provisions of policy SP17 and DM30 of the local plan.
- 6.12 Policy DM36 also seeks to avoid isolated structures and where this is necessary a siting should be chosen minimising the impact of the structures on the character and appearance of the countryside.
- 6.13 Given the scale of the proposed development and the need to locate it close to the existing processing complex there is not considered to be any reasonable less harmful alternative siting. It therefore becomes necessary to deal with the application on its merits and whether on its own or in conjunction with the polytunnels permitted on the adjoining site to the east (30 ha in total) it will result in unacceptable landscape harm to the locality.

Landscape impacts:

- 6.14 The site is mainly located in the Yalding farmlands, as designated in the Maidstone Landscape Character Assessment with a small area in the Beult Valley.
- 6.15 Both areas are categorised similarly in the Landscape Capacity Study: Sensitivity Assessment in that they have a high landscape character sensitivity and a moderate visual sensitivity. Therefore, they are assessed as being of high overall landscape sensitivity and sensitive to change. The key guidelines and mitigation recommendations for each area below:

Yalding Farmlands

- 6.16 Development potential is limited to within and immediately adjacent to existing settlements and farmsteads in keeping with existing. Other development could be considered to support existing rural enterprises, although extensive, large scale or visually intrusive development would be inappropriate.
- 6.17 Guidelines and Mitigation:
- New development should respect the local vernacular in scale, density and materials
 - Conserve orchards and the traditional small scale field pattern
 - Conserve the largely undeveloped rural landscape and the remote quality of existing development
 - Conserve the undeveloped character of the landscape
 - Soften the impact of agricultural buildings and fruit growing equipment storage areas with native planting
 - Increase habitat opportunities around water bodies and ditches by promoting a framework of vegetation in these areas
 - Soften the visual prominence of large agricultural barns through native planting

Beult Valley

- 6.18 Pressure for development to spread onto the visually sensitive valley floor, notably at Yalding and Headcorn, should be resisted to maintain the open character of the floodplain. Minor development to support existing scattered settlements and farmsteads could be considered.
- 6.19 Guidelines and Mitigation:
- New development should respect the local vernacular in scale, density and materials
 - Conserve the river and its corridor by promoting improved water quality and reducing nitrogen-rich runoff from nearby arable fields and discharges
 - Conserve oak as a dominant hedgerow tree species, and plant new oak standards within hedgerows to replace ageing species
 - Conserve the species rich hedgerows, ensuring that they are correctly managed and gaps replanted
 - Encourage the restoration of lost hedgerow boundaries in arable areas
 - Conserve the pastoral land and occasional orchards and resist conversion to arable land
 - Conserve and restore habitat features around water bodies and ditches by promoting and managing a framework of vegetation with links to the river
- 6.20 Regarding the impact on the Yalding Farmlands not all the above criteria can be considered as relevant to the application site. The application site is characterised by large open fields with one sparse hedgerow traversing it in an east/west direction with hedgerows on the north and south site perimeters.
- 6.21 The site in its current condition is therefore not considered to materially contribute to conserving the traditional small scale field pattern in the locality.
- 6.22 As to conserving a largely undeveloped rural landscape, polytunnel development

now forms an increasingly accepted part of the rural landscape. As such it is considered it would be difficult to make a case they are out of character in a rural landscape.

- 6.23 Increasing habitat opportunities around water bodies and ditches by promoting a framework of vegetation in these areas is an integral part of the proposal. This is demonstrated by the intention to 'gap up' existing hedgerows, provision of a new hedge and tree line along with the construction of swales to attenuate surface water runoff, to provide a water recycling resource all of these measures helping to increase wildlife habitat in what otherwise appears a species poor habitat.
- 6.24 The River Beult SSSI lies to the south of the site with a public right of way running along it. Taking into account the generally low laying nature of the locality, low height and profile of the polytunnels and additional planting along the southern site perimeter, it is considered that any visual impact on the River Beult corridor falls within acceptable limits.

Wider Landscape Impacts:

- 6.25 It is contended that the proposed polytunnels on their own and in connection with those approved on the adjoining site adversely affect long range views from the Greensand Ridge to the north. The LVIA accompanying the application concludes the following:
- That agricultural practices would continue on the land
 - That polytunnels are a common feature in the area and would not appear incongruous as a consequence
 - Polytunnels have most impact when covered by polythene. However this would only be between March and November when planting would be in leaf and providing maximum screening.
 - As such the proposal will not have a significant impact on the Low Weald. Greensand Ridge and the Grade II* Listed Parks and Gardens, Linton Park and its Grade I Listed House.
 - There would be views from the public footpath approximately 40-100m south of the Site running along the River Beult and KM 229 located 450m south of the site along with occasional, partial views from the Greensand Ridge and Greensand Way. Views from all PRoW footpaths not be significant after mitigation planting became established.
- 6.26 The LVIA concedes that there are three viewpoints along PRoW KM129 and a south facing view from the Greensand Way (PRoW KM125) which would experience a direct significant impact. However, once the proposed mitigation planting along the northern and southern site boundaries becomes established (after 5 to 10 years) there would no longer be significant views of the proposed development.
- 6.27 Subject therefore to the implementation of the proposed landscaping scheme and the polytunnels only being covered between March and November, it is considered the conclusions of the LVIA are sound. As such any harm to the wider landscape falls within acceptable limits thereby meeting the provisions of policies SP17, DM30 and DM36 of the local plan.
- Control of surface water runoff:**
- 6.28 The proposed swales are sufficient to attenuate surface water runoff for the proposed polytunnels in the interests of flooding to avoid any adverse impact on the River Beult SSSI. A condition is recommended requiring the swales to be in place before any polytunnels can be placed on site.

Maintenance and enhancement of existing field margins to encourage biodiversity:

- 6.29 The ecological appraisal submitted with the application concluded that the majority of the proposed development area consists of intensively managed farmland though existing hedgerows within the site provide some habitat. This view is supported by KCC Ecology who agree the site mainly comprises low biodiversity value agricultural land.
- 6.30 There may be incursions into the site by reptiles and it is intended that 6 metre mown margins will safeguard their interests but no other specific wildlife measures are proposed.
- 6.31 Turning to wildlife enhancements, the proposed landscaping scheme and provision of swales will add significantly to wildlife habitat in this otherwise species poor location.
- 6.32 It is considered these are proportionate to the scale and impact of the proposed development meeting the provisions of the NPPF and policy DM3 of the local plan.

Highways:

- 6.29 Traffic associated with the operation and harvesting of the polytunnels will not impact upon the local road network with access to them gained via internal routes. Though there may be some increase in traffic movements entering and leaving the site due to increased production, the Clock House Farm complex has good access onto Redwall lane and then onto Linton Hill. As such in the absence of adverse comment from Kent Highways the proposal is considered to be acceptable in its highway impacts.

Public Sector Equality

- 6.30 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.

Other matters

- 6.31 The proposal has already been 'screened' (application ref:19/505068) where it was determined it does not need to be accompanied by an Environmental Impact Assessment. It should be stressed this does not imply support for the proposal or set aside the need to assess the proposal against normal planning criteria.

7. CONCLUSIONS

- 7.1 It is considered that the proposal is justified as being essential to the continuing development and viability of this important rural business while being acceptable in landscape, amenity, flooding, wildlife and highway impacts. It is therefore recommended that planning permission be granted.

8. RECOMMENDATION

GRANT planning permission subject to the following conditions:

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- (2) The polytunnels hereby permitted shall (a) only be covered with clear/colourless polythene and (b) only be covered between the 1st March and 31st November in each year.

Reason: In the interests of visual amenity.

- (3) The landscaping and planting details shown on the Landscape Strategy Plan hla 343 01 (which shall include the provision of oak standard trees to reflect the landscape character area guidelines) shall be designed using the principle's established in the Council's adopted Landscape Character Assessment 2012 and planted in accordance with BS:5837: 2012.) The approved landscaping details shall be carried out in the first available planting season following first erection of any of the polytunnels hereby permitted.

Reason: In the interests of visual amenity.

- (4) Any landscaping becoming dead, dying or diseased within 5 years of planting shall be replaced with specimens of the same size, species and siting in the next available planting season.

Reason: In the interests of visual amenity.

- (5) Prior to the development hereby approved commencing details of (a) the size of the proposed swales shown as sited on drawing no: 5114-01 (showing levels and long and cross sections) and (b) their long term maintenance shall be submitted to and approved in writing by the Local Planning Authority. The swales shall be provided in accordance with the approved details before erection of any polytunnels hereby permitted and maintained in accordance with the approved details for the life of the development.

Reasons: In the interests of flood prevention and to protect the habitat of the River Beult Site of Special Scientific Interest.

- (6) In the event the application site is not used for soft fruit production for more than two years in a row all polytunnels including all equipment and covering material shall be removed from the land which shall be restored to its former condition,

Reason: In the interests of visual amenity.

- (7) The wildlife enhancement and mitigation measures set out in the report by KB Ecology dated the 16th October 2019 shall be carried out as proposed prior to first use of the polytunnels hereby approved.

Reason: In the interests of wildlife.

- (8) The development hereby approved shall be carried out in accordance with the following approved plans drawing nos: 5114-01, 01a, 02b, 03 and Landscape Strategy Plan hla 343 01.

Reason: In the interests of amenity.

Informative(s):

- 1) A significant part of the site lies falls within a KCC Minerals Safeguarding Area and KCC should be contacted for advice on how this is likely to affect the development hereby permitted.
- 2) It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the

topsoil. Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highwayboundary-enquiries>

- 3) The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.
- 4) Due to the in-combination effects from the proposal and existing nearby polytunnel sites, rainwater harvesting should be employed as well as buffer strips between the polytunnels. Natural England has Catchment Sensitive Farming officers working in the Beult catchment who offer free specialist advice through a water resources audit and water pathway management. If the Applicant would like to take up this offer, please get in touch with Ben Thompson (ben.thompson@naturalengland.org.uk)
- 5) Bats: Lighting can be detrimental to roosting, foraging and commuting bats¹⁰, the recommendations from the Bat Conservation Trust and the Institution of Lighting Professionals, titled ‘Guidance Note 8 Bats and Artificial Lighting’¹¹, should be considered when designing any lighting scheme for the proposed development, if any lighting is proposed.
- 6) It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site. For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119), www.southernwater.co.uk or by email at developerservices@southernwater.co.uk
- 7) Other consents may be required for different activities (such as water abstraction or discharging to a stream), and the Environment Agency has a regulatory role in issuing and monitoring them. The applicant should contact 03708 506 506 or consult our website to establish whether a consent will be required. <https://www.gov.uk/environmental-permit-check-if-you-need-one>

Case Officer: Graham Parkinson