

APPLICATION: MA/09/0483 Date: 9 March 2009 Received: 8 June 2009

APPLICANT: J L Baxter & Son

LOCATION: AMSBURY FARM, EAST STREET, HUNTON, MAIDSTONE, KENT, ME15 0QY

PROPOSAL: Erection of a steel frame, single skin clad fruit (berry) storage building as shown on drawing nos. ICA-ENQ598-01-C, 04-A and design and access statement received 23/03/2009 and as amended by drawing nos. ICA-ENQ598-02-B (block plan showing existing levels), 02-B (block plan showing proposed levels) and 06 (cross sections) received 08/06/2009.

AGENDA DATE: 2nd July 2009

CASE OFFICER: Steve Clarke

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

- It is contrary to views expressed by Hunton Parish Council

POLICIES

Maidstone Borough-Wide Local Plan 2000: ENV6, ENV28, ENV34, ENV43, T13, T23
Kent & Medway Structure Plan 2006: SP1, SS8, MA1, EN1, EN5, QL1, EP8, TP19
South East Plan 2009: SP2, CC1, CC4, T4, C4, AOSR7
Village Design Statement: N/A
Government Policy: PPS1, PPS7

HISTORY

Site located west of main farm access track

MA/09/0484: Erection of a steel framed, single skin storage building: UNDETERMINED

Permissions relating to the packhouse/storage building to the east of the current site

MA/07/0705: An application for the prior approval of the local planning authority for the erection of an extension to existing fruit store and packing building to allow for separate organic area and general increase of fruit production: GRANTED 17/07/2007

MA/00/0358: Extension to agricultural building: PERMITTED 02/05/2000

MA/99/0393: Extension to agricultural building for the storage of fruit: PERMITTED 23/06/1999

MA/95/0733: Erection of a new agricultural building: PERMITTED 12/07/1995

Permissions related to the oast complex

MA/00/0682: Conversion of oast buildings into 4No. residential dwellings along with relocation and enlargement of existing packhouse building and erection of two detached four car garages: PERMITTED 23/10/2005

CONSULTATIONS

Hunton Parish Council (01/05/2009): Wish to see the application (and application MA/09/0484) REFUSED for the following reasons:

'1. The Council are concerned that even allowing one of the these buildings would have a detrimental impact on the open countryside and would be visually prominent from the Greensand Way which is one of Kent's most important footpaths in an area of Special Scientific/Landscape Interest. In addition to this taking the planned site of the buildings into consideration the buildings would be placed either side of a further footpath - KM157 - that crosses this land.

2. The Council believes this development would contravene Policy EP7 of the Kent & Medway Structure Plan 2006 that states "all development supported should have no unacceptably adverse impact on the local transport network, the environment or the Green Belt". With regard to the transport network, the Parish Council receives complaints on a regular basis from residents regarding the large lorries that visit this farm and the Council does not believe that the road infrastructure could cope with *any* increase in the volume of this type of traffic, however small. The Council believes this development would seriously impact on the environment as stated in (1) above.'

Officer Comment: Any comments on the additional details recently received will be reported to Members at the meeting.

Rural Planning Ltd (12/05/2009):

'I refer to your letter of 16 April 2009 requesting agricultural advice on the planning application submitted on behalf of J L Baxter & Son for the erection of a new farm building for the storage of the farm's home-grown soft fruit (cherries, plums, raspberries and apricots) at the above site.

Amsbury Farm, with Westerhill Farm 800m to the east, is a well-established fruit farm that now extends to some 105ha of land owned or rented on a long-term basis. Cropping includes some 53ha apples, 11ha conventional pears, 24ha organic pears, 10ha plums, 5.5ha cherries, 1.7ha raspberries and 1ha apricots.

The main buildings at Amsbury Farm form a single relatively modern complex, approx. 60m x 40m (max.) which includes modern cold storage for some 1200 tonnes, a main packhouse for apples and pears, a smaller packhouse for soft fruit, and holding areas for incoming/outgoing fruit.

At present soft fruit is stored temporarily in some of the top fruit stores but this is not particularly cost effective or conducive to efficient storage; furthermore the extent of soft fruit harvested is about to expand considerably rapidly as new planting some into production, with a total yield for this year expected to be about 265tonnes compared to 61tonnes last year. Consequently is now proposed to provide a dedicated soft fruit store, about 20m x 16m and 4.5m to eaves, with 5 controlled atmosphere chambers each about the size of a container-lorry load (i.e. 26 single pallets), plus access area, and with a 10m x 5.6m extension on the east side for a plant room and a handling/loading dock area.

The building would be designed to allow soft fruit to be stored for as long as possible within the limits of current technology, and would be located on the existing concrete yard west of the packing shed.

I confirm that I consider the proposed building to be necessary for the purposes of agriculture, in accordance with local plan policy ENV 43, to assist in the storage and marketing of the increased amount of soft fruit now grown on this farm.'

Kent Highway Services (18/05/2009) and (21/05/2009): No objections are raised. The following condition is recommended:

"No work shall commence on the development site until works to improve the highway signage to the site has been carried out in accordance with a design and specification to be approved in writing with the Local Planning Authority and to be fully implemented to the satisfaction of the Local Planning Authority."

REPRESENTATIONS

Two letters of objection have been received from the occupier of Old Savage Farmhouse (located approximately 270m south east of the proposed store) and on behalf of the management company for the oast development lying to the east of the existing package shed.

Objections are raised on the following (summarised) grounds.

- The development will have a negative aesthetic impact on a historic orchard which has a prominent position on the side of Hunton Hill.
- The existing packhouse is already out of proportion to the nature of the surrounding countryside, the new building will make the situation worse. The site now resembles an industrial estate rather than a farm.
- The increase in floorspace on the site together with that of related application MA/09/0484, will inevitably result in increased farm traffic, noise and disruption which will adversely affect the adjacent Oast complex.
- The increased capacity at the site will inevitably lead to further traffic on the surrounding road network, which is not suited to large HGV traffic and resulting in further damage to the road surface.
- The site is currently used for the open storage of bulk storage bins, these are likely to be displaced to other areas, most likely to the south of the road way and the existing packhouse and are likely to cause an eyesore.

CONSIDERATIONS

Site Location and Description

The Amsbury Farm complex of buildings is located some 330m north of East Street Hunton. Access is gained from East Street by an access road that also serves as the access to a number of residential dwellings east and south east of the main farm building complex.

The site is located within open countryside on the scarp slope of the Greensand Ridge and lies within the designated Greensand Ridge Special Landscape Area. Public Footpath KM157 runs to the west of the site of the proposed building along a continuation of the main farm access track to the north of the site before joining footpath KM156 (designated as part of the Greensand Way) approximately 450m further up the hill to the north of the site.

The site currently comprises a packhouse and store and extensive concrete hardstanding areas used for the open storage of bulk storage bins and palettes, for car parking and the manoeuvring of farm and delivery/despatch vehicles. Members will not from the planning history set out earlier that this building was erected following a planning permission granted in 1995 and has subsequently been extended.

The current site is located to the west of the existing packhouse/storage building. The site falls steeply (by 3m) eastwards and by some 0.36m in a northerly direction. To the north on higher ground are mobile homes occupied by workers on the holding and to the north of these orchards.

Overhead high voltage electricity lines and pylons as part of the national grid cross the site.

Immediately to the east of the existing packhouse, some 65m from the proposed building, is a large oasthouse that was converted into 4 residential units following a planning permission granted under application MA/00/0682 on October 23 2000.

The holding extends to around 105ha (approx. 260 acres), all of which is intensively planted with a range of top and soft fruit. Production has expanded over the years with advances in plant husbandry and fruit management so much so that the current year's production amounted to 2,375tonnes of fruit compared to 1,650tonnes in 1999.

Proposals

The application is a full application that seeks permission for the erection of a new fruit storage building for the storage of berries. The building would be 20.1m x 16.1m and approximately 4.5m to eaves and between 7.2m and 8m to the ridge. The main section of the building would consist of 5 controlled atmosphere stores and an internal access area.

There would be a 5.6m x 10m addition to its south east corner accommodating an east facing loading dock, a ramped access from the north elevation and a plant room. It would be clad in profiled steel cladding (Olive Green) and roofed with natural colour fibre cement sheeting.

Additional plans have been submitted indicating existing and proposed floor levels and cross-sections through the site. The finished floor level of the building is shown to be some 1.7m lower than the south west corner of the site adjacent to public footpath KM157, and some 1.2m higher than the existing levels on the eastern side of the site. There would be retaining walls on the southern western and northern sides of the building.

The design and access statement indicates that the development is necessary due to the increased demand for English fruit and the applicant's on-going expansion plans as a result of the increased demand. It is therefore necessary to store fruit in an optimum state, which technological advances now facilitate.

Production forecasts show that cropping figures will continue to increase in the coming years

Crop	2008	2009	2013
Cherry	12/13 tonnes	45 tonnes	80 tonnes
Plum	31 tonnes	200 tonnes	300 tonnes
Apricot	2.5 tonnes	5 tonnes	10 tonnes
Raspberry	15 tonnes	15 tonnes	20 tonnes

They have also stated that the application will bring a number of benefits in traffic terms.

- Currently fruit has to be picked, stored (a considerable amount off-site) and then brought to Amsbury Farm to the packhouse.
- The centralisation of the stores would contribute to a significant reduction in inter-farm lorry movement
- A seasonal reduction in stone fruit transportation due to the extension in storage capabilities
- There would be some increase in traffic as fruit production grows, but that impact reduced with centralised storage

In addition it is stated that the number of full-time workers employed at the farm has grown from 22 in 2000 to 48 currently, and that 2 further full-time jobs would be created as a result of this project, in addition there are a number of seasonal workers employed from May to October.

Planning issues

The application is for the erection of an agricultural building on a working and viable farm holding, that has seen a steady rise in production levels in recent years. Advice in

PPS7 and the Kent & Medway Structure Plan and the South East Plan generally encourage support for the agricultural industry on the basis that it enhances and supports the rural economy.

As a tool for the assessment of the application, Policy ENV43 of the Maidstone Borough-wide Local Plan 2000 provides a number of criteria against which the proposals should be judged. The presumption is that permission will be granted provided that the criteria are met.

(1) THE PROPOSALS ARE REASONABLY NECESSARY FOR THE PURPOSES OF AGRICULTURE;

The clear conclusion of the agricultural advisor is that the proposal is reasonably necessary for the purposes of agriculture, 'to assist in the storage and marketing of the increased amount of soft fruit now grown on this farm.' For Members' information this is expected to be about 265 tonnes this year compared to 61 tonnes last year as can be seen from the table set-out earlier. I concur that the development is reasonably necessary for the purposes of agriculture to accommodate the produce grown on the holding and that this criterion is satisfied.

(2) THE BUILDING IS LOCATED WITHIN OR ADJACENT TO AN EXISTING GROUP OF BUILDINGS, UNLESS IT CAN BE DEMONSTRATED THAT A MORE ISOLATED LOCATION IS ESSENTIAL TO MEET THE NEEDS OF THE HOLDING. WHERE AN ISOLATED LOCATION IS ESSENTIAL THE SITE SHOULD BE CHOSEN TO MINIMISE THE IMPACT OF THE BUILDING ON THE CHARACTER AND APPEARANCE OF THE COUNTRYSIDE;

The building would be located approximately 24m to the west of the existing packhouse/storage building on the site. This area of the farm is where the main activity relating to storage and packing and ultimately onward distribution takes place.

(3) THE PROPOSAL IS ACCOMPANIED BY AN INTEGRAL LANDSCAPING SCHEME, REFLECTING THE LANDSCAPE CHARACTER OF THE AREA; AND

The application is not supported by a landscaping scheme. However, it is located within an already hard landscaped working farmyard area. There are orchards to the south and west and the site is screened from the footpath to the west by an existing shelter belt of trees. The site is also on lower ground than the land to the north which is also planted as Orchard, beyond the farm workers' mobile homes. Given the site's location with the Special Landscape Area however, consideration should be given to a suitable landscaping scheme. This can be dealt with by means of an appropriate condition.

(4) THE BUILDING IS OF A DESIGN WHICH IS SYMPATHETIC TO ITS SURROUNDINGS IN TERMS OF SCALE, MATERIALS, COLOUR AND DETAIL;

The design is considered appropriate for this location as the building is of a style and design that reflects that of the adjoining packhouse and is common to many modern agricultural buildings. The design of agricultural buildings has changed in recent years primarily due to the need for increased flexibility to cater for changing consumer and supermarket demands in terms of the quality of the produce and packaging requirements and changes brought about by the use of modern machinery.

(5) THE PROPOSAL WILL NOT HAVE AN ADVERSE IMPACT ON THE CHARACTER OR SETTING OF LOCAL SETTLEMENTS OR THE AMENITY OF EXISTING RESIDENTS;

The site is located in the open countryside some 1.5km north east of the main part of Hunton village. I do not consider that the setting of the settlement will be adversely affected.

The concerns of nearby residents are noted. As indicated earlier, this is a working farm and the activity associated with the cropping and processing of the produce arises as a consequence of this. It is fair to say that activity on the farm has increased as production levels have increased. In common with most fruit farms however, much of the activity is seasonal with the busiest period when fruit is harvested.

I do not consider, that the operation of this building would have such a negative impact on the amenities of nearby residents, particularly those in the oast complex to the east, as to warrant or sustain refusal on this ground. The degree of separation of the proposed store and the oast complex at 65m is considered acceptable. The dwellings in the oast complex are also shielded to an extent by the existing packhouse.

The Council's Environmental Health Section has received no complaints relating to the operation of the existing packhouse/activity on the site.

The existing packhouse/store is not governed by any hours of operation conditions. It would be unreasonable to impose such a limitation on the currently proposed building.

There is no evidence to suggest that the bulk storage boxes will now be stored south of the road leading to the oast complex as feared by the residents.

(6) THE PROPOSAL IS COMPATIBLE WITH THE LANDSCAPE POLICIES OF THE PLAN;

I note the concerns of the Parish Council about the site's location in the Greensand Ridge Special Landscape Area. However, the proposed building is closely sited in relation to the existing packhouse and would be developed on part of an existing platform that has been formed in the slope of Hunton Hill. The land rises steeply northwards away from the site. The site is also not readily visible from Hunton Hill to the west of the site (the cowls of the oast complex are just visible) or from East Street to the south. As it is closely related to the other buildings on the site it will not unacceptably extend built development further into the countryside. In any event, the building is considered to be necessary for the purposes of agriculture and as such is development permissible under Development Plan policy in the countryside.

(7) THE PROPOSAL WILL NOT HAVE AN ADVERSE IMPACT ON THE LOCAL HIGHWAY NETWORK.

Kent Highway Services have raised no objection to the proposed building in terms of the impact on the local road network. They consider however, that improved signage, routing vehicles (particularly HGVs) to the farm should be secured by means of an appropriate 'Grampian' condition as they are in receipt of complaints locally and are also trying to work with the applicants to reduce these and to ensure that lorries

visiting the site do so on the most appropriate roads in the locality. This would also help to address other concerns raised by the Parish Council and local residents.

Conclusions

The proposed storage building is considered to be justified as reasonably necessary for the agriculture. It is closely sited to other existing buildings and would not result in itself in any unacceptable harm to the amenities of nearby residents. The design is considered to be acceptable whilst typical of modern agricultural buildings and reflects that of the existing packhouse/storage building to its east.

Subject to appropriate conditions I recommend that permission should be granted.

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 development hereby permitted shall be carried out strictly in accordance with the slab levels shown on the approved drawings;

Reason: In order to secure a satisfactory form of development having regard to the topography of the site pursuant to policies ENV28 and ENV34 of the Maidstone-Borough-wide Local Plan 2000.

3. The external materials used for the building shall be as specified on drawing no. ICA-ENQ598-04-A received 23/03/2009 unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a satisfactory visual appearance to the development pursuant to policies ENV28 and ENV34 of the Maidstone Borough-wide Local Plan 2000.

4. The development hereby permitted shall not be commenced until details of scheme to improve the highway signage in the vicinity of the site in relation to HGV access has been submitted to and approved in writing by the local planning authority in consultation with the local highway authority. The subsequently approved details shall be implemented prior to the first use of the building hereby permitted and maintained thereafter.

Reason: In the interests of highway safety pursuant to policy T23 of the Maidstone Borough-wide Local Plan 2000.

5. The development hereby permitted shall not commence until a scheme of landscaping using indigenous species designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines 2000 and which shall show the existing shelter belt trees to the west of the site retained, together with measures for their protection in the course of development and a programme for the approved scheme's implementation and long term management has been submitted to and approved by the local planning authority. The scheme shall include enhancement of the open area to the west of the site east of the existing shelter belt trees to be retained and shall also provide for planting on the southern side of the access road to the south of the proposed store building.

Reason: No such details have been submitted and to ensure a satisfactory visual appearance to the site pursuant to policies ENV6, ENV28 and ENV34 of the Maidstone Borough-wide Local Plan 2000.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a satisfactory setting and external appearance to the development pursuant to policies ENV6, ENV28 and ENV34 of the Maidstone Borough-wide Local Plan 2000.

Informatives set out below

Attention is drawn to Sections 60 and 61 of the Control of Pollution Act 1974 and to the Associated British Standard Code of practice BS5228:1997 for noise control on construction sites. Statutory requirements are laid down for control of noise during works of construction and demolition and you are advised to contact the Environmental Health Manager regarding noise control requirements.

Plant and machinery used for demolition and construction shall only be operated within the application site between 0800 hours and 1900 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sunday and Bank Holidays.

No vehicles may arrive, depart, be loaded or unloaded within the general site except between the hours of 0800 and 1900 Mondays to Fridays and 0800 and 1300 hours on Saturdays and at no time on Sundays or Bank Holidays.

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 Kent and Medway Structure Plan 2006) and there are no overriding material considerations to indicate a refusal of planning consent.