

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

APPLICANT: Mr Robert Pascall, Clock House Farm Ltd

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

PROPOSAL: Construction of temporary Spanish Polythene Tunnels as shown on elevations received on 22/6/09; and location plan and block plan received on 14/7/09.

AGENDA DATE: 15th October 2009

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  
Village Design Statement: N/A  
Government Policy: PPS1, PPS7

### **HISTORY**

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

### **CONSULTATIONS**

WEST FARLEIGH PARISH COUNCIL wishes to see the application refused:

“The Council has received reports of serious water damage to an adjacent property allegedly caused by the irrigation of the polytunnels that have been on the site since 2007 which gives the Council cause for concern about the floodrisk in the immediate area if permission is granted.

In addition, the immediate area is open countryside and enjoyed by a large number of people. The polytunnels will be visually harmful to the area and the Council does not wish to lose this special landscape feature in the Parish.”

YALDING PARISH COUNCIL (the neighbouring parish) has no comment.

RURAL PLANNING LTD confirm that the polytunnels are necessary for the purposes of agriculture and would provide further support for this established and productive local farming enterprise. I enclose the views in full as an appendix hereto.

## **REPRESENTATIONS**

COUNCILLOR MORTIMER wishes the application to be refused. This scheme has an adverse impact on the open countryside and the site is visible from parishes across the valley. The site is next to a listed building and 'Marshalls' recently had a modest conservatory refused. Mr Taylor from 'Marshalls' raises issues over the impact of noise from flapping plastic and heavy rain, localised flooding, and increased traffic in Hunt Street (which is not capable of accommodating it).

LETTERS OF OBJECTION HAVE BEEN RECEIVED FROM FOUR LOCAL HOUSEHOLDS. The following points are raised:

- a) This development would be harmful to the character and appearance of the countryside. It would be visible from a wide area, including from across the other side of the valley. The listed Cherry Orchard Farm would be adversely affected.
- a) The scheme would lead to a loss of privacy as workers would be able to look into private areas.
- b) Residential amenity would be affected by noise and disturbance from traffic, workers, flapping plastic and rain falling on the plastic. There would be increased litter and flies.
- c) Heat given off by the tunnels would affect amenity.
- d) There would be increased traffic on Hunt Street, as a result of workers being 'bussed in'. This narrow lane cannot accommodate such traffic.
- e) Surface water has already adversely affected nearby residential property with flooding and damp problems.
- f) The steel supports remain in place all year round.
- g) Local wildlife would be adversely affected.

## **CONSIDERATIONS**

### **Description of the Site**

The application site is located off the south side of Hunt Street and comprises an area of farmland of approx. 23ha. The land slopes down from south to north and is bounded to the west by Small Profits Lane. The site encircles and adjoins land associated with the residential properties of 'Marshalls' and 'Cherry Orchard Farm': the latter being Grade 2 listed with the site coming within 10m of these properties. Much of the eastern, southern and western boundaries are marked by established lines of trees and hedging and there is a line of tall trees running east-west across the western part of the site. The site is rented by Clock House Farm Ltd. who are based in Coxheath and

are a well established and relatively large orchard and soft fruit holding, producing apples, pears, strawberries, raspberries and plums and with arable land used for a rotational break.

### **The Proposal**

This application is part retrospective and seeks permission to erect blocks of polytunnels over the above site, polytunnels being plastic sheeting over steel hooped supports. Each tunnel would be 6m. in width, 1.5m to 'eaves' and 3.5m overall apex height. The plans show tunnels over much of the overall site area in three main blocks, all of which have a 'buffer zone' to the site boundaries. At the nearest point the tunnels would be approx. 40m from 'Cherry Orchard Farm'. The tunnels are to protect strawberries and cane fruit and would be covered during the growing season from March to September. The crops are grown on a rotation with cereals, resulting in part only of the area being protected at any one time.

### **Planning Considerations**

This site is in the countryside beyond the defined bounds of any settlement. Development in the countryside is restricted by the terms of Development Plan Policy and Central Government Guidance. As an exception to the general theme of restraint, policy and guidance allow for development necessary for agriculture in recognition of the importance of farming to the economic and environmental well-being of the countryside. Local Plan Policy ENV43 is relevant in this regard. The main issue centres on the balance between the needs of agriculture and the impact of the proposals on the character and appearance of the countryside.

Looking at the views of Rural Planning Ltd (in the appendix) there is a clear need for this development to provide further expansion of Clock House Farm, an established and productive local farm enterprise. The view is expressed that "...the tunnels comprise units of production in themselves, and in effect are inherently required and appropriate for the purpose of modern UK strawberry production." and later "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." I consider the key question here is whether the harm to the appearance of the countryside is so great as to outweigh the agricultural need.

There is no doubt that what is proposed here constitute substantial blocks of polytunnels that would be visible both in short and long range views. The tunnels would be visible from across the valley from the Wateringbury/Teston area. However, the application site is not specially designated (it is not within the Area of Local Landscape Importance) and there are lines of established trees and hedging around and within the site which would break up the overall mass of the structures. In addition, the plans show 'buffer zones' between the edges of the blocks and the site boundaries. Finally, I understand that the tunnels would be operated on a rotational

basis so it is very unlikely that all of the area would be covered in polythene sheeting at any one time. On balance, I consider that the visual harm would not be so great as to outweigh the benefits to agriculture. The Conservation Officer is of the view that the tunnels would not impact on the setting of the listed building.

No trees or hedges would be lost as a result of this development and there is no evidence that the site is of significant ecological value.

Objection is raised by local residents on the basis that their residential amenities would be affected but there is no change of use proposed here and intensive fruit and vegetable production, with large numbers of employees being bussed in and working in the fields, is a common feature of modern agriculture; particularly so in an area of high quality agricultural land which lends itself to intensive production. I am not satisfied that the noise and disturbance, loss of privacy from people working the land, incidence of litter, flies, etc. resulting from this development would be so great as to warrant a reason for refusal. A reason for refusal based around excessive heat emanating from polytunnels could not be substantiated.

Farm workers are regularly transported around the Kent countryside in buses, sometimes along narrow country lanes, and this site is no different. Again, no change of use is proposed here and, whilst Hunt Street is undoubtedly narrow, a reason for refusal based on buses and farm traffic causing highway danger could not, in my view, be defended.

Localised flooding resulting from the construction of the tunnels and its impact on neighbours should not constitute a planning objection and is essentially a private matter between the affected persons and the developers.

I consider that the benefits to productive agriculture outweigh the visual harm in this case and recommend that the application be approved.

## **RECOMMENDATION**

GRANT PLANNING PERMISSION subject to the following conditions:

1. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be 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. The scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines;

Reason: No such details have been submitted. This in accordance with Policies ENV28 and ENV43 of the Maidstone Borough-Wide Local Plan 2000.

2. 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(s) 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. This in accordance with Policies ENV28 and ENV43 of the Maidstone Borough-Wide Local Plan 2000.

3. The polytunnels hereby approved shall be completely removed from the land within 2 months of the permanent cessation of the use of the land for fruit production;

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

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.