

REPORT SUMMARY

REFERENCE NO - 18/500353/FULL		
APPLICATION PROPOSAL Variation of Condition 6 of planning permission MA/13/1645 (erection of polytunnels) to allow polytunnels to be covered with polythene between the 14 th February and 15 th November.		
ADDRESS Church Farm Ulcombe Hill Ulcombe Kent ME17 1DN		
RECOMMENDATION - APPROVE		
SUMMARY OF REASONS FOR RECOMMENDATION Polytunnels of this type and scale in this location have already been permitted and this application only seeks to increase the coverage of the frames by 2 weeks either side of the time currently allowed in planning terms. It is accepted that there is an agricultural need for this extension of time; and the additional time the polytunnels would be covered for remains acceptable in visual impact terms.		
REASON FOR REFERRAL TO COMMITTEE - Ulcombe Parish Council wish to see the application refused and reported to Planning Committee		
WARD Headcorn	PARISH COUNCIL Ulcombe	APPLICANT G Charlton And Sons AGENT DHA Planning
DECISION DUE DATE 30/04/18	PUBLICITY EXPIRY DATE 23/02/18	OFFICER SITE VISIT DATE 26/01/18
RELEVANT PLANNING HISTORY:		

18/501451/SUB - details pursuant to condition 3 (sustainable drainage) of MA/13/1645 - Under consideration

MA/14/0431 - Details of conditions 2 (landscaping), 3 (sustainable drainage), and 7 (wildlife Habitat creation, enhancement and management programme) pursuant to MA/13/1645 - Split decision (condition 3 refused)

MA/13/1645 - Erection of 10ha of polytunnels - Approved

MAIN REPORT

- The previous case officer's delegated report for MA/13/1645 is attached for reference (Appendix 1).

1.0 SITE DESCRIPTION

1.01 The application site is located on land at the southern end of Church Farm, at the foot of the Greensand Ridge Landscape of Local Value (previously a Special Landscape Area), approximately 300m to the west of Ulcombe village. The farm boundaries are made up of hedgerows and trees which extend along the boundaries with Ulcombe Hill and the western boundary of the village; and the area is generally characterised by a patchwork of enclosed arable fields and orchards. Part of the farm is visible from the residential properties located on the west side of The Street, and from the public footpath KH320 which passes through the farm in an east/west direction.

2.0 PROPOSAL

2.01 Under MA/13/1645, the erection of 10ha of polytunnels for strawberry and raspberry production was approved on the applicant's rented 51ha fruit holding.

2.02 This proposal is to vary condition 6 of MA/13/1645 which states:

The polytunnels hereby permitted shall only be covered with polythene between the 1st March and the 31st October.

Reason: In the interests of visual amenity.

- 2.03 The applicant now seeks to extend this timeframe by around 2 weeks either side of the imposed dates, so that the polytunnels will be covered between 14th February and 15th November each year.
- 2.04 To inform Members, MA/13/1645 was permitted for 10ha of polytunnels to provide for strawberry/raspberry production. The polytunnels are some 8m wide and some 3.75m in height; and are set out in a general north/south alignment.

3.0 POLICY/ OTHER CONSIDERATIONS

- Maidstone Local Plan (2017): SS1, SP17, DM1, DM3, DM30, DM36
- National Planning Policy Framework (2012)
- National Planning Practice Guidance (2014)

4.0 LOCAL REPRESENTATIONS

- 4.01 **Local Residents:** 3 representations received raised following main (summarised) points:

Visual impact; increased traffic generation; increased noise; flood risk/drainage; farm vehicles churn up footpaths; polytunnel materials coming loose and littering countryside and/or being burned, causing pollution; and alleged breach of current planning conditions.

5.0 CONSULTATIONS

- 5.01 **Ulcombe Parish Council:** Wish to see application refused and reported to Planning Committee (comments summarised below);

"Wish to see this application refused "in the interests of visual amenity" and harm to the area for an additional four weeks."

- 5.02 Please note that Ulcombe Parish Council previously wished to see the original application for the polytunnels themselves (MA/13/1645) approved.

- 5.03 **Agricultural Advisor:** Raises no objection.

- 5.04 **Environment Agency:** Raises no objection.

6.0 APPRAISAL

Main issues

- 6.01 Under MA/13/1645, permission has been permitted (and implemented) for 10ha of polytunnels on this site. This application is therefore only concerned with the merits of increasing the coverage of the frames by 2 weeks either side of the time currently permitted (a total of 4 weeks).
- 6.02 MA/13/1645 was considered under the Maidstone Borough-Wide Local Plan 2000, and this document has since been superseded by the 2017 Local Plan. Now, development proposals in the countryside will not be permitted unless they accord with other policies in this plan and they will not result in harm to the character and appearance of the area. Policy DM36 of the Local Plan provides policy support for polytunnels provided certain issues are addressed, including:

- i. How surface water run-off will be dealt with and controlled;*
- ii. Inclusion of rotation programme for covering/uncovering of structures/frames, which explores possibility of following seasons; and*
- iii. Inclusion of programme for maintenance and enhancement of existing field margins in interests of encouraging biodiversity.*

6.03 In accordance with the relevant policies of the Maidstone Local Plan (as stated above) the main issues to be considered here are: is there reasonable justification for the time extension of coverage; does this result in unacceptable visual harm when compared to current situation; and does this accord with policy DM36 of the Local Plan.

6.04 In accordance with Local Plan policy and the NPPF, I will now go on to consider the details of this planning application.

Justification for extending time polytunnels are covered

6.05 The rationale for this proposal is to extend the growing season to meet supermarket customers' demand, and enable G. Charlton & Sons to remain competitive against other growers, and maintain market share against foreign imports. The Agricultural Advisor is satisfied that there is a strong and rational case for this, and considers the proposal to be necessary for agriculture, having regard to Local Plan policy DM36, in that it is designed to assist the sustainability of the applicant's significant local farm business and support the provision of UK produce.

Visual impact

6.06 As set out under the original approval for these polytunnels, whilst there is a public footpath that runs through the site, Church Farm is enclosed by hedgerows and trees and it is not generally visible from views outside of the site from Ulcombe Hill, or The Street, or from views from the Low Weald to the south. It was accepted that notwithstanding the scale of the proposed site coverage, the low height and profile of the polytunnels; the undulating nature of the site; the retention of the existing hedgerows and additional landscaping (since approved under MA/14/0431); and the retention of an 8m wide separation zone around the site, the impact upon the character and appearance of the countryside/Special Landscape Area (now a Landscape of Local Value) was acceptable.

6.07 Another part of this justification for approving the polytunnels was that they would be uncovered for 4 months of each year. This proposal would now see the polytunnels uncovered for 3 months of the year. As set out above, the proposal is necessary for the purposes of agriculture and the principle of polytunnels here has been accepted. Given what is a short 2 week extension of coverage either side of what is already allowed, it is difficult to argue that the proposal would now result in unacceptable visual harm and any harm that is caused needs to be balanced against the benefits that have been outlined. For that reason, there is no objection to the proposal on the grounds of visual amenity.

Other considerations

6.08 In terms of policy DM36 of the Local Plan, details of sustainable drainage are being considered separately under 18/18/501451/SUB and this does not impact upon the determination of this application. Furthermore, Church Farm is not located within an area liable to flooding and there are no residential or other buildings located in close proximity to the site. As such, no objection continues to be raised in terms of surface water drainage and flood risk.

6.09 The landscaping and ecological enhancement schemes approved under MA/14/0431 (related to conditions 2 and 7 of MA/13/1645) remain adequate and have been implemented; and given that the polytunnels are existing, it is not now considered justified to insist on a rotation programme for covering/uncovering of structures/frames. Given the nature of the proposed amendments, no objection is still raised in terms of highway safety/traffic generation, or residential amenity (including noise).

6.10 The main concerns raised by local residents and Ulcombe Parish Council have been addressed in the main body of this report. However, it should be added that the alleged churning up of footpaths by farm vehicles, littering and burning of polythene, are not material planning considerations that can be considered in the determination of this application. Any alleged breach of planning conditions should also be reported to the Planning Enforcement Team, with any claim then being investigated through the appropriate channels.

7.0 CONCLUSION

7.01 It is important to reiterate that polytunnels of this type/scale in this location have already been permitted, and this application cannot consider the principle and can only assess the increase in the coverage of the frames by 2 weeks either side of the time currently allowed in planning terms.

7.02 It is accepted that there is an agricultural need for this modest extension of time, in order for the applicant to remain competitive; and the additional time the polytunnels would be covered for remains acceptable in visual impact terms. It is therefore considered that the balance of issues fall in favour of the proposal and planning permission should therefore be granted.

8.0 RECOMMENDATION

8.01 GRANT planning permission subject to the following conditions:

(1) The development hereby approved shall be carried out in accordance with the landscaping scheme (including provision for its long term maintenance), as approved under MA/14/0431. Any part of the hedgerows or trees becoming dead, dying or diseased shall be replaced with a similar species of a size to be agreed in writing beforehand with the Local Planning Authority and shall be retained at all times in accordance with the terms of this condition;

Reason: In the interests of visual amenity.

(2) Within 1 month of the date of the permission hereby granted, details of a sustainable drainage system shall be submitted for approval in writing to the Local Planning Authority and shall include a programme of long term management and maintenance. The approved scheme shall be subsequently implemented within 1 month of the Local Planning Authority approving the details and maintained as such thereafter;

Reason: To ensure that surface water runoff is appropriately attenuated in order to minimise the risk of flooding.

(3) The development hereby permitted shall be carried out in accordance with the following approved plan: DHA/9800/10 (as submitted under MA/13/1645);

Reason: To ensure the quality of the development is maintained.

(4) The polytunnels, including all structures and polythene hereby permitted, shall be removed and the land upon which they are sited, restored to its former condition, if the land is not used for soft fruit production for more than two years in a row;

Reason: Permission has been granted to meet the needs of agriculture and to avoid undue proliferation of built mass within the countryside.

- (5) The polytunnels hereby permitted shall only be covered with polythene between the 14th February and 15th November each year;

Reason: In the interests of visual amenity.

- (6) The development hereby approved shall be implemented and maintained in accordance with the measures for wildlife habitat creation and enhancement (including a long term management programme), as approved under MA/14/0431;

Reason: To conserve and enhance biodiversity.

- (7) The polytunnels hereby approved shall not exceed 3.75 metres in height above ground level;

Reason: In the interests of visual amenity.

Case Officer: Kathryn Altieri

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