



Regulatory Board (Planning)

Wednesday, 6 March 2019

Dear Councillor

You are advised that the attached documents form part of the main agenda papers for this meeting.

Please ensure you bring them with you to the meeting.

Yours faithfully

A handwritten signature in black ink, appearing to read 'S Walsh', written in a cursive style.

S Walsh
Service Manager (Communities)

List of documents attached

Supplementary Agenda - Item 5a – 20181155 - Installation of Polytunnels at land west of Northfleet Green, Gravesend going back following a Public Site Visit - report herewith (Pages 3 - 14)

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SUMMARY REPORT

Application Ref:	20181155
Site Address:	Land West of Northfleet Green, Gravesend
Application Description:	Installation of polytunnels
Applicant:	Mr T Chambers, WB Chambers Farm Ltd
Agent:	Mr Graham Simpkin
Ward:	Istead Rise
Parish:	Non-Parish Area
Decision due date:	8 February 2019, but extension of time Agreed until 08 March 2019
Publicity expiry date:	25 January 2019
Decision Level:	Regulatory Board (Planning)
Reason for referral:	At the request of Cllr John Knight due to the potential effect on residential properties
Recommendation:	Approval, subject to conditions

Summary of Reasons for Recommendation

This report following the previous report to the Board at the meeting on 6 February 2019 and the decision to defer a determination to enable a Public Site Meeting to take place

In recommending planning permission it is considered by officers that the proposals are broadly compliant with the development plan and do not raise any overriding material planning concerns and that the development is a well-considered, appropriately in design terms and does not significantly impact upon neighbouring properties or parking in the area or the wider highway network.

It is considered that the matters and concerns raised at the Public Site Meeting can be dealt with by appropriate planning conditions.

MAIN REPORT

1. Introduction

- 1.1 The application was originally considered at the last Regulatory Board meeting on 6 February 2019 when a decision was deferred in order that Members could undertake a Public Site Meeting and assess the impact of the polytunnels and in particular:
- The impact of the application on the amenity of neighbouring residences in terms of the bulk of and glare from the polytunnels;
 - To inspect the siting and screening quality of the existing hedging with a view to reducing the visual impact of the application; and
 - The siting of the wellness facilities for workers in relation to the polytunnels and the neighbouring residences.

2. Member Site Inspection

- 2.1 A Public Site Meeting was held on Saturday 23 February 2019 at 10:30am. A precis of the public site meeting is set out below without pagination, for Members information

Present:

Cllr Theobald (Vice Chairman);
Cllr Burden;
Cllr Broadley;
Cllr Croxton;
Cllr Knight;
Cllr Sangha;
Cllr Sullivan; and

Cllr Knight (Ward Member)
Cllr Turner (Ward Member)

Apologies:

Cllr Wenban (Chairman);
Cllr McGarrity;
Cllr Hills.
Cllr Mochrie-Cox

Also in attendance:

Chris Butler - Planning Manager (Development Management)

The Applicant
The Applicants Farm Manager
The Planning Agent
Land Owner

Local Residents

Representatives of Southfleet Parish Council.

Cllr Theobald stood in as Chairman in the absence of Cllr. Wenban. Cllr. Theobald set out the Public Site Visit procedure and sought an outline of the proposed development from the Council's Planning Manager (Development Management), Mr. Butler. Council's Planning Manager (Development Management) went through the details of the submission, the key planning issues and reminded Members of the reasons they had specified at the last meeting of the Regulatory Board as to why they wished to under-take a public site meeting.

Following this introduction, the applicant and/or the planning agent were asked if they wished to address the Members of the Regulatory Board (Planning). The applicant spoke in the first instance, confirming the location of the polytunnels within the adjoining farmland and then explained farming practices related to polytunnels and the reason why he considers them to be so important to soft fruit production and his business generally. These primarily related to the protection of the plant/crop and the ability to regulate the temperature.

Cllr Theobald asked Members whether they would like to ask any questions of the applicant.

Cllr Croxton – How many people are involved? Is labour requirement of soft fruit production intensive? If so how many do you employ and how do you accommodate them?

Farmer - responded by advising that soft fruit production is very labour intensive. In the summer they employ up to 1,500 people accommodated on six different camp/mobile home sites on other farms across Kent, but confirmed that nobody is accommodated on the Northfleet or Southfleet sites. In regard to sanitation, the farmer confirmed they provide porta loos and hand washing facilities for hygiene reasons, as they picking food, in accordance with HSE legislation related to rest areas and sanitation facilities for the staff.

Cllr Sangha - Where else in Kent have you used similar tunnels?

Farmer – Everywhere. Every kilo of fruit produce by his farms, whether a cherry, blackberry, raspberry, blueberry, Etc., is grown in a polytunnel, otherwise he would not have a customer.

Farmer points to closest polytunnel in the distance and advise that the polytunnel is the industry standard and used through-out Kent and across the Country, including in Herefordshire and Hampshire. He confirmed that the polytunnels he uses are the standard method of production for soft through throughout the Country.

Cllr Sullivan – Lived for 10 years in Scotland, in Tayside, and they grow a lot of berries and soft fruit there. Cllr Sullivan noticed that all of the polytunnels there had large holes in the side and kind of a cellophane packing, which you could then open and close depending on whether you wish to let more or less air in. However, she also noticed that those polytunnels were much lower than the polytunnels proposed on this site. Is there any reason for this? Is it that there is some technology that enables them to have lower polytunnels? Why have you gone for the option of polytunnel that you have?

Farmer – They dig their polytunnels into the ground further due to the fact that it is a colder climate. They only grow soft fruit in Scotland in the Tayside area and this is due to the climate. The tunnels erected in Tayside are the industry standard, but are

buried into the ground due to the fact that wind and temperature are of concern. By burying the tunnel into the ground this allows higher temperatures to be retained. The lower tunnel allows the temperature to come up higher; they also insulate the tunnel to stop the temperature dropping at night too quickly. In England, the polythene that forms the sides of the tunnels can be lifted to the shoulder of the tunnel, where the polythene can be made to sit. However, this cannot be done in Scotland due to the fact that the tunnels are buried into the ground and cannot be ventilate, when the temperature gets too high, other than to cut a hole in the side of the polythene. This is done using a hot knife to make the hole and then this is covered by another sheet of polythene to enable you to open and close the vent hole. This allows for the temperature to be regulated.

Cllr Theobald - In regard to the screening, the plan before us shows a green line. Is that the line of the proposed screening?

Planning Manager (Development Management) – Interjected at this point to clarify that, the landscape plan before members at the site meeting was the currently landscape plan under consideration by the Council. However, just prior to the February Regulation Board (Planning) meeting the Planning Agent, Mr Simpkin submitted an alternative landscape plan, but there was no ability to consult on that revised plan. The plan being shown by the Applicant/Planning Agent was the revised plan that had not been accepted by the Council, due to the fact that it had not had adequate time to re-consult on that plan. The attempt to submit the revised landscaping plan was referenced in the supplementary report put before Members at that meeting.

Cllr Theobald – From what I can see, the revised landscaping plans shows the landscape screen moving further away and rather than putting the screening on a parallel line with the adjoining road it now diagonal going away from you as you approach the A2.

Planning Manager (Development Management) – Confirmed Cllr Theobald's interpretation of that plan, and reminded Members that the supplementary agenda included an amendment to an existing condition requiring an amended landscaping plan be sought. This was due to the fact that a re-consultation could not be meaningfully undertaken prior to the meeting of the Regulatory Board.

Cllr Theobald – Suggested to the local residents in attendance at the Public Site Meeting that if they had any views on the revised landscaping plan being shown by the applicant/planning agent at the public site meeting, they should put their views in writing, so their views could be considered by the Members of the Regulation Board at its next meeting.

Cllr Croxton – I have just come down the road and whilst I appreciate some screening has been put in, it is not very mature, but appears to have been in place a while.

Farmer – The screening was put in in 2017, but trees take time to grow. He advised that they put in trees that grow faster and they irrigated them. Last year for example, where trees were planted but not irrigated they died, so they were replanted and irrigated. The screening adjoining the site is a single line, but the screening being proposed on this site is a double row planted at 4 per metre and will be irrigated to ensure that it grows as quick as it can. The planting will runs between the two pylons on the same angle of the pylon, whilst to the south the planting dog legs.

Mr. Simpkin – Planning Agent – Confirmed that a lot of what he wished to say had already been said. However, he wished to reiterate the officers report to the Regulatory Board where it stress that there are certain forms of development, such as that related to agriculture which is acceptable within the greenbelt. In terms of planting, the planting being proposed in relation to this development is more extensive than the planting at New Barn Road. The planting plan shows three lines of planting, of which two of those lines are mixed native hedgerow species and a third line of Italian Alder, a fast growing tree that is being planted by farmers instead of polar trees.

Cllr Broadley – What is your intention in regard to the other fields?

Farmer – They will be cropped or laid to grass for arable farming, but they will not be left to grow wild.

Southfleet Parish Council (SPC) – Where is the main access? Are you using the one on New Barn Road or are you intending to access off of Northfleet Green Road?

Farmer – No intention of using Northfleet Green Road. The existing entrance on New Barn Road will be the access point.

SPC - What increase in traffic volumes is there likely to be from you increasing your operations on that access?

Farmer - There will be an increase in the fruit removed, but that will be mitigated by the use of larger vehicles. Currently fruit is transported using smaller vehicles. It tends to be removed from the site to Sutton at Hone as there is not a cold store on that site. Currently use curtain sided transport vans that can carry a ton and a quarter of fruit per trip. They are run continually throughout the day. The fruit is chilled at the Sutton at Hone and then transferred to the packing plant at Maidstone. If they were picking a greater volume of fruit on this site they would potentially park a chilled lorry off the road within the farm next to Scadbury and they would load that until it was full and then they would drive that directly to the packing plant at Maidstone.

SPC - Would you see any need to improve highway signage where this lane meets New Barn Road?

Farmer – No. The people who work for us will not be given access from Northfleet Green Road. All traffic would come off of the existing access in New Barn Road. As they become more efficient large volumes of fruit would mean fewer vehicular movements, as the larger lorries will be used to carry it away. With the larger volume of fruit production, pickers would also arrive in the morning and pick all day, rather than doing two or three hours and then be taken to another farm elsewhere to continue their picking there. Cannot guarantee that there will be no increase in traffic, but any increase would only be marginal. By increasing production they aim to become more efficient. Less traffic, less movement, people staying in the same place for a longer period, as opposed to being relocated throughout the day.

SPC – With the existing operation you have done an amount of screening/planting, are you going to increase this planting.

Farmer – Showed the landscape plan referred to above, which is not part of the formal submission. Rather the plan shown had not been accepted by the Council at the last meeting of the Regulatory Board, due to inadequate time to undertake meaningful re-consultation.

Chris Butler – Spoke at this point to clarify the fact that the map provided by the Planning Officers to assist with the public site meeting was not the plan being referred to by the Farmer. The formal plan under consideration was the plan that showed the green line, indicating the extent of the planting along the boundary, as originally proposed by the applicant. However, the plan being shown by the farmer was the plan put forward just prior to the meeting of the last Regulatory Board, but due to the late receipt of the plan it was not possible to undertake any re-consultation so that landscaping plan was not formally accepted by the Council.

SPC – An archaeological watching brief condition was imposed by Dartford Parish Council, due to the proximity of that site to an area of archaeological interest. Will you be observing that?

Farmer – we will be going no deeper than 0.8 metre (2 feet) into the ground with the legs of the frame of the polytunnel and that is no deeper than the sub-soiling tractor that is used on the field currently so we will not be going any deeper than the level of the soil which has already been disturbed.

Neighbour – Proposed new tunnels. Your existing tunnels are at 3.7 metres and your proposed tunnels are higher. You are making a case that bigger is better; will you be proposing the existing tunnels to be replaced with larger tunnels? Don't really understand the need for different height in regard to the proposed and existing tunnels.

Farmer – The tunnels are of a slightly different design, when we go and have a look at the existing tunnels I will measure them for you, but essentially it is an inexact science. If you look at the level of the field, whilst it might look level from here it is undulating and the tunnels also therefore undulated and will vary from anywhere between the highest point at 3.80 metres to 3.2 metres above the ground level. In terms of the proposed tunnels I cannot guarantee a consistent height for example if a patch of chalk is hit whilst erecting the polytunnels, this may result in the height having to vary.

Neighbour, but the difference between the old and new is 50cm, which is quite considerable and they will be closer too. So bigger tunnels will be more visually prominent to the adjoining residential occupiers.

Farmer – We are not aiming to exceed 4.2 metres but can't presume ground conditions, but consider that due to the distances involved the changes in height would not be particularly perceptible.

Neighbour – we will lose the view of the sunset. The tunnels are higher and much closer.

Farmer – Disagreed about the loss of the sunset, neighbouring properties are on higher ground and the polytunnels will be on the lower, undulating ground.

Neighbour – Length of time the plastic needs to stay on. The plastic on the Dartford site did not come off until 8th December and was back on the 26th January. Nine Months as requested in the application seems a long time and we would like to come to an agreement that the plastic doesn't stay on for more than a 6 month period. Why

would an early fruiting plant need the plastic on it for 9 months and in the Dartford case 11 months?

Farmer – Not prescriptive, dependant on weather and climate changes. Last year hottest summer and plants change their growing habits. You will see the plants in the pots and the buds in the pots within the existing tunnels are already moving, that is too early. Last year we had snow in February/March but this year February is the warmest on record. Young weak growth is currently showing and if there is a cold snap I will not be able to protect it. The crop will potentially fail and I would have nothing on to sell.

Neighbour – queried why keep the plastic on?

Farmer – The weather was unpredictable last year also. For example, the plants stopped growing in the middle of summer because it was too hot. Chose not to way away from the crop in August, but preserved which is why the plastic stayed on slightly longer.

Neighbour – Dartford Permission stated no than 9 month.

Farmer – In any one year. This year the plastic may be on for a shorter or longer period and next year it will be different again, but the condition says not more than 9 months in any 1 year.

Neighbour – That does not give us surety, they were only down for 7 weeks this year.

Farmer – If I breach the condition the enforcement powers are there. If they are up for more than 9 months in any one year then they can be enforced against. It doesn't matter that the plastic is off for 7 weeks, it the not more than 9 months that is the key factor.

Neighbour – Trees and screening – We don't want to wait 3, 4, 5 years to wait for screening, should we have some semi- mature screening?

Farmer – Whips can be brought for about 70p a whip, whereas a slightly more mature/advance tree plant will cost up to £8. Even higher will be more expensive. The landscaping plan shows about 3,000 whips being planted and economies of scale means that the same level of planting could not be done if semi-mature or more mature trees are required to be planted. I could consider planting the Alder EnCana which is faster growing, but the Italian alter keeps its leaves longer.

Cllr Knight – Question about the covering – It's reflective and the adjoining houses are west facing which will potentially have a glare facing these properties. Is there a covering which is anti-glare. You and your agent have both mentioned cost in regard to trees and covering, so is cost issue

Farmer – We use clear polyphone to allow the light to get through. We need to maximise growing degree hours and light intensity. The polythene we buy is not designed to create reflection. The polythene on the existing tunnels is three years old and has deteriorated. But gradually becomes more opaque over time.

Cllr Knight – The vista of the neighbouring occupiers will be across the tops of the tunnels.

Farmer – Only until the hedgerow grows, which is likely to be year four following planting. There will always be a reflection. There is one now.

Cllr Knight – Is there an industry model that doesn't have reflection

Farmer – There is no polythene out there which will not provide some form of reflection.

Neighbour – Disagreed about screening by year 4 and suggests more likely years 6 or 7. Would have a lesser issue about the material if the screening was better.

Neighbour – Where will the loading bay be?

Farmer – Where it currently, which is within the Dartford side of the site.

Neighbour. In terms of tunnels how many are in front of or near to houses?

Farm Manager/Farmer – 10's/100's

Neighbour – Restrictions imposed by Dartford are not being complied with and they are being ignored. Site was a mess, dangerous chemicals (nitric acid) on field, especially where there is a Public Right of Way (PRoW). The site will become a dumping ground.

Farmer – asks for proof of dangerous chemicals – He asked whether they could prove it was nitric acid in the tank? Farmer advised that he follow HSE Regulations and has an unblemished HSE record on all their sites with PRoW running through them. He confirmed that on that side of things it doesn't bear thinking about from a business point of view, as he would lose his contracts overnight if he was found in breach of HSE rule and regulations.

Cllr Theobald – Gravesham is a different planning authority to Dartford and residents will have to place a certain amount of faith in Gravesham Council in regard to the enforcement of planning controls. If you see a breach you must report it to the appropriate authority.

Neighbour – we do not want to be police officers

Cllr Theobald – If you see a breach and bring it to the Council attention we will have an opportunity to rectify it.

Cllr Croxton – We are your Councillors so you do need to tell us. Where is the footpath? Houses when were they built, how many?

Cllr Theobald – we will view from the footpath shortly.

Neighbours - 12 houses on site converted in 2015.

Neighbour – Concern about farmworkers using the play area on residential site to have lunch/their breaks.

Farmer – The worker tend to stay close to the site but we could include in the farm works daily inductions not to go beyond the field. Any complaint about how things are operating you can contact me and we will rectify.

Cllr Theobald closed the discussion to walk the site at 11:15 am

Site was walked, the farmer measured the nearest polytunnel and at its highest point it measured 4 metres above the adjoin ground level.

The walk over the site was concluded at 11:50 am.

3. SCREENING PLAN

- 3.1 The applicant's agent has provided further plans detailing the existing and proposed polytunnels (including details landscape details and details of a 3.6 metre height green netting) and the landscape details of the proposed shelter belt. These are shown on Drawing numbers: 2556/14 Revision D and 2556/15 Revision A respectively. The applicant's agent has also provided a photograph of an existing screen of green netting. However, these details are illustrative only, as the applicant's agent accepts that they cannot be treated as an amendment at this late stage.
- 3.2 The Planning Agent suggests that should the Regulation Board consider the netting to be required to form part of the landscape buffer, whilst the landscaping becomes established, then the requirement for such netting could be incorporated into a planning condition.

4.0 REPRESENTATIONS RECEIVED

- 4.1 Two further representation in relation to the application, as formally submitted, have been received post Public Site Visit. Both representations are set out below for Members consideration:

Representation 1

"Having looked at the maps I still cannot see where he has the loading of fruit to be based. Also at the meeting I asked Mr Chambers how many of his polytunnels he has around Kent that he has that are in front of houses he could not answer that simple question. I have seen many of these tunnels in Kent but I haven't seen any directly in front of houses."

Representation 2

"I wanted first to say thank you for allowing me the opportunity to speak at the 6th February meeting regarding the application for installation of Poly tunnels in the fields directly in front of our property. Many thanks to the members of the council who also visited the site. As the decision time approaches I wanted to reiterate my objection to this installation.

In the time since the 6th February meeting I expect you have received no revision to the size (4.11 meters in height) of the tunnels, nor a reasonable explanation as to why this larger size is needed. I also expect that although the application is for early season raspberries, the applicant still professes that covering the plants for 9+ months of the year is needed and that the work would take place during daytime hours (which can extend as much as 16 hours in the middle of summer.)

I understand that there are legal precedents you must consider and that there is a chance that you will have no choice but to grant some type of approval to this application. I respectfully request that if you do plan to grant the application that you Grant a temporary permit of no more than 3 years and set strong conditions to be met.

My specific requests are:

- 1. Plant a double/triple staggered hedge of semi mature trees and plants before any tunnel building/raspberry planting takes place.*
- 2. Limit the size of the tunnel structures to the same size as those on the Dartford side of the field.*
- 3. Limit working hours to no more than 12 hours per day.*
- 4. Limit the number of months that the plastic covers are on to no more than 7 months.*
- 5. Council to approve the plastic material to be used so as to decrease the level of glare produced by reflective light.*

I see this as a tremendous opportunity for Gravesham Council to set the standards for what is permissible and to decide whether installations of this nature should be allowed in close proximity to residential areas.”

- 4.2 Whilst further plans referred to in Paragraphs 3.1 above have not been formally submitted, as there was too little time to enable meaningful re-consultation, these plans were forwarded to the neighbouring occupiers who were notified of the public site meeting.
- 4.3 Three neighbours responded to the further plans referred to in Paragraphs 3.1 above and the comments on material planning grounds are summarised below for Members information:
- One resident considered the screening is better than nothing, but it doesn't really hide the tunnels, whilst the occupiers of another property consider that it should not be used at all and suggest that the money saved erecting the screen is spent on good quality mature trees to provide an attractive and natural screen.
 - From the description something more like camouflage netting was expected;

- The landscape screening on the plan is all immature and a maximum of 1.2m tall which is not what adjoining occupiers asked for and will take years to grow to a sufficient height. Cost and the suggestion that smaller plants grow faster have been given as the reason for the smaller planting proposed. Whilst small saplings grow faster in the first 2-3 years, it would still take 10+ years for these little plants to grow sufficiently to provide adequate screening. The landscape planting as proposed would be inadequate;
- The landscape screen is at a diagonal to the edge of the tunnels on the plan with a large gap in between, so when viewed from the upper floors of the adjoining properties, even if the screen is full height, it will not hide the tunnels. This screen planted directly along the edge parallel to the tunnels would provide a better screen.

5 Planning Officer Comments

- 5.1 None of the above matters alters the content of the main report on this submission currently on the Regulatory Board (Planning) agenda. However, should the Members of the Regulatory Board be minded to grant planning permission, it is recommended that Condition 3, the landscaping condition, be amended to address the landscaping planting alterations and green screen netting indicated on the illustrative plan provided by the planning agent and referred to in section 3.1 above.
- 5.2 Due to the scale of the development proposed it is also recommended that Members consider whether they wish to remove agricultural permitted development rights within the red line site area, as shown on drawing number: 2556/09.

6. Conclusion

- 6.1 As per the main report, as amended by this supplementary report, it is recommended, subject to appropriate planning conditions, that planning permission should be granted.

7. Recommendation

- 7.1 Planning Permission be Granted, as set out on the main papers with condition 3 being amended, as set out below, and an addition Condition being added that remove agricultural permitted development rights within the red line site area as shown on drawing number: 2556/09.

Amend Condition 3:

Notwithstanding the submitted landscaping plan, drawing no. 14 rev A, the polytunnels herein approved shall not be brought into use until an amended landscaping scheme that details additional landscaping and screening (including the erection of a 3.4 metres high temporary green netting on the northern and western side of the shelter belt whilst the landscaping screen/shelter belt becomes established) on the east of the area of the polytunnels hereby approved has been submitted to, and approved in writing by the Local

Planning Authority. The landscaping scheme and screening (including the temporary green netting), as approved pursuant to this condition, shall be implemented during the first planting season (between October and March inclusive) following the development being brought into use and shall thereafter be maintained for a period of five years. Any trees, shrubs or grassed areas which die, are diseased or vandalised within this period shall be replaced within the next planting season.

Reason: To safeguard the amenities of the locality and the surrounding area in accordance with Policy CS19 of the Core Strategy.

Add Condition 9:

Notwithstanding the provisions of Article 3 of and Part 6, Classes A and B of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any provision equivalent to those classes in any statutory instrument revising, revoking or re-enacting that Order with or without modification), no other building(s), structure(s) or engineering work(s) shall be carried out other than as shown in the approved drawings without a further planning permission for those works having been first obtained from the Local Planning Authority.

Reason: This planning approval allows a substantial element of agricultural development. As such it is appropriate to prevent further agricultural building(s), structure(s) or engineering work(s) taking place within the red line of the application site, without the merits of such development being considered by the Council having regard to planning policy and guidance, especially in relation to the fact that the site lies within the Green Belt and open countryside. This condition is also considered to be in the interests of safeguarding local amenity and in accordance with Policies CS19 of the Gravesham Local Plan Core Strategy (September 2014).