

## Delegated Report

---

<b>Application No:</b>	20181155
<b>Location:</b>	Land West of Northfleet Green, Gravesend
<b>Description:</b>	Installation of polytunnels
<b>Applicant:</b>	Mr T Chambers, WB Chambers Farm Ltd
<b>Agent:</b>	Mr Graham Simpkin
<b>Ward:</b>	Istead Rise
<b>Parish:</b>	N/A
<b>Decision due date:</b>	8 February 2019
<b>Publicity expiry date:</b>	25 January 2019
<b>Decision Level:</b>	Regulatory Board (Planning)
<b>Reason for referral:</b>	At the request of Cllr John Knight due to the potential effect on residential properties
<b>Recommendation:</b>	Approval, subject to conditions

---

### **Summary of Reasons for Recommendation**

This application seeks planning approval for the installation of 5 blocks of polytunnels on an agricultural field located to the north and west of Northfleet Green Road, Northfleet Green. The site contains a public right of way that extends diagonally from the southwest corner to the northeast corner. There are a number of electricity pylons across the site. To the west is a field that already contains polytunnels that was approved by Dartford Borough Council in 2016.

The proposed polytunnels are features that are becoming common in rural areas as they extend the growing season for produce. Within the National Planning Policy Framework agricultural buildings and structures, which are permanently fixed to the ground are not considered to be inappropriate development within the Green Belt and therefore the principle of development is considered to be acceptable. The proposed polytunnels are a sufficient distance away from residential properties to ensure there is no significant impact on properties in terms of loss of outlook, privacy, sunlight or daylight. Vehicular access is taken from the adjacent site fronting New Barn Road and therefore there will be no detrimental impact in terms of parking or highway safety.

This development proposal is considered to be compliant with the relevant policies in the Council's adopted Core Strategy, the relevant saved policies contained in the First Review and accords with National policy and guidance. Planning Permission, subject to the imposition of appropriate conditions is recommended accordingly.

---

## **1. Proposal**

1.1 The proposal is for the installation of polytunnels.

1.2 The application is accompanied by the following drawings and supporting documents:

- Application form received 5 November 2018
- Photographs received 5 November 2018
- Drawing nos. 9 and 10A, 12 received 5 November 2018
- Drawing no. 14 Rev A received 18 December 2018
- Schedule of landscaping impacts received 5 November 2018

## **2. Relevant Planning History**

2.1 None relevant to this application.

## **3. Planning Policies**

### Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS07 – Economy, Employment and Skills
- CS11 – Transport
- CS18 – Climate Change
- CS19 - Design & Development Principles

### Saved Policies in the Gravesham Local Plan First Review (November 1994):

- P3 – Vehicle Parking Standards

### **Other material considerations**

### National Planning Policy Framework (2018)

- Section 2 – Achieving sustainable development
- Section 12 – Achieving well-designed places
- Section 13 – Protecting Green Belt

### Supplementary Planning Guidance

- SPG2 - Residential Layout Guidelines (1996)
- SPG 4 - KCC Parking Standards (2006)

## **4. Consultations, Publicity and Representations**

- 4.1 The following external consultees were invited to comment: Dartford Borough Council; Environment Agency; High Speed 1; KCC - West Kent Public Rights Of Way; National Grid; Rural Planning Ltd (Council's Agricultural Advisor); and South Fleet Parish Council.
- 4.2 Internal and external consultee responses are detailed below:
- 4.3 Regulatory Services
- 4.4 No comment received.
- 4.5 GBC Highway Development Management Officer
- 4.6 No objections but suggested consulting the railway operator who may have issues over the location of the surface water run off area.
- 4.7 High Speed 1
- 4.8 High Speed 1 was consulted and replied stating they have no comment to make.
- 4.9 Rural Planning Ltd
- 4.10 The applicants are a large scale established Kentish fruit growers. It has been recognised for some years that the use of polytunnels is now a necessary part of modern soft fruit production. The advantages is protecting crops from the wind and rain, reduce pesticide/fungicide use, extends the growing season, provides better yields and continuity of supply and greater ease of managing the plants and picking the fruits. In effect, tunnels 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, subject to other considerations such as particular landscape impacts, and also subject to the imposition of appropriate conditions.
- 4.11 KCC Public Rights of Way Officer
- 4.12 Public Rights of Way NU23 may be affected and therefore the officer has provided a map showing the definitive line of path for information. They offer the following advice that can be added to the decision as an informative:
- A public right of way must not be stopped up, diverted, obstructed or the surface disturbed and there must be no encroachment on the current width, at any time now or in the future. This includes any building materials or waste generated during any of the construction phases. No furniture or fixtures may be erected on or across Public Rights of Way without the express consent of the Highways Authority.
- 4.13 National Grid
- 4.14 Have raised no objection but have offered advice regarding apparatus in the vicinity which can be added to the decision notice as an informative should a planning permission be forthcoming.
- 4.15 Southfleet Parish Council
- 4.16 Southfleet Parish Council has responded and has stated that they have found no difficulties with similar operations in this parish and therefore have no objections.
- 4.17 Ward Councillor - Cllr Turner

- 4.18 Cllr Turner has written stating that with the proliferation that is now experienced he would like to see conditions that reduce the perception of permanence: Perhaps dismantling for appropriate months.
- 4.19 Following the re-consultation the following comments were received:
- 4.20 Environment Agency
- Raise no objection to the proposed development or concerns regarding any risk to groundwater. They add that no pesticides should be used, surface water management should be undertaken carefully to avoid any contamination of infiltration zones and all refuelling of vehicles should take place off-site.
- 4.21 Council's Highway Development Management Officer raises no objection to the revised layout.
- 4.22 KCC Public Rights of Way Officer
- 4.23 Raises no objection to the revised layout.
- 4.24 Rural Planning Ltd
- 4.25 Raises no objection to the revised layout.

### ***Publicity and Representations***

- 4.26 This application was advertised by way of a site and press notice and 20 surrounding properties were consulted by direct mail.
- 4.27 The application was re-advertised when it became clear that work had begun on site and the tunnels were being laid in a different direction (north to south as opposed to east to west).
- 4.28 Eleven letters of objection have been received (three from the same person and 2 x two from the same address). The main objections/concerns raised are summarised below:
- Impact on residential amenity (privacy) on private space and public/children's play area;
  - Increase in number of farm workers and impact on privacy from manual workers all day and into the evening;
  - Outlook from properties purchased less than three years ago;
  - Impact on property value (not a material planning consideration);
  - Increase in farm equipment, including vehicles and storage of farm equipment;
  - Litter dropped by the worker in the fields blows over the adjacent sites;
  - Loss of view from houses 20-30ft away;
  - Increase in water run-off/soil erosion towards Hazels Farm;
  - Impact on the footpath which often gets ploughed;
  - Hedge will take a long time to develop;
  - No wheel wash facilities to prevent roads getting muddy;
  - No toilet facilities or rest area for workers;
  - Noise from workers during the picking season;
  - Loss of security to Hazells Farm development;

- Works have already started;
- Hedge stops short and should be extended further north;
- Noise from rustling plastic;
- Road safety issues from increased traffic;
- Increase in fly tipping/bottle bank/recycling centre often full of minibuses and buses
- Glare from polytunnels; and
- Polytunnel code of conduct is not being adhered to.

4.29 Following the re-consultation the following comments were received:

4.30 Two neighbour objections received from the same person raising concern regarding surface water run-off in addition to his original concerns, which are covered in the list above, and a third reiterating the point from the first consultation that polytunnels should not be erected outside properties.

4.31 An additional letter has been received requesting a member site visit, raising concerns on the visual impact of the tunnels and the use of the land between the new hedge and the Northfleet Green Road.

## **5. Analysis**

### **5.1 Background**

5.2 The proposed polytunnels are to be installed in association with the agricultural use of land located to the west of Northfleet Green Road and is to be farmed in conjunction with the adjacent Scadbury Farm. The land has been taken over by WB Chambers Ltd who farms the adjoining land to the west to produce raspberries. The polytunnels are required to increase the yield of the land compared to its previous arable cropping and they can be removed when they are no longer required. The increase in yield will create additional employment compared to the previous use.

5.3 The site extends to some 6.08ha and is located to the south of the high-speed railway line, to the west of the hamlet of Northfleet Green, to the north and west of Northfleet Green Road and to the east of Scadbury Manor. In Local Plan policy terms the site lies within the open country side and Green Belt. Additionally, the site is partially within the High Speed 1 Safeguarding Zone.

5.4 The site is screened to the north as part of the new railway line and the A2 is beyond, whilst to the east of the site lies the hamlet of Northfleet Green, where some original farm buildings have been converted to residential use. To the southern side of the site screening is provided along part of Northfleet Green Road, but at the eastern end there are two residential properties. Beyond these properties are some horse paddocks. The site is crossed by high voltage power lines and there is a public footpath running diagonally across the site from southwest to northeast.

5.5 An existing polytunnel development is located to the west side of the current application site, within Dartford Borough and which was permitted by Dartford Borough Council in 2016.

5.6 Vehicular access is from New Barn Road through the adjacent polytunnel development. The site has a Grade 2 agricultural land classification and is therefore considered to be of high quality (best and most versatile land).

- 5.7 The polytunnels comprise a series of steel frame hoops fixed to the ground over which plastic sheeting is provided to protect crop growing underneath. These structures will be fixed to the ground by posts, screwed or pushed into the top layer of soil to a depth of 0.8 metre. They will have a maximum height 4.16m, with the shoulder of the hoop reaching 1.7m in height. The polytunnels will also measuring approx. 12m in length, with a width of some 8m.
- 5.8 As the ploytunnels frames are fixed to the ground, and bearing in mind the applicants have clearly indicated that the steel hoop frame are to remain all year round, the polytunnels constitute development within the meaning of Section 55 of the Town and Country Planning Act 1990 (as amended) (The Act) that, in this instance, requires planning permission. In addition to the above, Section 336(1) of The Act defines a building as including “...*any structure or erection, and any part of a building, as so defined...*” This being the case, for the purpose of this application the steel frame hoops constitute a building for the purpose of this planning application.
- 5.9 The size of the polytunnels is dictated by the arrangement and height of the raspberry plants and to allow access for machinery, pickers and to optimise light levels. The curve of the roof is designed to withstand wind and snow loading. The polythene is chosen due to its filtering properties and needs to be clear to maximise photosynthesis. The steel framed structure is left in the field throughout the year with the plastic covering limited to the growing season in each year when the protection for the crop is required. The actual times when tunnels are covered are dependent on weather patterns which determine the timing and rate of growth of plants. In general it is proposed to grow raspberries for early summer production with the need to cover tunnels in early March and remove plastic in August/September. If the season is late or early then the coverage will need to be adjusted accordingly. The applicant’s agent has confirmed in his supporting documentation that it is not possible to set specific dates for the tunnels to be covered and if it is necessary to limit coverage of tunnels it is suggested that it should be for no more than nine months in any calendar year.
- 5.10 Character, Appearance and Impact on the Green Belt
- 5.11 The site lies within the rural area and the Green Belt, as defined by the Gravesham Local Plan Core Strategy 2014. The character of the area is predominantly arable farmland however there are also four pylons cutting across the site.
- 5.12 In terms of Green Belt policy, Paragraph 145 of the NPPF states “*Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt.*” However, this paragraph also provides a closed list of a number of exceptions to this approach, which includes “buildings for agriculture and forestry.” (See Paragraph 145 a)). Agricultural polytunnels such as those proposed fall within this exception and are ‘not inappropriate’ development in the Green Belt, as defined by Paragraph 145 of the NPPF. Therefore, the issue of impact on the openness of the Green Belt or the need to demonstrate very special circumstances does not arise.
- 5.13 Policy CS02 supports development in the rural area where it is compatible with national policies for protecting the Green Belt and other Policies in the Core Strategy.
- 5.14 The applicant has confirmed that for three months of the year the polytunnels would not be covered and for those months it is considered that the lightweight steel structures would blend into the landscape and would permit views through therefore having no harmful impact on the openness of the Green Belt.
- 5.15 When the structures are covered with plastic sheeting they would appear more solid,

however, any impact on the wider character and appearance of the surrounding area is limited by the low level, curved form of the tunnels. The cumulative impact of the development on the character and appearance of the rural area, particularly adjacent to existing polytunnels, is considered to be limited due to the proposed layout and grouping into five distinct blocks. This when combined with proposed screening will ensure no single viewpoint would include all the polytunnels.

- 5.16 The time when the polytunnels would be uncovered would coincide with the times of the year when the deciduous trees and hedgerows shed their leaves and where the site would be more visible and therefore a condition is recommended requiring the polytunnels to be uncovered for at least 3 months of the year.
- 5.17 The proposed represents a recognised agricultural development within the Green Belt which is now a common sight within the countryside across the country. Consequently it is not considered that the proposed polytunnels would appear alien within the locality. Any impact on the rural area should also be considered in light of the fact that the polytunnels would facilitate the growth of soft fruits and would benefit the local/rural economy by providing more jobs (i.e. fruit pickers) for a longer period throughout the year. If planning permission is forthcoming, it is considered that a condition should be imposed seeking to ensure that the polytunnels are removed when they are no longer required.
- 5.18 The submitted plans show a new hedge planting along the eastern side of the land to provide a buffer between the polytunnels and the residential properties. The main structure of the planting will be Italian Alder (*Alnus Cardata*) that retains its leaves until December, with under planting of Hawthorne and Hazel. These could be interspersed with beech which does not shed leaves until March. It is noted that this hedge will take time to grow however, once it has established it will aid in screening the tunnels from the surrounding residential settlement.
- 5.19 There are some listed buildings located in the adjacent site that already contained polytunnels. It is not considered that the proposed development will have any detrimental impact on these heritage assets.
- 5.20 The polytunnels will be set back either side of the footpath leaving spacing of some 4m. The County's Public Right of Way Officer has raised no objection to the arrangements of the polytunnels.
- 5.21 The proposed development is considered to comply with the objectives of paragraph 145 of the National Planning Policy Framework and Policy CS02 and CS19 of the Core Strategy.
- 5.22 The application site is located within the Istead Arable Farmlands in the Gravesham Landscape Character Assessment. The topography is gently undulating allowing wide, open views out towards the urban edge of Gravesend and the CTRL to the north. To the northwest the landscape is dominated by open arable agricultural land divided by tracks and roads. To the south east there are native hedgerows and occasional poplar belts. The fields are medium to large and form a regular pattern with boundaries running distinctly from north to south and east to west.
- 5.23 The condition of the landscape is considered poor due to the dominating electricity pylons which are a significant visual detractor within the landscape. The guidelines aspire to restore distinctive features and create landscape elements that support the landscape character. Whilst the proposed development does not restore distinctive features, it does introduce features that are becoming more common in agricultural areas and are in keeping with the adjacent field where there are already polytunnels.

## 5.22 Neighbouring Amenity

5.23 The nearest property is Elm Tree Cottage to the south of the proposed polytunnels. This property is approx. 37m away. The proposed polytunnels are at least 80m away from the nearest residential properties to the east of the site. Due to the distances involved, there will be no loss of outlook to these properties. Many of the objections relate to loss of view. Whilst it is appreciated that the view from these properties will change, there is no 'right to a view' in planning terms. The applicants have proposed a screening hedge which will be in leaf up until December when the polythene sheeting is likely to be removed for a short period, up to 3 months. The hedge will take some time to mature, however once it has it will go some way to screening the polytunnels. A condition is recommended that this planting is carried out within the first growing season after the commencement of the development and maintained in perpetuity. The proposed hedge will extend to the pylon at the most north-eastern point, in line with the northern most property at Hazells Farm. It does not extend further north than this and it is noted there is an existing hedge on the boundary of this property that will also aid in screening the development.

5.24 In September 2005, the National Farmers Union and the British Summer Fruits Ltd published a voluntary code of practice in response to a perception that relations between growers and some of their neighbours had polarised over issues such as visual impact, noise and drainage. The code is not a material planning consideration as it is not adopted by the Council however attention to it can be raised to the applicant by way of an informative. The code includes, amongst other things, proposals that farmers;

- 1) Avoid damaging views by planting hedgerows and trees
- 2) Use less luminant plastic to reduce glare
- 3) Avoid siting polytunnels within 30 metres of residential dwellings
- 4) Take steps to reduce surface water run-off
- 5) Limit working hours
- 6) Prepare landscape impact maps and adopt measures to mitigate visual impact.

5.25 Whilst it is not something the Council can insist upon, the application includes the plantation of hedgerows and trees for screening purposes. Additionally, the applicants have confirmed that plastic will be transparent, as required by the plants. Furthermore, the applicant has advised that they have sited the proposed polytunnels over 37m away from the nearest residential property at Elm Tree Cottage and over 80m from all other residential properties, and have taken steps to reduce surface water run-off. Working hours are limited by daylight, as is the case at the neighbouring polytunnel development. The submitted plans also show the mitigation measures planned to reduce visual impact.

5.26 In summary, the proposed polytunnel development will have no significant detrimental impact to neighbouring dwellings in terms of amenity generally, including loss of outlook, privacy, sunlight or daylight. As such the development is considered to be in accordance with Policy CS19 of the adopted Core Strategy and paragraph 127 f) of the National Planning Policy Framework.

## 5.27 Parking and Highways

5.28 The vehicle access will be as existing from the access point in New Barn Road that was improved as part of the requirements when Dartford Borough Council granted planning permission for the adjoining development in their jurisdiction, when it was granted planning



consent by them in 2016. Private vehicles will not be visiting the site and farm workers will be transported to and from the site using minibuses. It is possible for cars and HGVs to park in the lay-by in New Barn Road from where the fields can be accessed on foot. No objections have been raised by the Council's Highway Development Management Officer and the development is considered to be acceptable in this regard and accord with Policy CS11 of the Gravesham Local Plan Core Strategy 2014.

5.29 High Speed 1 Safeguarding Zone.

5.30 As stated above, a small part of the site lies within the High Speed 1 Safeguarding Zone. Policy CS11 of the Gravesham Local Plan Core Strategy 2014 states at paragraph 5.5.42 *"Land required for the possible future extension of Crossrail and to protect the High Speed 1 (HS1) railway is safeguarded on the Policies Map and proposals that would prejudice these will be refused."*

5.31 The Council has consulted with High Speed 1, who responded advising they have no comment to make. It is clear from the submitted details that this development will not prejudice either the possible future extension of Crossrail or the protection currently afforded to High Speed 1 railway. This being the case, the development is considered to be acceptable in this regard when assessed against Policy CS11 of the Gravesham Local Plan Core Strategy 2014.

5.32 Surface water run-off

5.33 When the polytunnels are covered with polythene, the water run-off is channelled into leg rows between the tunnels and flows in the direction of the landfall, as shown on the submitted plan. At the northern end of the tunnels an area of grass is being provided that will allow for slowing of the surface water run-off and enabling it to percolate into the subsoil, which is chalk overlain with Thanet sand. When the tunnel hoops are uncovered, normally during the winter period between December and February/March, the surface water will run-off in a similar way to the present open field arrangement. The land level increases to the boundary of the railway, which will effectively stop any water from flowing off the field onto the railway line. The Environment Agency has been consulted, as have High Speed 1 and they have raised no objection to the plans or advise they have no comment to make. The proposals therefore accord with Policy CS18 of the Gravesham Local Plan Core Strategy 2014.

## **6. Conclusions**

6.1 The proposed polytunnels are not inappropriate development within the Green Belt and are considered to be acceptable in terms of their impact on the character and appearance of the rural area or surrounding property in general.

6.2 The proposed polytunnels are a sufficient distance away from residential properties to ensure there is no significant impact on the amenities of those properties, including in terms of loss of outlook, privacy, sunlight or daylight.

6.3 Vehicular access is taken from the adjacent site fronting New Barn Road and no detrimental impact in terms of parking or highway safety are considered to arise. Furthermore, the development is considered to be acceptable in terms of the High Speed 1 Safeguarding Zone and surface water runoff.

6.4 Bearing all of the above factors in mind, this development is considered to be compliant with the relevant policies in the Council's Gravesham Local Plan Core Strategy 2014, the

relevant saved policies contained in the First Review and accords with National policy and guidance. Planning Permission, subject to the imposition of appropriate conditions, is recommended accordingly.

---

### **Recommendation:**

The recommendation is for the application to be GRANTED PLANNING PERMISSION subject to the conditions, which are set out below.

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

**Reason:** In pursuance 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 in accordance with the following approved plans:

- Photographs received 5 November 2018
- Drawing nos. 9 and 10A, 12 received 5 November 2018
- Drawing no. 14 Rev A received 18 December 2018
- Schedule of landscaping impacts received 5 November 2018

**Reason:** For the avoidance of doubt and in the interests of proper planning.

3. The landscaping scheme, hereby approved as an integral part of the development, shall be implemented during the first planting season (between October and March inclusive) following the commencement of the development of the development 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.

4. The polytunnels, as hereby permitted, shall all at the same time be covered with plastic sheeting for no more than nine consecutive months in any calendar year. For the remaining period the polytunnels shall be un-covered.

**Reason:** To safeguard the character and appearance of the countryside and openness of the Green Belt in accordance with Policy CS02 and CS19 of the Core Strategy 2004 and para. 145 of the NPPF.

5. There shall be no open storage of materials, plant or equipment on any part of the site.

**Reason:** To safeguard the character and appearance of the countryside and openness of the Green Belt in accordance with Policy CS02 and CS19 of the Core Strategy 2004 and para. 145 of the NPPF.

6. No surface water shall be allowed to run off beyond the application site or onto a public highway.

**Reason:** To accord with the drainage strategy hereby approved and to ensure satisfactory means of surface water drainage in accordance with Policy CS18 of the Core Strategy.

7. Any polytunnels and associated equipment used in connection with the structure shall be permanently removed from the application site in the event that the land ceases to be used for soft fruit production.

**Reason:** To safeguard the character and appearance of the countryside and openness of the Green Belt in accordance with Policy CS02 and CS19 of the Core Strategy 2004 and para. 145 of the NPPF.

8. Notwithstanding the approved plans, within 2 months of the date of this permission, full details of any toilets and washing facilities proposed, including details of where they are to be located on the site and a timescale for their provision, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the toilets and washing facilities shall be provided in the location and within the timescale agreed pursuant to this condition. Thereafter the toilets and washing facilities shall be maintained in accordance with the approved details, until the polytunnels have been permanently removed from the application site in accordance with condition 7 above.

**Reason:** To safeguard the character and appearance of the countryside and openness of the Green Belt in accordance with Policy CS02 and CS19 of the Core Strategy 2004 and para. 145 of the NPPF.

#### **INFORMATIVES:-**

- 1 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING
- 2 THE APPLICANT'S ATTENTION IS RAISED TO THE NATIONAL FARMERS UNION CODE OF PRACTICE FOR POLYTUNNELS
- 3 IF THE SURFACES OF THE PUBLIC FOOTPATHS WHICH CROSS THE SITE ARE DISTURBED BY THE AGRICULTURAL PROCESSES TAKING PLACE ON THE SITE, THEN THEY SHALL BE IMMEDIATELY REINSTATED TO A CONDITION THAT IS SUITABLE FOR PEDESTRIANS TO USE.