

2.9 REFERENCE NO - 19/500862/FULL			
APPLICATION PROPOSAL Erection of polytunnels (retrospective).			
ADDRESS Ewell Farm, Graveney Road, Faversham ME13 8UP			
RECOMMENDATION Grant subject to conditions			
SUMMARY OF REASONS FOR RECOMMENDATION The proposal is in accordance with National and Local Policy			
REASON FOR REFERRAL TO COMMITTEE Objection from Graveney with Goodnestone Parish Council			
WARD Boughton Courtenay	And	PARISH/TOWN Faversham Town	COUNCIL APPLICANT Edward Vinson Ltd AGENT Finn's
DECISION DUE DATE 31/05/19		PUBLICITY EXPIRY DATE 09/04/19	

Planning History

18/501478 Erection of communal building and installation of a new access, hard standing, a car parking area and an earth bund (part retrospective)
Granted 02.07.2019

15/501806/AGRIC
Prior notification for the erection of an agricultural building for it's prior approval for siting, design and external appearance.
Decision Date: 12.05.2015

15/502738 Relocation and winter storage of 44 seasonal worker caravans and 4 mobile communal facilities
Granted 20.08.2015

SW/77/0963
Established use certificate for Horticultural waste tipping
Decision Date: 30.03.1978

1. DESCRIPTION OF SITE

1.01 Ewell Farm is located on Graveney Road Faversham with access to the application site via the main farm entrance off the Graveney Road. It covers 76ha and extends south towards the A2 London Road and east towards Homestall Lane.

A public footpath (ZR496) runs from west to east past some of the parcels forming part of the application.

The site boundaries are well screened by established vegetation but with intermittent gaps.

2. PROPOSAL

- 2.01 The proposal is for retrospective permission for the erection of polytunnels on land at Ewell Farm Graveney Road Faversham.

The farm covers 76ha in total and the application is to cover 4 fields with the polytunnels.

Field 1 is located to the east of the main farmhouse and farmyard and measures 90m by 380m. Field 2 is located immediately to the south east of this field along the eastern farm boundary and is to measure 115m by 280m. Field 3 lies further south still immediately adjacent to London Road A2 and is approx. 320m by 140m to 190m. Field 4 lies to the extreme west of the site along the western boundary and is the smallest measuring 105m by 200m.

- 2.02 The total area of the land where the polytunnels are sited extends to approximately 14.14 hectares.
- 2.03 The remaining 11 fields on the farm are of differing sizes and a number of them already have polytunnels on them for which the applicant intends to submit a lawful development certificate.
- 2.04 The design of the polytunnels is generally uniform and here each steel section is approximately 8.5m wide by 4.44m high at the apex.

Within the fields, there will be separation margins, generally measuring 10 metres from the edge of the tunnels to the boundary. The tunnels are all orientated in the north/south direction.

- 2.05 The tunnels are covered in a translucent plastic and are typically removed in the middle of November of each year and stored over winter and replaced at the beginning of February when growth commences.
- 2.06 Each tunnel has an open gutter so water is not caught and held back and drains into the ground. The framework is constructed of steel and is piled about 1.0 metre into the ground with no need for footings or foundations and the wire bracing is secured by screws and anchors to the ground.
- 2.07 The applicant argues that *“the use of protected growing environments in the fruit industry has increased over the last ten years to the point that the industry is utterly reliant on their use. Demand for soft and stone fruit, has grown and in order to fulfil this demand the use of tunnels is essential.”*

The benefits of the protective coverings are principally a better guarantee of supply to customers, improved quality of fruit, less pesticide use and the ability to invest in premium varieties, increasing productivity and the ability to add value.

In addition to this, the use of tunnels is able to reduce the reliance on imported fruit and enable the pickers to work when it is raining and reduces moisture related diseases.

This application is essential for the continued economic vitality of the farm. The strawberries have to be covered to be a viable crop and without the tunnels it would not be viable to grow strawberries on the site and a large number of jobs would be at risk”

3. PLANNING CONSTRAINTS

- 3.01 Ewell Farmhouse Grade II listed building, Homestall House Grade II listed building and Homestall House Barn and Stables Grade II listed building are all in the immediate proximity to the site and is an area of potential archaeological importance.

4. POLICY AND CONSIDERATIONS

- 4.01 The National Planning Policy Framework (NPPF) paragraph 2, 54-57(planning conditions and obligations), 80 (building a strong competitive economy), 83 (supporting a prosperous rural economy), 170 (natural environment) 189, 190, 192, 196 (proposals affecting heritage assets)
- 4.02 Development Plan: Bearing Fruits 2031: The Swale Borough Local Plan 2017 Policies CP 8 (conserving and enhancing the historic environment), DM3 (The Rural Economy) DM 24(Conserving and Enhancing valued landscape) & DM32 (Development involving listed buildings)

Policy CP8 states that:

To support the Borough's heritage assets, the Council will prepare a Heritage Strategy. Development will sustain and enhance the significance of designated and non-designated heritage assets to sustain the historic environment whilst creating for all areas a sense of place and special identity. Development proposals will, as appropriate:

1. Accord with national planning policy in respect of heritage matters, together with any heritage strategy adopted by the Council;
2. Sustain and enhance the significance of Swale's designated and non-designated heritage assets and their settings in a manner appropriate to their significance and, where appropriate, in accordance with Policies DM 32-DM 36;
3. Respond to the integrity, form and character of settlements and historic landscapes;
4. Bring heritage assets into sensitive and sustainable use within allocations, neighbourhood plans, regeneration areas and town centres, especially for assets identified as being at risk on national or local registers;
5. Respond positively to the conservation area appraisals and management strategies prepared by the Council;
6. Respect the integrity of heritage assets, whilst meeting the challenges of a low carbon future; and
7. Promote the enjoyment of heritage assets through education, accessibility, interpretation and improved access.

Policy DM3 states that planning permission will be granted for the sustainable growth and expansion of business and enterprise in the rural area. Planning permission for residential development will not be permitted where this would reduce the potential for rural employment and/or community facilities unless the site/building(s) is demonstrated as having no demand for such purposes or its use would be undesirable or unsuitable.

Development proposals for rural based employment will:

1. For all proposals:

- a. in the case of larger scales of development, be located at the rural local service centres and urban areas as defined by Policy ST3 and in accordance with Policy CP1;
 - b. firstly consider the appropriate re-use of existing buildings or the development of other previously developed land, unless such sites are not available or it is demonstrated that a particular location is necessary to support the needs of rural communities or the active and sustainable management of the countryside;
 - c. retain or enhance the rural services available to local communities and visitors without undermining or resulting in the loss of existing services unless demonstrated to be unviable for the existing use or other employment/community use;
 - d. for new buildings and ancillary facilities, the design and layout will need to be sympathetic to the rural location and appropriate to their context;
 - e. result in no significant harm to the historical, architectural, biodiversity, landscape or rural character of the area; and
 - f. avoid scales of traffic generation incompatible with the rural character of the area, having regard to Policy DM6 and Policy DM26.
2. For the agricultural/forestry sectors:
- a. enable the diversification of a farm; or
 - b. extend the growing season or improve the reliability of availability of local crops; or
 - c. provide for the storage, distribution or added value activities in central hubs located close to crop sources and the primary and secondary road networks; or
 - d. increase the availability of locally grown food sold direct to the consumer; or
 - e. increase the sustainable management of woodlands; or
 - f. increase the use of renewable energy sources in accordance with Policy DM20.

Policy DM24 states that the value, character, amenity and tranquillity of the Boroughs landscapes will be protected, enhanced and, where appropriate, managed. Furthermore development should be informed by landscape and visual assessment having regard to the Swale Landscape Character and Biodiversity Appraisal 'including, as appropriate, their guidelines, and the key characteristics, sensitivity, condition and capacity of character areas(s)/landscapes, taking opportunities to enhance the landscape where possible, including the removal of visually intrusive features'. For non designated landscapes will be protected and enhanced and planning permission will be granted subject to:

- a. the minimisation and mitigation of adverse landscape impacts; and
- b. when significant adverse impacts remain, that the social and or economic benefits of the proposal significantly and demonstrably outweigh the harm to the landscape character and value of the area.

Policy DM 32 states that Development proposals, including any change of use, affecting a listed building, and/or its setting, will be permitted provided that:

1. The building's special architectural or historic interest, and its setting and any features of special architectural or historic interest which it possesses, are preserved, paying special attention to the:
 - a. design, including scale, materials, situation and detailing;

- b. appropriateness of the proposed use of the building; and
 - c. desirability of removing unsightly or negative features or restoring or reinstating historic features.
2. The total or part demolition of a listed building is wholly exceptional, and will only be permitted provided convincing evidence has been submitted showing that:
 - a. All reasonable efforts have been made to sustain existing uses or viable new uses and have failed;
 - b. Preservation in charitable or community ownership is not possible or suitable; and
 - c. The cost of maintaining and repairing the building outweighs its importance and the value derived from its continued use.
 3. If as a last resort, the Borough Council is prepared to consider the grant of a listed building consent for demolition, it may, in appropriate circumstances, consider whether the building could be re-erected elsewhere to an appropriate location. When re-location is not possible and demolition is permitted, arrangements will be required to allow access to the building prior to demolition to make a record of it and to allow for the salvaging of materials and features.
- 4.03 Supplementary Planning Documents:
Swale Landscape Character and Biodiversity Appraisal Supplementary Planning Document of 2010 the application site is found within The Landscape Character Appraisal guidelines for Fruit Belt Landscape Types and states (page 63) that 'Whilst polytunnels form part of the character of the fruit belt landscape, they can be visually intrusive. Avoid polytunnels in visually prominent locations'. The guidelines for the Faversham and Ospringe Fruit Belt, in which this site lies, are to Conserve & Reinforce.

5. LOCAL REPRESENTATIONS

- 5.01 **Graveney with Goodnestone Parish Council** objects to this application due to the lack of a landscape and visual impact assessment with regard to the proximity of a listed building; and an environmental impact assessment due to concerns over what will happen to rainwater run off. We also have concerns regarding the retention and unrestricted usage of the public footpath which runs through the site.
- 5.02 **Swale Footpaths Group** commented that ZF 28/ ZR 496 crosses the site, but as the applicant has answered "No" to question 8 on the form I presume that it would remain unaffected.

6. CONSULTATIONS

- 6.01 **Historic England** originally noted that the polytunnels were to be sited to the south of Ewell Farmhouse a grade II listed building and that the building had a historic and functional relationship to this land which helps explain its origins as a farmhouse at the centre of a working agricultural landscape. From their initial assessment, they concluded that the polytunnels, which would be visible in long views of the building, were harmful to its significance, because the polytunnels are an unattractive visual intrusion which are alien to the rural agricultural character of land south of Ewell Farmhouse.

They awaited for the updated Heritage Statement and commented further stating that they do still conclude that the polytunnels within this application, would cause a small level of harm to the significance of the grade II* listed Ewell Farmhouse because they are unattractive and alien features to the rural agricultural character of the land which Ewell Farmhouse overlooks. They continue that minimising harm here is about adequate

levels of screening around the development to reduce its visual presence in long views and in conclusion Historic England does not object to this application on heritage grounds.

6.02 **Environment Agency** offered no comment

6.03 **Natural England** offered no objection to the proposal

6.04 **KCC Public Rights of Way Officer** states that public footpath ZF28 pass through the southern end of the most westerly area of poly tunnels and confirms that any planning consent given confers no consent or right to disturb or divert any Public Right of Way at any time without the express permission of the Highway Authority.

He further considers however that an application to divert the footpath to formalise the current situation on the ground would be necessary. The applicant's agent has confirmed this will be submitted in due course.

6.05 **KCC Highways** determined the application did not meet the criteria for their involvement

6.06 **KCC Flood and Water Management** commented that Kent County Council as Lead Local Flood Authority have reviewed the application and regard the development as low risk.

6.07 **KCC Archaeological Officer** commented that although the area involved has background archaeological potential, the impacts are limited to driven stanchions and the application is in any case retrospective. Given this I can confirm that no archaeological measures are required in connection with the proposal.

7. BACKGROUND PAPERS AND PLANS

7.01 Application papers and drawings referring to application 19/500862/FULL

8. APPRAISAL

8.01 In this case, I consider the key issues to be the policy context and the need for the development to support competitive farming, the visual impact of the proposal and its impact on the countryside and the nearby listed buildings.

8.02 In policy terms, the site is located in the countryside where the principle of development is generally resisted unless such proposals can be demonstrated to be necessary for agriculture or forestry purposes.

8.03 This application also needs to be considered on a more specific policy level where local and national policy is very much supportive of proposals which help to diversify or enable farming to continue. Therefore, the very basic principle of supporting farming operations is encouraged positively by policy. The local plan is also supportive of the need to support the sustainable growth and expansion of businesses and enterprises in the countryside (Policy DM3).

8.04 The applicant has stated in the submission that the use of polytunnels are needed for the efficient production of strawberries and it is accepted that they are now a common feature of soft fruit production in the UK and are commonly required and appropriate for the purpose of growing and harvesting UK fruit to customers, particularly supermarkets requirements relating to supply and quality. The use of polytunnels has a number of advantages over conventional unprotected growing which all result in extending the growing season, improved quality, less pesticide use and providing better and

continuous yields which results in efficient agricultural production. It also reduces reliance on imported fruit and enables pickers to work when it is raining and reduces moisture related diseases.

- 8.05 Additionally as a soft fruit farm it currently has 250 employees at Ewell Farm. As such, the contribution to the local economy of the continued success of this farm and its soft fruit production, through the employment opportunities and the subsequent local spending, is clear. The applicant states that if Ewell Farm was not an intensive fruit farm, but farmed as an arable unit, it would be unlikely to employ more than 1 person. As such the benefit of rural employment is a tangible benefit of the proposal.
- 8.06 Policy DM3 of the adopted Local Plan aims to provide support to such a business that can help provide local employment opportunities and thus will maintain the vitality or viability of other rural services. Proposals that would help to diversify the rural economy, provide new rural jobs and services or provide environmentally positive countryside management, will be permitted provided that the proposal is appropriate on a number of grounds. Relevant in this case is that the proposal is of a scale with its locality. Also that the site retains its rural character and has a positive impact upon, or no detriment to, the landscape character, biodiversity or countryside conservation, and here the coverings are in fact a common site in a thriving rural area and the additional vegetation and the strengthening of the shelterbelts, a defining character of the area, are a biodiversity gain of the proposal. Finally the use would also not result in a significant increase in traffic to the detriment of the character, quiet enjoyment or safety of the surrounding roads.
- 8.07 In terms of the potential visual impact of the proposal I have looked carefully at this issue and am also mindful of the long history of polytunnels being erected on this site and nearby in the surrounding area. I have walked along the public footpath to assess the impact of the proposal and whilst the polytunnels would be relatively prominent as they are located in very close proximity this is only part of the route the footpath takes through open fields.
- 8.08 I note the Parish councils concern regarding the retention and unrestricted usage of the public footpath however having walked the route although some deviation currently exists there remains an uninterrupted route through the farm. KCC PROW Officer has commented on the application and is aware of the deviation and is content for this to be resolved via a future formal application to divert the footpath, which the applicant's agent has confirmed is to be submitted.
- 8.09 Furthermore the Landscape Character Appraisal guidelines for Fruit Belt Landscape Types states (page 63) that '*Whilst polytunnels form part of the character of the fruit belt landscape, they can be visually intrusive.*' And to '*Avoid polytunnels in visually prominent locations*'. The guidelines for the Faversham and Ospringe Fruit Belt, in which this site lies, are to Conserve & Reinforce.
- 8.10 This site is fairly well screened by shelterbelts and hedgerows, and there is no suggested intention to not conserve the current screening, however the current landscape structure does need reinforcing in areas and the applicants agent whilst providing strong support and reasoning as to why this proposal is necessary, has considered the need to protect the character of the landscape, and has agreed that this does need addressing. Therefore I have included a condition to require the submission of landscape details as to where and with what planting will be provided to fill these gaps. This will also help go some way to address any concerns regarding the cumulative impact such structures have on the countryside noting at the same time that this area does not have any specific landscape designations as such.

- 8.11 In terms of residential amenity, the site is not located immediately adjacent to any residential properties and the nearest properties have a relatively obscured view of the site because of intervening shelter belt however this does have gaps in it which do need reinforcing and are to be secured via the landscape plan .
- 8.12 A further consideration is to the level of harm to the significance of the grade II* listed Ewell Farmhouse particularly as Historic England have described the tunnels as *“unattractive and alien features to the rural agricultural character of the land which Ewell Farmhouse overlooks and has a historic and functional relationship to.”*
- 8.13 In considering if the harm arising from this application has been avoided or minimised in line with Paragraph 190 of the NPPF I consider that adequate levels of screening around the development does reduce its visual presence in long views and the additional screening will further mitigate the impact of the tunnels. I am content that this along with the clear and convincing justification has been made to weigh up the protection of the landscape against the need to facilitate economic and social well-being to support farmers in their need to be competitive.
- 8.14 I note the Parish Council commenting on the lack of a landscape and visual assessment in relation to the nearby listed buildings, Homestall House (Grade II) and the converted Homestall House barn and stables (Grade II). This was an omission and was requested from the applicants after the initial consultations had been carried out. The revised Heritage Statement included such an assessment and was sufficient for officers and English Heritage to fully assess the impact of the proposal and to determine that additional screening will sufficiently offset any perceived harm from the proposed development here .
- 8.15 In terms of flood risk, the site is not located within a flood zone, and the proposed open gutters on the covers would avoid water being channelled and concentrated, so flooding is not likely to be a problem and whilst I note the concern from the Parish Council I note KCC Flood Management are satisfied with the details and are not objecting to the proposal.

9. CONCLUSION

- 9.01 Having considered the proposal on its own merits and against planning policies set out in NPPF and the Local Plan, I am of the view that this proposal can be considered as development necessary to assist in the viability and vitality of agricultural and rural business whereby it should be supported. In addition, whilst the site would be visible from the public footpath which crosses through the site I am of the opinion that on balance with some additional reinforcing of the landscaping around the site the development would result in minimal harm to the character of the surrounding countryside, and on the nearby listed buildings and any such harm would not be sufficient to warrant refusal of the application bearing in mind the supportive farming policies.
- 9.02 Taking all material planning consideration into account, I consider the proposal to be acceptable and therefore recommend that planning permission be granted subject to conditions.

10. RECOMMENDATION

GRANT Subject to the following conditions:

CONDITIONS to include

- (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 the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (2) The development hereby approved shall be carried out in accordance with the following approved drawings 328.29/V/P1, and Hargroves polytunnel section drawing received on 21st February 2019.

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

- (3) Prior to the erection of the polytunnels hereby approved full details of a restoration tree planting and landscape scheme shall be submitted in writing to the Local Planning Authority. These details shall include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate and an implementation programme.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (4) The scheme of tree planting and landscaping agreed by the Local Authority shall be carried out within 12 months of the completion of the development. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area.

- (5) None of the polytunnels hereby permitted shall be covered with polythene for more than nine months in any calendar year, and all tunnels shall be clear of polythene for at least three months of the year, in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority. The scheme, which shall include details of how and where the polythene would be stored, shall then be carried out in accordance with the agreed details.

Reason: To minimise the visual impact of the development on the rural landscape.

- (6) In the event of the coverings and/ or the frames becoming redundant for horticulture purposes, the coverings, frames and associated equipment shall be removed from the site within a period not exceeding nine months unless otherwise agreed in writing by the Local Planning Authority.

Reasons: To minimise the visual impact of the development on the rural landscape.

- (7) Any polythene cover erected under this planning permission shall be made of a translucent non-coloured material and retained as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reasons: To minimise the visual impact of the development on the rural landscape.

The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), February 2019 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

In this instance:

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

If your decision includes conditions, there is a separate application process to discharge them. You can apply online at, or download forms from, www.planningportal.co.uk (search for 'discharge of conditions').

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

