

REFERENCE NO - 14/505985/FULL			
APPLICATION PROPOSAL Proposed change of use of land for the creation of hardstanding to site 16 mobile homes for 52 weeks of the year for occupation by seasonal agricultural workers along with associated engineering works.			
ADDRESS Howt Green Sheppey Way Bobbing Kent ME9 8QT			
RECOMMENDATION Approval subject to the comments of Kent Highways.			
SUMMARY OF REASONS FOR RECOMMENDATION The development would be acceptable in principle given the agricultural need. Subject to appropriate landscaping and the provision of fences along the boundaries, the impact on visual and residential amenities would be limited. The impact on highway safety/amenity would be insignificant in my view.			
REASON FOR REFERRAL TO COMMITTEE Parish Council objection			
WARD Grove Ward	PARISH/TOWN COUNCIL Bobbing	APPLICANT AC Goatham And Son AGENT Lambert And Foster	
DECISION DUE DATE 19/01/15	PUBLICITY EXPIRY DATE 19/01/15	OFFICER SITE VISIT DATE 11/12/14	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	
SW/03/0201 & SW/04/0579	Fruit box and machinery store and chill store extension to this building respectively.	Approved	
SW/07/1388	Erection of a steel frame building to the rear of the site containing long-term storage for English Apples and Pears under.	Approved	
SW/08/1321	Variation of condition to allow the storage of fruit grown in Swale, not just on A C Goatham's farms.	Refused	
SW/09/0386	Variation of condition to allow the storage of fruit grown in Swale, not just on A C Goatham's farms.	Approved	
SW/10/1570	Increase in hardstanding area, soil bund with additional landscaping and provision of 16 no. seasonal workers caravans including hardstanding and vehicular parking.	Approved	
SW/11/0764	Erection of 65m in length close boarded fence 2-3 m height.	Approved	
SW/13/0501	Controlled temperature fruit store with associated hardstanding and extension to general purpose building to provide office, WCs and laundry.	Approved	

SW/13/0728	Temporary portacabin for laundry use.	Approved	
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MAIN REPORT

1.0 DESCRIPTION OF SITE

1.01 The application site lies within the countryside and within the Strategic Gap between Sittingbourne and the Medway Towns. There are no special landscape designations that cover the application site. It is to the northwest of Sittingbourne and to the south of Iwade. It lies opposite the Dancing Dog public house and residential properties, including Nethertoës, a Grade II listed building. Stickfast Farm lies to the south west.

1.02 The site for the proposed caravans would be adjacent to Sheppey Way and within the eastern corner of a complex of buildings associated with the farming activities at Howt Green Farm (see planning history above). The area within which the caravans would occupy is currently occupied by fruit trees.

2.0 PROPOSAL

2.01 This application seeks planning permission for the provision of 16 seasonal workers caravans/mobile homes to be stationed for 52 weeks of the year on agricultural land owned by AC Goatham & Son. The caravans would be used as a base for seasonal workers employed to carry out work on various farms used in AC Goatham & Sons harvest operations. The work would consist of harvesting, tree pruning and topping, mowing, spraying, replanting and orchard maintenance. This work would take place across the 14 farms owned by AC Goatham & Sons (six in the Swale Borough) and partner farms.

2.02 Since the 2010 planning application for 16 seasonal workers caravans (SW/10/1570), AC Goatham & Sons have increased their labour requirement. This is as a result of on-going expansion of their business through buying land and renting on long terms agreements. The applicant wishes to increase their production of top fruit from 75,000 bins to 120,000 bins in 2019. A similar application for seasonal workers caravans has been submitted to Medway Council for one of the applicant's farms in that area. AC Goatham & Son currently employ 230 full-time equivalent staff.

2.03 For the current application, the applicant is willing to accept a similar condition to condition 9 of SW/10/1570:

9. The mobile homes/caravan hereby permitted shall not be used for human habitation other than for a period of five months in any year during the apple/pear harvest (1st July – 30th November) and thereafter, only four of the caravans/mobile homes hereby permitted shall be used for human habitation, except that between the 31st December in any year and the 1st March in the following year when none of the caravans/mobile homes shall be used for human habitation.

Reason: As the site lies outside any area in which permanent residential use of the caravans/mobile homes would be permitted and in the interests of preserving the character of the rural area in pursuance of policies E1 and E6 of the Swale Borough Local Plan 2008

2.04 For the 2014 harvest, AC Goatham & Son required 8 teams of staff which were made up of 200 staff from Concordia (an internationally recognised non profit organisation providing employees with workers from over 50 nations) and 120 who were self-sourced.

Concordia set out guidelines and recommendation for growers with regards to accommodation to ensure high welfare standards on farm.

2.05 The proposed new caravans at Howt Green Farm would provide accommodation for up to approximately 48 workers – three occupants per caravan on average. The applicant explains that it is not possible to isolate the labour requirement for individual farms i.e. disperse the accommodation around AC Goatham's farms, due to inefficiencies in managing dispersed accommodation.

2.06 The caravans would be arranged in two rows of 6 and one row of 4. The ground conditions require the provision of a hardsurface. The original proposal was to have a drop-off and pick-up point adjacent to the caravan. However, this has been relocated following concerns raised by the Environmental Health Manager. The proposal also includes the provision of a landscaping screen consisting of a mixed native species hedgerow to the northeast of the proposed caravans. The applicant has also confirmed that they will be providing a 3m high acoustic fence along the boundary with Sheppey Way.

2.07 The applicant has submitted a Traffic Statement which sets out that in general, the seasonal workers do not have their own vehicles and are discouraged from having them as they are transported to and from work using 7-seater people carriers (MPVs). Supervisors may have their own cars and they will use the existing parking spaces.

3.0 PLANNING CONSTRAINTS

The site lies 44 metres from a High Pressure Gas Pipeline (see comments from HSE below).

4.0 POLICY AND OTHER CONSIDERATIONS

4.1 The National Planning Policy Framework (NPPF) sets out at paragraph 14 that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

4.2 Paragraph 18 states that the Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.

4.3 Paragraph 22 states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;
- promote the development and diversification of agricultural and other land-based rural businesses.

4.4 National Planning Practice Guidance (NPPG) – Natural Environment; Noise; Travel plans, transport assessments and statements in decision-making and; Use of planning conditions.

Swale Borough Local Plan 2008:

4.5 Policies E1 - general guidance regarding design and amenity, E6 – countryside, E7 – strategic gap, E9 – protection of landscape, E10 – trees and landscaping, E11 - biodiversity, E14 – development involving listed buildings, E19 – high quality design, B1 – supporting and retaining existing employment land and businesses, B2 – providing new employment, RC1 – helping to revitalise the rural economy, RC5 – agricultural dwellings, T1 – vehicular access and T3 – vehicular parking.

4.6 Supplementary Planning Document – Swale Landscape and Biodiversity Appraisal (adopted 2011).

Emerging Local Plan December 2014:

4.7 ST1; CP1; CP7; DM3; DM7; DM12; DM14 & DM32.

5.0 LOCAL REPRESENTATIONS

5.1 Five representations have been received from local residents. A summary of their comments is as follows:

- Increased volumes of traffic from the site;
- Large vehicles associated with the site cause obstructions in the road;
- Concern that this development will set a precedent for future housing development at the site;
- Additional noise from additional residents;
- The caravans would be sited in a 'noise buffer area' to protect residents from the noise from the cold store;
- Why cant some workers be housed on another of the farm owned by the applicant?;
- Vehicles may crash onto the application site;
- Drainage and water mains will be put under more strain;
- Local services i.e. GPs, police, and hospitals will be under more pressure;
- The current 16 caravans on the site are not fully occupied therefore the need on a purely agricultural basis is questioned;
- 40% of apples are discarded by supermarkets demonstrating uncertainty in the apple market;
- These jobs should be undertaken by local residents to reduce the carbon footprint;
- The cost of accommodating workers elsewhere is not a material planning consideration;
- Occupancy conditions cannot be monitored by the council;
- Is council tax paid for the occupancy of the caravans?;
- The caravans on this site would overwhelm the existing population in this area;
- This development will create ribbon development along Sheppey Way;
- A surface water run-off report should be submitted. There has been localised flooding since the cold store was built;
- The conditions of the cold store buildings are being contravened as fruit from farms not owned or managed by the applicant is being stored;
- Howt Green Farm is one of the smallest farms owned by the applicant so why is it the 'hub' for the applicant's operations?;
- Planting along Sheppey Way has not been provided and should have been;
- The caravans are only required to be occupied for 44 weeks of the year, not the 52 applied for;
- The existing caravans were occupied by families with young children last year;
- The site and operations on it are not environmentally friendly;
- This will clearly be a 'transit' camp;

- The development will be seen from the public footpath;
- Part of the site is used to park HGVs;
- Drivers sleep in their vehicles overnight;
- Mud is dragged onto the carriageway;
- The workers do leave the site contrary to the applicant's planning statement;
- Cars are parking between the caravans and there was one occasion of the site being used as a 'race track' one evening;
- External lighting required for the caravans would shine into the neighbours properties and;
- The vehicular access to the site is not sufficient.

6.0 CONSULTATIONS

6.1 The Rural Planning Consultant makes the following comments:

'As previously explained regarding SW/10/1570, the applicants rely heavily on a large workforce of Eastern European temporary student labour, and it is common for larger, intensive fruit farms to have organised "camps" for such seasonal harvest workers. The permitted camps are a convenient way for UK growers and packers to temporarily accommodate necessarily large numbers of short-term workers from abroad.

The context is that agricultural workers may occupy caravans on farms as "permitted" development during a particular season (e.g. for fruit picking), but planning consent is required for any out-of-season storage of vacant caravans (as opposed to moving them off site), or for any longer periods of occupation that would be regarded as work "out-of season".

As indicated in the submissions, the need for A.C. Goatham & Son to have additional seasonal workers' accommodation, based at Howt Green Farm, appears to genuinely arise from its increasing labour requirement as referred to above. It is understood that the applicants would accept equivalent conditions regarding the nature and periods of occupancy, to those applied to SW/10/1570.'

6.2 The Health and Safety Executive do not advise against the granting of planning permission in this case.

6.3 The Council's Environmental Services Manager states that the proposal has the potential for behavioural noise to affect the amenity of neighbouring residential properties, especially considering the location of the caravans close to the front boundary of the site. The increase in the number of seasonal workers has the potential to increase noise levels. Further consideration should be given to the management of the site and the workers and the continuation of the 3m high acoustic fence along the boundary of the site including the new hardstanding proposed for the seasonal workers. It may also be beneficial to move the area designated for staff collection and drop off to a point further away from residents to protect them from early morning disturbances. In addition they recommend a condition to control the hours of construction. They have confirmed that there have been no complaints from local residents to their department in respect of noise from the existing seasonal workers caravan at this site.

6.4 Bobbing Parish Council object to the application on the following grounds:

"This proposal will create a ribbon development along Sheppey way; this is supposed to be agricultural farm land not a caravan site.

We understand that the caravans were occupied by workers and their families including young children last season; this contravenes the planning permission that was granted for seasonal workers.

There is already a large caravan population on site and we would query why these extra 16 are required in the same area when the applicant has clearly stated that the existing caravans are not fully occupied. Why does the applicant feel the need to place more caravans there, as this will be clearly a transit camp as made clear by one of the elected members of the Planning Committee on the application for the original 16 caravans?

The caravans are for occupation for 52 weeks of the year but we understand only 44 weeks are required; as the application clearly states that it is difficult to determine the seasons how will this occupancy be monitored by the Borough Council? How will the Council monitor the proposed reduced number of occupants in each caravan? Will monitoring be carried out as there was a similar case in Borden and these caravans were not monitored; the situation being highlighted by residents?

We understand the applicant has caravans at the Griffin Farm site at Maidstone which is on the main A299/A229 Hastings road and is more suited because it is away from any residential properties; are these to be replaced by this application?

Concern that the external lighting required for these caravans will shine directly onto abutting properties and cause light pollution to the rural area.

The current sixteen caravans have not been fully occupied. Therefore, the need on a purely agricultural basis is suspect; especially as there appears to be an over-production of apples.

This is backed up by recent news stating that 40% of apples are discarded by supermarkets.

An extract in the Daily Mail (Monday, December 15, 2014 - Page 10) illustrates the uncertainty in the future of the apple market.

In a previous application for the new cold store the applicant was asked to produce a report on the rain water run-off created by a large area of concrete that he was planning to create, but we understand that in order to negate that report the size of the hard standing was reduced. We assume that this is now required due to the increased area but a report does not accompany this application.

We understand that the cold stores were to provide storage facilities for fruit grown on the applicants farms or farms managed by him, and that the company's website clearly states that the applicant is in partnership with multiple farms in the area and stores fruit grown by them, does this contravene the cold store conditions? An extract taken from the company's website states:

In addition to our own production of around 50,000 bins of fruit each year we also work in partnership with an additional 20 growers; either share farming with them, purchasing fruit early in the season or providing storage and packing services. Every year additional growers join us; we must be doing something right! We currently farm 1,650 acres including 990 acres under leasehold arrangements; our partnership with 20 other growers means that there is an additional 1000 acres worth of fruit flowing through our business each year.

These partnerships have been a consistent part of our business growth; for many years the family bought fruit at the Horsmonden hard fruit sale to supplement their own production, we now have direct relationships and support growers with agronomic and technical support services when required.

The above information shows that the total acreage is in excess of 1650 acres; Howt Green farm appears to be one of the smallest farms owned/managed by the applicant and by making it a hub for AC Goatham & son has created a large industrial scale development in a semi-rural location.

The applicant comments on a reduced carbon footprint, but if vehicles are being used to transport workers to other site this is not the case.

The development will be seen from the public footpath, contrary to the statement made by the applicant, as it is nearer to the road/public footpath than any other part of the development and will be clearly visible.

The residents at Howt Green number approximately 50 in 22 dwellings and this development, which could potentially house 192, when added to the existing caravans will out weigh the residents by almost 70% which is unacceptable and will overwhelm the existing population in Howt Green. Google Earth clearly shows the existing size of the development and the scale compared to the rest of the community.

We believe that the site is now able to park several HGV tractor units and trailers due to the company letting part of the site to another operator, who has now got a vehicle operators licence for use of the agricultural land to park these vehicles; despite the applicant having a yard designed for the parking of tractor units and trailers near the Flanders Farm site. This development will have a further impact on the Sheppey Way, coupled with the new housing at Iwade. Vehicles will have to pull out of a shared drive onto an unrestricted single lane carriage way some 20 mtrs from Axminster tools car park entrance. The new A249 was built to alleviate traffic problems on the old road not make way for industry to create traffic on a scale similar to that prior to the new road being built.

We understand residents have complained of having drivers sleeping in their vehicles and parked opposite their homes for the night; have suffered nuisance due to noise coming from the existing site and are concerned because the new area will be much closer to homes. We understand residents have also complained to the Council regarding cars and taxis arriving at all sorts of time day and night and indeed the Police have been contacted as the farm yard was being used as a race track at 10.30 p.m. on one occasion.

We can find no evidence of Council Tax bandings or a Business Rate figure for the sixteen caravans currently sited at Howt Green Farm; as these are connected with a functioning business do rates apply?

The proposed site was designated a noise buffer area and was provided to help with the noise level produced by the previous cold store planning application. This noise buffer area is now being disregarded and residents feel this should be left to protect those living opposite.

The Parish Council would query why the application does current vehicle movement numbers as figures given appear to be the same as the last three applications for this site?

These jobs could and should be undertaken by a home grown workforce; this would reduce the carbon footprint and create employment for the unemployed able-bodied. Current government policy is to offer work to the local population and not to exclusively import labour from outside the United Kingdom.

The statement that higher wages would be required if staff had to rent accommodation elsewhere is not a planning consideration. If other businesses wanted caravan accommodation for their workers in order to reduce their wage bill, it would not be considered relevant either.

It would appear from comments that several residents abutting the proposal have not received any notification of this, which is of concern to the Parish Council. It looks as though one resident is awaiting a statutory site notice before commenting and another commented that he believed the application date was the 18th November but only discovered it on the 5th December; he too never received a letter from the Borough Council.

Finally, Members are concerned that this application will create a precedent as a residential brownfield site which will then become the subject of further planning requests in the future; similar to the same circumstances at Hoo, St. Werburgh. This concern ties in with a recently withdrawn outline application for 42 dwellings on this site, under reference Ref. No: 14/506167/OUT.”

The comments of the Parish Council will be addressed in the Appraisal section below.

7.0 BACKGROUND PAPERS AND PLANS

Site layout plan; Traffic Statement; Design and Access Statement & Landscape and Visual Appraisal.

8.0 APPRAISAL

8.1 I consider the key issues to be the principle of the development, the visual impact, the impact on residential amenities and any highway implications. The biodiversity/ecology implications are also a consideration as well as whether the development would have any impact on the setting of the nearby listed buildings.

Principle

8.2 The overriding consideration when examining the principle of the seasonal workers accommodation is whether this type of development is compliant with local and national policies which seek to balance the needs of the rural economy against the impact on visual and residential amenities. The NPPF at paragraph 22 states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;
- promote the development and diversification of agricultural and other land-based rural businesses.

8.3 Members should note that there are permitted development rights for farmers to station caravans on their land for the period required to house seasonal workers. The reason that

this proposal requires planning permission is that the caravans would remain on site after the season has finished i.e. after October and also because the workers would not just be required to work on Howt Green Farm, but other farms under the applicant's control. It is worth bearing in mind therefore that a number of caravans could be placed anywhere on the farm without the need for planning permission, albeit a smaller number and for a lesser period of time. The need for the larger number of caravans has been explained above. The need for the caravans to stay on site is because the harvest season has been extended due to the type of fruit grown and that there is a need for some workers to be accommodated to carry out other farm duties in addition to maintaining the orchards out of season. The period within which the caravans would not be occupied would be so short as to make their removal from the site impractical and would lead to considerable cost for perhaps little gain i.e. the visual impact would be gone, but only fleetingly. The visual impact is discussed in more detail below. By approving this application, we are able to apply conditions controlling the use and associated development. Members should be mindful that if this permission is refused, the applicant could still provide a number of caravans on this site, albeit for a shorter period of time, but with none of the requirements set out in the conditions below.

8.4 Policy E6 of the Local Plan allows development within the countryside that is demonstrated to be necessary for agriculture. The comments of the Rural Consultant clearly show that the establishment of dedicated and centralised seasonal workers accommodation is necessary for agriculture. His comments also make it clear that this type of development is a common practice for intensive farms such as those in A C Goatham's control. He accepts the argument that there is an increase in the need for additional accommodation linked to the increase in the labour requirement for the business. The Parish Council and local residents question why additional caravans are needed when the existing caravans are not fully occupied. It is my understanding that the caravans are only under-occupied outside of peak season – July-November. The additional caravans and existing caravans are all expected to be occupied during peak season.

8.5 With regards to the claims by residents and the Parish Council that the apple market is in decline, I have asked our Rural Planning Consultant to comment. He notes:

"I am not aware of any evidence of over-production of English apples. The whole trend in recent years has been one of investment for increased UK production, substituting for foreign imports....."

...There was a 2013 report by the Global Food Security Programme that found retailer standards (e.g. size, shape and blemish criteria of fruit and vegetables – not just apples) can reject up to 40% of edible produce (avoidable waste), which may never reach market – perhaps that was what was referred to, or a similar study.

Farmers are as keen as anyone to avoid waste – and if anything that is an argument for maximising efficient management, and having a well-trained and adequate workforce engaged throughout the growing, harvesting, storage, packhouse and marketing processes."

I have no reason to question the robustness of the applicant's business and therefore his desire to expand and increase production. Members will also note condition 10 below which would require the caravans to be removed from the site, should they become redundant.

8.6 Policy RC1 of the Local Plan supports proposals to revitalise the rural economy. In my opinion, the seasonal workers accommodation would respond entirely to local and national policy objectives.

8.7 For the avoidance of doubt, I do not consider that the proposed seasonal workers accommodation would amount to farm diversification as such as it would be wholly

connected to a well established agricultural activity. This type of development does however, demonstrate how farmers are having to adapt to the changes demanded of them.

8.8 Also of consideration is the fact that Members of the planning committee have previously accepted the principle of seasonal workers caravans at Howt Green. Members accepted the need for a centralised base for the seasonal workers as opposed to dispersing them across other farms in the applicant's ownership. The current proposal would simply add to this accommodation. Members also accepted the applicant's argument with regards to dismissing the option of accommodating the workers on the various holiday parks. Not only would it be more costly to the applicant but it would be more difficult to manage transportation and moreover, that the workers would not be on site to deal with early morning or late night tasks that may arise at short notice.

8.9 Policy E7 of the local plan states that planning permission will not be granted for development within strategic gaps which would result in the merging of settlements, would result in encroachment or piecemeal erosion of its rural, open and undeveloped character or, prejudice the Council's strategy for the redevelopment of urban sites. However, this policy has been reviewed in a report to the LDF Panel and is not compliant with the NPPF insofar as the NPPF is seeking to support a prosperous rural economy is positively framed in terms of development opportunities in the rural area. It is worth noting that this site does not fall within the Important Local Countryside Gap in the adopted Local Plan, or the Local Countryside Gap in the emerging Local Plan.

8.10 The suggested conditions to control the use of the caravans will ensure that the development does not lead to the establishment of permanent residential accommodation on land that is outside of the built-up area boundary which would be entirely contrary to policy. The conditions will also ensure that the use remains wholly connected to the accommodation of seasonal workers associated with the agricultural operations of A C Goatham & Son. It is my view that these conditions are enforceable and can therefore be relied upon to limit activity at the site and ensure that the caravans remain temporary in nature.

8.11 Having considered the proposal on its own merits and against planning policies set out in the NPPF and the Local Plan, I am of the view that this proposal is classified as development necessary to assist in the adaptation, viability and vitality of agricultural and rural business. Accordingly I have no objection to the proposal in this regard.

Visual impact

8.12 The visual impact of the caravans and the hardstanding on the landscape is a significant consideration in this case. I have referred to the Supplementary Planning Document – Swale Landscape and Biodiversity Appraisal (adopted 2011). This identifies the application site as being within the fruit belt and within a landscape characterised by arable farmland. This document provides guidance on the provision of caravan sites within the rural area and recommends that they should be enclosed by landscape features and well screened by natural vegetation. The submitted Landscape and Visual Appraisal provides a detailed assessment of the visual impact of the development from different view points including Sheppey Way and the public right of way between Host Green and Stickfast Farm. The view of the caravans from this public footpath would be limited by vehicles and items being stored within the site and would be seen within the context of a working farm. The degree of effect would be 'negligible'. The view from Sheppey Way looking from the east would be impacted upon the most in my view. The caravans would be partially screened from the road by an existing hedgerow. The planning application proposes the introduction of an additional hedgerow to the northeast of the caravans and this will lessen the visual impact somewhat. The proposal would also see the caravans coloured dark green. I consider that this would only go some way towards obscuring the caravans from view from

Sheppey Way. I am of the view that there should be a fence provided along the boundary with Sheppey Way at a height of 3 metres and that this should be sited behind the existing hedgerow. I also consider that there should be a 2m fence provided to the northeast boundary behind the new hedgerow that is proposed to be planted. I have recommended conditions to ensure that the fences are provided. Subject to the provision of this fence, I consider that the proposal would have no significant detrimental impact on the character and appearance of the landscape in this case.

8.13 The visual impact must be balanced against the strong indication that the principle of the development is acceptable and that supporting development that aids the vitality of agriculture is encouraged by national policy guidance. In this case, the landscaping proposed would be comprehensive and I am of the view that it will adequately mitigate any significant adverse effect.

Impact on residential amenities

8.14 When considering this aspect of the proposal, Members must bear in mind that this is a working farm. Early morning and late evening activity is not controlled as is the case with many farms within the borough and nationally. However, the proposal for the seasonal caravans does not affect the current operations at Howt Green Farm i.e. the fruit storage buildings.

8.15 In respect of the caravans, as they would be used for residential purposes, in planning terms, this is not considered to be a 'bad neighbour' use. The minimum separation between existing dwellings and the caravans would be 30m and separated by a road – Sheppey Way. Anti-social behaviour would be a matter for the employer to deal with and failing that, the Council's anti-social behaviour officers or the Police. I have also set out above the case for the provision of a 3m high acoustic fence along boundary with Sheppey Way and 2 m high close boarded fence along the northeast boundary for visual reasons. This fence would also act as a noise and privacy barrier benefitting both the existing residents opposite the site and the occupants of the caravans.

8.16 It is possible that there will be some noise generated from workers leaving the site in vehicles during the early hours of the morning to start their shift. Indeed this matter is raised by the Environmental Services Manager. The applicant has relocated the drop-off/pick-up point for these caravans to the area adjacent to the existing caravans. This will ensure that noise is limited. I acknowledge that there would be more vehicles entering and leaving the site as a consequence of this current proposal. In terms of noise from the access to the site, the closest neighbour property is Nethertoës which is 20 m away. In my opinion, there is nothing to demonstrate that the noise from a number of vehicles entering and leaving the site would have a significant impact on the residential amenities of this property.

8.17 It is acknowledged that there would be a large number of people living on this site during peak months – July to November. Local residents and the Parish Council are concerned that this will overwhelm the local population. However, I consider that the nature of the proposed use is such that the impact on the workers would be largely contained within the Howt Green site. Given the fact that the majority of the workers would be on the site for temporary periods, it is unlikely that there would be a notable strain on local services and amenities in my view.

8.18 There are concerns about the potential impact from lighting at the site on local residents. Members will note that I have recommended a condition to control any future lighting.

Highway implications

8.19 The submitted Traffic Statement clearly sets out the transport arrangements for this site concluding that the number of cars brought onto the site by workers would be negligible and that most of the workers would rely on MPVs to travel to and from work. The Traffic Statement notes that between January and February the caravans would be unused. Between March and June and in December, only four of the caravans would be occupied. This means that the peak use of the access by vehicles would be between July and November – five months of the year. During this five month period the majority of the workers would be students employed through Concordia and would be unlikely to have their own vehicles. At peak times (between July and November) the proposal would result in approximately 14 additional trips per day (7 in and 7 out). This is not significant in my view. Kent Highways have been informed of this proposal and I hope to have their comments prior to the meeting.

Biodiversity/ecological implications

8.20 The site of the proposed caravans is currently an intensively farmed orchard and the ground conditions are unlikely to provide habitat for many types of protected species. The possibility of reptiles and Great Crested Newts being found at the site is very slim given the intensively managed nature of the land. Members will note my recommended condition which will be used to ensure that the development is carried out in a manner that enhances local biodiversity.

Setting of listed buildings

8.21 With regards the impact on the nearby listed building, Members will be aware that the Council must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The closest listed building to the site is Nethertoës. This is a grade II listed building and is separated from the application site by Sheppey Way and thick vegetation of approximately 3m in height along the front boundary of this property. The caravans would be a minimum of 90m from this listed building, and the fence would be removed from it also. I therefore consider that the proposed development would not give rise to a harmful impact on this building or its setting.

Other issues

8.22 The fact that families with young children may potentially have occupied the existing caravans on the site is not material to the determination of this planning application. It is feasible that a couple may come to the site together to carry out the seasonal work and would therefore potentially need to bring their children. This is not in breach of the planning conditions and I see no planning harm here.

8.23 I have recommended a condition to require further details of foul and surface water drainage to address concerns about potential localised flooding.

8.24 Any concerns in respect of the conditions applied to the cold stores at the site are not material to this planning application and should not influence how this application is determined. Similarly, concerns about HGVs parking on the site and drivers sleeping in vehicles overnight are relevant to the wider operations at the farm and should not influence the outcome of this planning application. Council tax concerns are also not relevant to this application.

8.25 I can confirm that all correct neighbour notifications were carried out and a site notice was displayed giving residents who are close to the site an opportunity to comment.

8.26 There is no substance to the claims that this development would lead to permanent housing on this site. The application to which the Parish Council refers to in respect of 42 houses is actually on a different site – Floplast.

9.0 CONCLUSION

9.1 Having considered the relevant planning policies, comments from the Parish Council, other consultees and the local residents, I am of the strong view that the development would be acceptable in principle as it is clear that the caravans/hardstanding are necessary for agriculture. The visual impact would be successfully managed by the implementation of an additional hedgerow and fences in my view and the fence would ensure reduced noise and increased privacy for neighbours and occupants of the caravans. The additional vehicle movement at the site would be insignificant in my view. I therefore consider that there would be no detriment to visual amenities, the rural character of the landscape and the residential amenities of dwelling close by.

9.2 Subject to any additional comments from Kent Highway Services, I consider that planning permission should be granted.

10.0 RECOMMENDATION – GRANT Subject to the following conditions.

- (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 the following approved drawings: 2254/P/10 C and 3307/DR 001 rev. A.

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

- (3) Prior to the commencement of development hereby approved, full details of the method of disposal of foul and surface waters shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented before the first use of the development hereby permitted.

Reason: In order to prevent pollution to ground waters and localised flooding.

- (4) Prior to the commencement of development hereby approved, a report demonstrating how the proposal will incorporate measures to encourage and promote biodiversity and wildlife shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with those approved details and shall thereafter be retained.

Reason: In the interests of promoting wildlife and biodiversity and wildlife in rural areas.

- (5) No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:-

Monday to Friday 0730 – 1900 hours, Saturdays 0730 – 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- (6) Adequate precautions shall be taken during the period of construction to prevent the deposit of mud and/or other debris on the public highway.

Reason: In the interests of highway safety and convenience.

- (7) Prior to the commencement of development hereby approved, full details of soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These details shall include planting schedules of plants, noting species (which should be native species where possible and of a type that will enhance or encourage local biodiversity and wildlife), plant sizes and numbers where appropriate, and an implementation programme.

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

- (8) The approved scheme of tree planting and landscaping (including a 2 m high close boarded fence along the northeast boundary) shall be carried out within 6 months of the completion of the development. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within ten 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. The close boarded fence shall be retained in perpetuity or until such time as the caravans are removed from the site.

Reason: In the interests of the visual amenities and rural character of the area.

- (9) Prior to the commencement of development hereby approved, details of a 3m high acoustic fence to be located along the boundary with Sheppey Way, shall be submitted to and approved by the Local Planning Authority. The approved fence shall be erected prior to the first use of the caravans hereby approved.

Reason: In the interests of residential and visual amenities.

- (10) The caravans/mobile homes hereby permitted shall be used for the purpose of seasonal workers accommodation in association with agriculture as defined in Section 336(i) of the Town and Country Planning Act 1990 and for no other purpose, including any other purposes in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended). The number of season workers accommodated within the caravans/mobile homes shall not exceed 50 in number and these seasonal workers should undertake work for A C Goatham & Son only.

Reason: In the interests of the amenities of the area and in the interests of preserving the character of the rural area.

- (11) The mobile homes/caravan hereby permitted shall not be used for human habitation other than for a period of five months in any year during the apple/pear harvest (1st July – 30th November) and thereafter, only four of the caravans/mobile homes hereby permitted shall be used for human habitation, except that between the 31st

December in any year and the 1st March in the following year when none of the caravans/mobile homes shall be used for human habitation.

Reason: As the site lies outside any area in which permanent residential use of the caravans/mobile homes would be permitted and in the interests of preserving the character of the rural area.

- (12) Should any or all of the caravans/mobile homes become redundant and unused for the purposes of seasonal workers accommodation in association with agriculture as defined in Section 336(i) of the Town and Country Planning Act 1990 for a period of 2 consecutive calendar years or if at any time they are no longer required for accommodating seasonal workers, they shall be removed from the site and the land shall be restored to its previous condition - the hardstanding removed and the ground restored to its natural state and the 2 and 3 metre high fences surrounding the caravans/mobile homes removed from the site within 3 months of the cessation of the use or within 3 months of the date on which the 2 consecutive calendar years referred to above expires.

Reason: In the interests of protecting the character and appearance of the countryside.

- (13) At no time shall there be any more than 16 caravans/mobile homes stationed or stored on the land within the application site and these caravans shall be positioned in the area for the siting of the caravans/mobile homes as indicated on the submitted plans 2554/P/10 A.

Reason: In the interests of protecting the character and appearance of the countryside.

- (14) The caravans shall be dark green in colour as set out in the submitted Landscape and Visual Assessment.

Reason: In the interests of visual amenities.

- (15) Notwithstanding the plans submitted, the drop-off/pick-up point for the seasonal workers shall be located adjacent to the existing caravans located to the rear of the Howt Green site as shown on drawing number 2554/P/10A.

Reason: In the interests of residential amenities.

- (16) No floodlighting, security lighting or other external lighting shall be installed or operated at the site, other than in accordance with details that have first been submitted to and agreed in writing by the Local Planning Authority. These details shall include:

- A statement of why lighting is required, the proposed frequency of the use and the hours of illumination.
- A site plan showing the area to be lit relative to the surrounding area, indicating parking or access arrangements where appropriate, and highlighting any significant existing or proposed landscape or boundary features.
- Details of the number, location and height of the lighting columns or other fixtures.
- The type, number, mounting height and alignment of the luminaries.

- The beam angles and upwards waste light ratio for each light.
- An isolux diagram showing the predicted illuminance levels at critical locations on the boundary of the site and where the site abuts residential properties.

Reason: In the interests of visual amenity and the residential amenities of occupiers of nearby dwellings.

- (17) Details in the form of cross-sectional drawings through the site, of the existing and proposed site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences and the development shall be completed strictly in accordance with the approved levels.

Reason: In order to secure a satisfactory form of development having regard to the need to screen the caravans from Sheppey Way.

Council's approach to this application

The Council recognises the advice in paragraphs 186 and 187 of the National Planning Policy Framework (NPPF) and seeks to work with applicants in a positive and proactive manner by offering a pre-application advice service; having a duty planner service; and seeking to find solutions to any obstacles to approval of applications having due regard to the responses to consultation, where it can reasonably be expected that amendments to an application will result in an approval without resulting in a significant change to the nature of the application and the application can then be amended and determined in accordance with statutory timescales.

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

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