

2.8 REFERENCE NO - 16/501300/FULL		
APPLICATION PROPOSAL Erection of a controlled atmosphere fruit store.		
ADDRESS Top Store Norham Farm Selling Road Selling Kent ME13 9RL		
RECOMMENDATION Grant subject to conditions and to the views of KCC Public Rights of Way Officer, and the Environmental Protection Team Leader		
SUMMARY OF REASONS FOR RECOMMENDATION Proposal is in accordance with relevant planning policy		
REASON FOR REFERRAL TO COMMITTEE Parish Council Objection		
WARD Boughton & Courtenay	PARISH/TOWN COUNCIL Selling	APPLICANT Gaskains Ltd AGENT Rural Partners Ltd
DECISION DUE DATE 18/05/16	PUBLICITY EXPIRY DATE 08/04/16	OFFICER SITE VISIT DATE Two separate site visits
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites): None		

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The site is on Norham Farm, a large fruit producing farm in Selling. It is located within the countryside, just off Selling Road and between Selling and Neames Forstal. and within the Kent Downs Area of Outstanding Natural Beauty (AONB). The Swale Landscape Character and Biodiversity Appraisal places the site within the Selling Fruit Belt.
- 1.02 The farm is well-established and run by a well-known local farming concern, who farm some 365 hectares (or 900 acres) in east Kent.
- 1.03 The scale of the farm is quite large, with a number of large fruit orchards and the associated buildings and infrastructure necessary for a large fruit farm. The site at present boasts two smaller buildings, one of which is the existing chiller building; both appear to be in a state of poor repair and are situated to the west of the proposed building. The area to the west and the south is obscured by lines of existing trees.
- 1.04 There is a public right of way leading across the farm to the south of the proposed building from east to west and further west outside the boundaries of the farm.
- 1.05 The entire site is fairly flat, and mainly given over to fruit trees, with commensurate agricultural structures. Two fairly sizeable storage buildings are situated adjacent to the site of the proposed building; both are in a state of slight disrepair.

2.0 PROPOSAL

- 2.01 The proposal is for a large agricultural cold store to service the farm. It would take the form of a typical modern agricultural building, but with 1m metre roof overhangs to soften the lines and produce shadowing.

- 2.02 The proposed cold store would have a footprint of 3,100 square metres, with dimensions of 31m depth by 100m width by 11m height. The application site measures 0.5 hectares.
- 2.03 The submitted drawings show an apron of hardstanding to the east of the building, and the building would store 11. 872 fruit bins.
- 2.04 The proposal, which would remove the farms dependence on fruit storage elsewhere in Kent, is accompanied by a planning statement, which gives the background to the proposal, the need for the building, traffic issues, etc.
- 2.05 A further statement was later produced in answer to some comments from the Parish Council. This matter will be discussed later in this report.

3.0 SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Approximate Ridge Height (m)	N/A	11m	+11m
Approximate Eaves Height (m)	N/A	8.25m	+8.25m
Approximate Depth (m)	N/A	31m	+31m
Approximate Width (m)	N/A	100m	+100m

4.0 PLANNING CONSTRAINTS

Area of Outstanding Natural Beauty KENT DOWNS

5.0 POLICY AND OTHER CONSIDERATIONS

- 5.01 Swale Borough Local Plan 2008: Saved policies E1 (Development Criteria), E6 (Countryside), E9 (Landscape issues, including AONB), E19 (Design), B1 (Supporting business and employment) and RC1 (Rural Economy).
- 5.02 Bearing Fruits 2031 – The Swale Borough Local Plan Proposed Main Modifications 2016 - Policy DM24 – Conserving and Enhancing Valued Landscapes.
- 5.03 National Planning Policy Framework (NPPF) Relevant sections include Paragraphs 56 and 64 (design), and Paragraphs 115 and 116 (with regard to the AONB).

6.0 LOCAL REPRESENTATIONS

- 6.01 Selling Parish Council raises objection to the proposal. As their concerns are given in depth, I reproduce them here:

'It is important to stress that whilst there are a considerable number of concerns relating to this application, the Parish Council consider that we have to find a way to manage the proposal as we clearly do not wish to impede Gaskains future business plans. However, it needs to be said that there was deep concern over the Design and Access Statement, which members believe to be severely inadequate and evades the real issues. The main concerns in the following, are matters that the Parish Council consider have not been fully addressed in the statement but simply skipped over or ignored altogether.'

At the commencement, the meeting was open to the public to air their views on the application. Matters raised were traffic problems, and reference to the hazard posed by the high numbers and speeds of vehicles using the narrow lanes at all times. Concern was expressed on the effect on Stanley Cottages and those dwellings further afield by the noise of lorries, truck movements, generators, etc. The store being in an Area of Outstanding Natural Beauty which the Planning Policy Framework states that AONB's are areas which require high protection and a proven need.

It was considered that the Design and Access Statement failed to deal with some very obvious concerns that would be raised, which included the close proximity to a number of residential properties shielded only by a hedge and tree, it does not cover issues such as noise, smell, light pollution etc, the lack of adequate visual and sound screening on site and the possible use of the access road running past Stanley Cottages.

Whilst the D & A Statement makes great play of the number of local workers it gives no information on the hours and days of working in/around the building, no details are given about hard standing or turning areas for large vehicles, no information about adequate sightlines entering/exiting the farm track from/to Selling Road.

Whilst there are details of the size of the building and refers to cladding and the preferred roof colour, there is little information on the actual building design, materials, wall colour and other issues that could be detrimental to an AONB, and no details on whether the present soakaway is adequate to cope with such a vast building with an extensive roof area.

Naturally there are major concerns regarding traffic movements, bearing in mind that over the years Selling has had to tolerate numerous HGV vehicles using the narrow country lanes travelling to Norham Farm and the damage they cause to the road surface, verges, trees and the hazard and danger they pose to other road users due to their size and weight, and whilst the D & A Statement refers to the transportation of fruit on site to Top Store by tractor /trailers and that HGV's will not be required in moving fruit to offsite storage locations, thereby implying that this will alleviate traffic movements through the village, it makes no mention that the fruit at some time will have to be transported to retailers, depots and Europe, which possibly involves HGV's of greater weight due to the heavier load they will be carrying and will more than likely be travelling through the village by using the Selling Road in both directions, either by passing through the Station Area or the central part of the village and Hogbens Hill as these are the sat nav routes from the M2 and M20.

Due to the number of tractors and trailers criss-crossing the roads from one field to another and the number of HGV movements using the public highway there needs to be a careful assessment by Kent Highways and Kent Police. It is considered that this has not been covered sufficiently in the Design and Access Statement and that a full Transport Statement should be provided.

Other issues that members feel need to be brought to the Planning Authority's attention are that many responses to our questionnaire on our proposed Parish Plan, highlight major traffic issues through the village resulting in poor road conditions, the busy road use particularly during school term time, the need for a proper traffic assessment, the national speed limit of 60mph through the built up Selling Station area through to Norham, railway bus replacement restricted to size and route and due to the lack of pavements that the PROW should be properly maintained.

We trust the above will be taken in to consideration.'

6.02 In answer to these points, the agent has provided the following additional statement:

'According to DEFRA figures Britain's self sufficiency in indigenous food has fallen 9 per cent to 74 per cent in recent years (in 1980 there were 1,500 registered apple growers compared with 400 today). Currently a major source of imported fruit is New Zealand and research led by New Zealand apple growers showed 1 kg of Braeburn or Royal Gala apples would produce more than 900g of carbon dioxide - significantly more than apples produced in the UK as more than half the carbon footprint comes from the shipping, with the progress of the apples through the orchard, packhouse and port contributing around 20 per cent. The study concluded similar figures would apply to apples shipped from China and the US. Currently only 30 per cent of apples eaten in Britain are home grown. As Gaskains Ltd's re-planted orchards come into full production the increase in the volume of fruit they produce, will help to reduce the UK's dependence on imported fruit.

To maximise the economic returns from the fruit it is important to ensure that it can be stored and marketed throughout the year as market conditions require. In recent years Gaskains Ltd has been replanting its orchards with high density, high yielding apple varieties, and as the following table shows the yield in bins of fruit produced is scheduled to increase from 11,773 bins in 2012 to 18,430 bins in 2017. The speed of this increase reflects the planting programme and the old age (and consequently poor yield) of the orchards that are being replaced.

The Parish Council concerns over traffic seem to fail to take into account that it is the fruit being grown at Norham Farm that is creating the traffic on the roads. The current level of traffic may increase in the future but this will be as a result of improved crop varieties and husbandry practices. It is the increased production at Norham Farm that is driving the need for a new Store, not the new Store driving the need for an increase in production. The bulk of the existing storage capacity is at Top Store, and it is for this reason that this site is also used as the clearing point for fruit grown at Norham Farm that can not currently be stored on the farm due to a lack of storage capacity.

It is imperative that this fruit is transported away from the farm to cold stores elsewhere in the south East as soon as it is picked resulting in the current pressure from HGV's on the local road network which have to keep pace with the rate of picking, which during the season is typically 600 bins per day, but can reach 1,000 during the peak of the season. This proposal will eliminate the need for the fruit to be transported off farm during the picking season for storage elsewhere and will therefore reduce the pressure on the local roads at this busy time.

As previously stated the bulk of the fruit grown at Norham Farm is stored or cleared through the site at Top Store, the proposal therefore will not result in an increase in movement at Top Store, in fact it will reduce the pressure as the bins will go straight into store without the need for double handling outside, and as most of the movement will take place to the North and East of the new building, the building will assist in shielding Stanley Cottages from the activities in the yard. The new building has been designed so that the Fruit Stores open onto a central passage way within the building so that most of the traffic moving bins will be within the building which will further help to reduce any impact from vehilce movements on Stanley Cottages.

With regards to the impact on other dwellings, again this proposal will reduced the existing impact as the overall level of traffic during the picking season will

be reduced as it will no longer be necessary to move the fruit off farm for storage during harvesting.

This proposal is for Fruit Store for which the need has been accepted by the Councils Agricultural advisor, by necessity it is a large building. It is proposed to oversail the roofs by 1m which will reduce the apparent scale of the building by casting shadow lines and providing a distinct cap to the building, locating it firmly to the ground.

Modern agricultural buildings, particularly those associated with modern fruit farming operations are often large due to the scale at which modern agriculture operates, but then so too is the landscape in which these operations take part and therefore their size is not necessarily an overriding issue.

By sensitive selection of materials, attention to detail, appropriate setting and landscaping new buildings can be absorbed sympathetically into the landscape, and it is believed that the proposed siting and design will accomplish this. The building will be well screened in the immediate vicinity by the orchards to the North and existing wood immediately to the south and west, and it is proposed to reinforce the existing roadside hedge to the south with additional tree planting.

In the wider landscape views of the site from the South and West will be restricted by existing woodland and the rising ground of Perry Wood. From the North and East the land is relatively flat for approximately 1km before falling away to the North and rising to the East to Joan Beech Wood.

The proposal is for a new fruit store adjacent to existing fruit store and the agricultural need has been accepted, and fruit farming is a vital part of the landscape of the Garden of England. This proposal will in fact help to reduce the existing pressure on local roads and will reduce any existing impact of the farming operations on Stanley Cottage. In addition this proposal will reduce will overall reduce traffic on the Kent Highway Network.'

6.03 One email and one letter of objection have been received from local residents. The contents are summarised as follows:

- The surface of Selling Road is unable to cope with HGVs
- Past traffic using Norham Farm has damaged the road and banks
- Traffic jams when two HGVs meet
- Cyclists, walkers and horse riders vulnerable
- Other road in to the south would be far more suitable
- Close proximity to Stanley Cottages, (*which are situated approximately 120 metres to the west of the proposed site*) with commensurate noise, smell, etc.
- Issues concerning access road running past Stanley Cottages
- No details of operational hours given within application
- No details of deliveries given within application
- Concerns over the adequacy of surrounding roads and their use by HGVs
- Will present soakaway be adequate for such a large building?
- Effect on the AONB; re – materials used for the building
- 'Local staff' – how local is local?
- Details accompanying the application are not full enough

6.04 One email of support has been received from a resident of Faversham. The contents are summarised as follows:

- Support the proposal, but entrance past Stanley Cottages is not ideal
- However, applicant does not own land to the south where an alternative entrance has been suggested.

7.0 CONSULTATIONS

7.01 Natural England raises no objection.

7.02 Kent Police raises no objection.

7.03 Kent Highways and Transportation raises no objection, commenting that: *'I have no objections in principle to the application which is likely to result in a reduction in traffic movements from the site particularly by large and slow moving vehicles. I would be pleased if you would condition the need to submit a construction management plan to be agreed by the LPA prior to commencement of works on site.'*

7.04 The Council's Rural Planning Consultant raises no objection to the proposal, noting that: *'The application submissions explain that the proposal relates to a well-established family farming business that currently includes some 750 acres (300 ha) of apples and pears. I gather most of this fruit has been replanted over the last 5 years, resulting in increasing yields, rising now to some 18,000 bins (6,000 tonnes) a year.*

The farm's own apple/pear storage facilities are limited to about 6700 bins, so the majority of fruit now has to be sent away at harvest time for storage elsewhere, before being packed (the packing takes place at Prime Produce, Marden). The proposed building, which would be located next to the main existing store, would essentially make up this shortfall, and allow most, if not all, of the farm's own fruit to be stored on the farm at harvest, prior to transportation in stages, according to the fruit's storable time period, as and when it is to be packed and sold.

Given that it is only to be used for the farm's own fruit (which no doubt could be a condition of any planning consent) the fruit storage building would not increase overall fruit traffic volume relating to Norham Farm.

Having access to modern, and convenient, storage facilities is a critical part of successful top fruit farming, and therefore I consider the proposal to be necessary to the efficient continued operation of this farm business.'

7.05 The Kent Downs AONB Unit has commented on the application. Their remarks are as follows:

'The proposed new fruit store is substantially larger than the existing fruit store it would be sited adjacent to and would require the removal of an existing shelter belt that runs north – south through the site. Nevertheless the independent conclusion by Rural Planning Ltd that the building is necessary for the efficient continued operation of the farm business is noted and should Swale Borough Council be minded to approve the application, it is considered imperative that appropriate mitigation is incorporated, in accordance with policy DM24 of Swale's emerging Local Plan which requires development to conserve and enhance the special qualities and distinctive character of the AONB and policies SD2 and SD8 from the Kent Downs Management Plan which state:

SD2 The local character, qualities and distinctiveness of the Kent Downs AONB will be conserved and enhanced in the design, scale, setting and materials of new development, redevelopment and infrastructure and will be pursued through the application of 2/3 appropriate design guidance and position statements which are adopted as components of the AONB management Plan.

SD8 Proposals which negatively impact on the distinctive landform, landscape character, special characteristics and qualities, the setting and views to and from the AONB will be opposed unless they can be satisfactorily mitigated.

While the site is relatively well screened from local views, the new building would be nevertheless be highly visible from the Public Right of Way to the immediate south of the site and is also likely to be visible in longer distance views from the south east. In these longer distance views, the new building would be seen within the context of the woodland to the rear (west of the site) and in order to minimise the impact of this substantial new building in the landscape it is considered imperative that the roof is coloured a dark colour.

The proposal to supplement planting along the hedgerow adjacent to the road to the south-west of the site is welcomed, however it is also considered important that hedgerow screening to the south of the building is also provided to screen the building, as far as possible, from users of the PRow to the south.

It is also considered important to ensure that any planning permission issued is conditioned to ensure that the new store is only used to store fruit from Norham Farm, so as not to result in any increase in vehicles on the surrounding rural road network.'

- 7.06 I await the comments from the KCC Public Rights of Way Officer, and the Environmental Protection Team Leader, which I will report at the meeting of the Committee.

8.0 APPRAISAL

- 8.01 Firstly, it must be noted that the proposal is in accordance with both national and local planning policy, and is therefore in principle acceptable. It should also be noted that the Council's Rural Planning Consultant, having studied the supporting documentation, considers the proposed building to be necessary for the continued operation of the existing farm.
- 8.02 Therefore, the main issues to consider in this case appear to be the position of the site within the Kent Downs AONB (and therefore the possible implications for this designated landscape), and traffic issues.
- 8.03 As noted above, the site falls into the Selling Fruit Belt as defined by the Swale Landscape and Biodiversity Appraisal. This defines the condition of the landscape as being 'good', and the sensitivity of the landscape being 'moderate', leading to a need to 'conserve and reinforce' the character of the landscape and states that 'The general picture of the area is traditional Kentish countryside, with a rolling landscape enclosed by an abundance of orchards and the associated shelterbelts and scattered traditional buildings.' It also notes that the area has a 'secluded landscape with a strong sense of enclosure'; this view is reinforced by the fact that the site of the proposed building cannot really be seen from outside the confines of the farm itself, being surrounded by trees and other natural screening. As such, I am not convinced that the proposed building, though undoubtedly large, will have a detrimental impact on the AONB. However, I note the comments received from the Kent Downs AONB Unit, and have included a condition requiring screen planting to the south and south west of the proposed cold store.

- 8.04 My Officers have extensively walked the site, particularly along the route of the public right of way, and are of the opinion that, although the building would be large, as it is so well-screened from outside the site, it would not be detrimental to the character and appearance of the AONB. Indeed, the design includes roof overhangs of one metre, which creates shadowing and a lessening of visual massing; this method has been used on a number of similar buildings approved within the Borough, and has been broadly successful.
- 8.05 In light of the above, and after careful consideration of this important issue, I conclude that this is an acceptable development to be located in the AONB and that the landscape and scenic beauty would be safeguarded.
- 8.06 The nearest dwellings (Stanley Cottages) are approximately 120 metres away from the closest part of the proposed building, but I have thought it prudent to include conditions 3, 4, 5, 6, 7, 10, 11 and 12, all of which are designed to protect the residential amenity of local inhabitants.
- 8.07 Contrary to the concerns of the local resident who has objected, and the Parish Council, Kent Highways and Transportation are of the opinion that the proposal would result in a reduction of vehicle movements to and from the site. This view is echoed by the additional statement submitted by the agent, and from the evidence before Officers, that does indeed appear to be the case. As such, if the proposal would reduce vehicle movements to the site, this appears to be a reason to support the application. Whilst I understand the concerns raised with regard to traffic, it does appear that the proposal, if approved, would actually reduce traffic movements.
- 8.08 I note the Kent Downs AONB Unit's request that the use of the fruit store should be restricted to only fruit grown on Norham Farm; it is this council's usual practice to restrict the storage use to fruit only grown in Kent, which has been included within the Conditions included below.

9.0 CONCLUSION

- 9.01 In view of the above, I therefore recommend that the application be approved, subject to strict accordance with the conditions attached below.

10.0 RECOMMENDATION – GRANT Subject to the following conditions:

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) Prior to the commencement of development, details in the form of samples of external finishing materials to be used in the construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity.

- (3) Prior to the commencement of development, details of any chilling equipment that is to be installed shall be submitted to and approved in writing by the Local Planning

Authority and upon approval shall be installed, maintained and operated in a manner that prevents the transmission of noise and vibration to neighbouring premises.

Reason: In the interests of residential amenity.

- (4) No development shall take place until a programme for the suppression of dust during the demolition of existing buildings and construction of the development has been submitted to and approved by the Local Planning Authority. The measures shall be employed throughout the period of demolition and construction unless any variation has been approved by the Local Planning Authority

Reason: In the interests of residential amenity.

- (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) No impact pile driving in connection with the construction of the development shall take place on the site on any Saturday, Sunday or Bank Holiday, nor any other day except between the following times:-

Monday to Friday 0900-1700hours unless in association with an emergency or with the written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- (7) No burning of waste or refuse shall take place on site during construction works other than may be agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity.

- (8) No development shall take place until full details of the method of disposal of foul and surface waters have been 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 of water supplies.

- (9) No development shall take place until details of external finishes and colours have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of preserving or enhancing the character and appearance of the surrounding area.

- (10) Notwithstanding the details submitted, no development shall take place until a landscaping plan showing lines of proposed tree screening (and giving full details of proposed planting, which shall consist of species chosen to enhance biodiversity) to the south and the southwest of the site shall have been submitted to and approved in

writing by the Local Planning Authority. The development shall then be carried out in complete accordance with these approved details.

Reason: In the interest of preserving or enhancing the character and appearance of the surrounding area.

- (11) Upon completion of the approved landscaping scheme, any trees or shrubs that are 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, and within whatever planting season is agreed.

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

- (12) Deliveries to and from the premises hereby permitted shall be restricted to the hours of 7 am to 7 pm on weekdays, 7 am to 12 noon on Saturdays, and shall not take place at any time on Sundays or Bank Holidays.

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

- (13) 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.

- (14) The building hereby permitted shall only be used for the chilling and storage of fruit grown in the County of Kent.

Reason: To ensure that only locally produced fruit is stored on site, and that traffic levels are kept to a minimum.

Council's approach to the application

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre- application advice

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this case, the application was acceptable as submitted.

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.