

Permanent Retention and Installation of Wine Tanks at Brookers Farm, Luddesdown

Planning Statement

TS/AN/36369

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1 INTRODUCTION

1.1 PURPOSE OF THIS DOCUMENT

- 1.1.1 This statement has been prepared in support of a full planning application submitted on behalf of Vineyard Farms Ltd to Gravesham Borough Council (GBC) for the:

"Proposed permanent retention/installation of 57 wine tanks and grape presses at Brookers Farm, Luddesdown"

- 1.1.2 This statement provides an overview of the site, the proposed development and the relevant planning history; and a review of all applicable development plan policies as well as the National Planning Policy Framework (NPPF) and other relevant guidance.

1.2 APPLICANT

- 1.2.1 MDCV is the parent company of Vineyard Farms Ltd, based in Luddesdown, Kent. Vineyard Farms Ltd own a vineyard extending between Luddesdown and Upper Bush. Their wine making facility and shop is located at Brookers Farm, Luddesdown.
- 1.2.2 Vineyard Farms Ltd 1,200-acre farm is a family-owned operation. They have a growth plan to invest up to £60m in infrastructure and vineyards, creating over 150 permanent new jobs for local people. Their UK estate is the largest single organic vineyard in the UK with 800 acres under vine, with a plan to grow to over 1,000 by 2027. The remainder of the estate comprises woodland and meadows and is managed under the Higher Tier Stewardship Scheme.
- 1.2.3 Vineyard Farms Ltd currently employs over 120 permanent employees based in Luddesdown and Upper Bush. Throughout the year, this number increases with the arrival of seasonal workers required during crucial periods such as harvest or to carry out maintenance tasks such as trellising.
- 1.2.4 Vineyard Farms Ltd have achieved Approved Body Status under S35 1 (c) of the Wildlife and Countryside Act on 11 December 2024. This recognises that Vineyard Farms Ltd meets Natural England's high standards of nature conservation and expertise, highlighting the Silverhand Estate contribution to the establishment of the new North Kent Woods and Downs National Nature Reserve by Natural England. This newly emerging National Nature Reserve could be designated as early as February 2025).

1.3 APPLICATION DOCUMENTS

- 1.3.1 This statement summarises and appraises the proposed development in the context of the relevant planning policy requirements. It should be read together with the following plans and documents:

REFERENCE	DOCUMENT/DRAWING	AUTHOR
	Application form	
DHA_36436_01	Site Location Plan	DHA
DHA_36436_02	Existing Site Layout Plan	DHA
DHA_36436_03	Existing Elevations (Rear & Side)	DHA
DHA_36436_04	Existing Elevations (Front & Side)	DHA
DHA_36436_05	Proposed Site Layout Plan	DHA
DHA_36436_06	Proposed Elevations (Rear & Side)	DHA
DHA_36436_07	Proposed Elevations (Front & Side)	DHA

TABLE 1-1: SUBMITTED DRAWINGS AND DOCUMENTS

2 APPLICATION SITE

2.1 THE SITE

- 2.1.1 The site is located at Brookers Farm in the hamlet of Luddesdown in the Kent Downs National Landscape (formerly AONB) and the Green Belt in between Cuxton, Meopham and Cobham.
- 2.1.2 The site comprises an area of hardstanding located immediately adjacent to the eastern and southern elevations of an agricultural building.



FIGURE 2-1: SITE LOCATION PLAN (RED LINE INDICATIVE)



FIGURE 2-2: VIEW OF THE SITE AS EXISTING FROM CUTTERS RIDGE ROAD

2.2 PLANNING HISTORY

2.2.1 GBC's online planning register records the following planning history for the site:

APPLICATION REF	DESCRIPTION	DECISION	DATE
20240021	Prior notification under Class B of Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the addition of 9 additional fermentation tanks to existing 41 already in place.	Prior Approval Not Required	09 Feb 2024
20231145	Prior notification under Part 3 Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the installation of 9 additional Wine Fermentation and Storage Tanks.	Refused	03 Jan 2024

20230454	Application for retrospective temporary consent for the erection of 41 wine fermentation and storage tanks.	Granted Temporary Permission	22 Jun 2023
20210607	Retrospective application for erection of two storage/fermentation tanks.	Granted Temporary Permission	23 Jul 2021

TABLE 2-1: PLANNING HISTORY

- 2.2.2 A total of 41 wine tanks is currently on site at Brookers Farm granted via temporary (3 year) planning permission in June 2023. Temporary consent was sought on the basis of the Applicant's proposals for a new winery in Upper Bush in the Medway Council District. This application has since been dismissed at Appeal and the Applicant is therefore required to permanently keep the tanks on site.
- 2.2.3 It is noted that the Officers Report in respect of this application states:
- "The storage tanks have no significant impact on the openness of the Green Belt, AONB or surrounding landscape character, neighbouring amenities, parking or highway safety and therefore accord with the above-mentioned policies and are recommended for approval".*
- 2.2.4 In addition to the 41 tanks identified above, the Applicant also has permission for the temporary installation of two further wine tanks and permanent permission for 9 wine tanks via permitted development.

3 PROPOSED DEVELOPMENT

3.1 OVERVIEW

- 3.1.1 Vineyard Farms Ltd is applying for full planning permission to permanently located 57 wine storage/fermentation tanks and grape presses adjacent to its wine making facility at Brookers Farm, Luddesdown.
- 3.1.2 Whilst 9 tanks can already be located permanently on site under Permitted Development and some of the additional tanks applied for as part of this application could also be secured under Permitted Development, for simplicity and for the avoidance of doubt, full planning permission is being secured for all tanks required.
- 3.1.3 There are 4 different types of tanks, and plans are provided of each individual tank type split by their volume (ranging from between 71 Hectolitres to 588 Hectolitres) as follows:
- 6 x 71 HL
 - 14 x 126HL
 - 20 x 249HL
 - 11 x 250HL
 - 4 x 256HL
 - 2 x 588HL
- 3.1.4 The tanks are used to ferment and store the wine before being bottled. All wine fermented/stored in the tanks comes from Vineyard Farms Ltd Luddesdown Estate and a single agricultural unit for planning purposes.
- 3.1.5 The wine tanks, both existing and proposed, are/will be located behind the eastern and southern elevations behind their existing wine making facility at Brookers Farm. The location of the tanks sits between the building and an engineered escarpment cut into the hill side forming the boundary of the farmyard.
- 3.1.6 The installation and permanent retention of wine tanks would typically be permitted development under Class A part 6 of the GPDO, but because some of the tanks were installed prior to seeking to apply to the Council as whether their prior approval was required as to the 'siting, design and external appearance' of the tanks. On this basis full planning permission for the majority tanks is required.

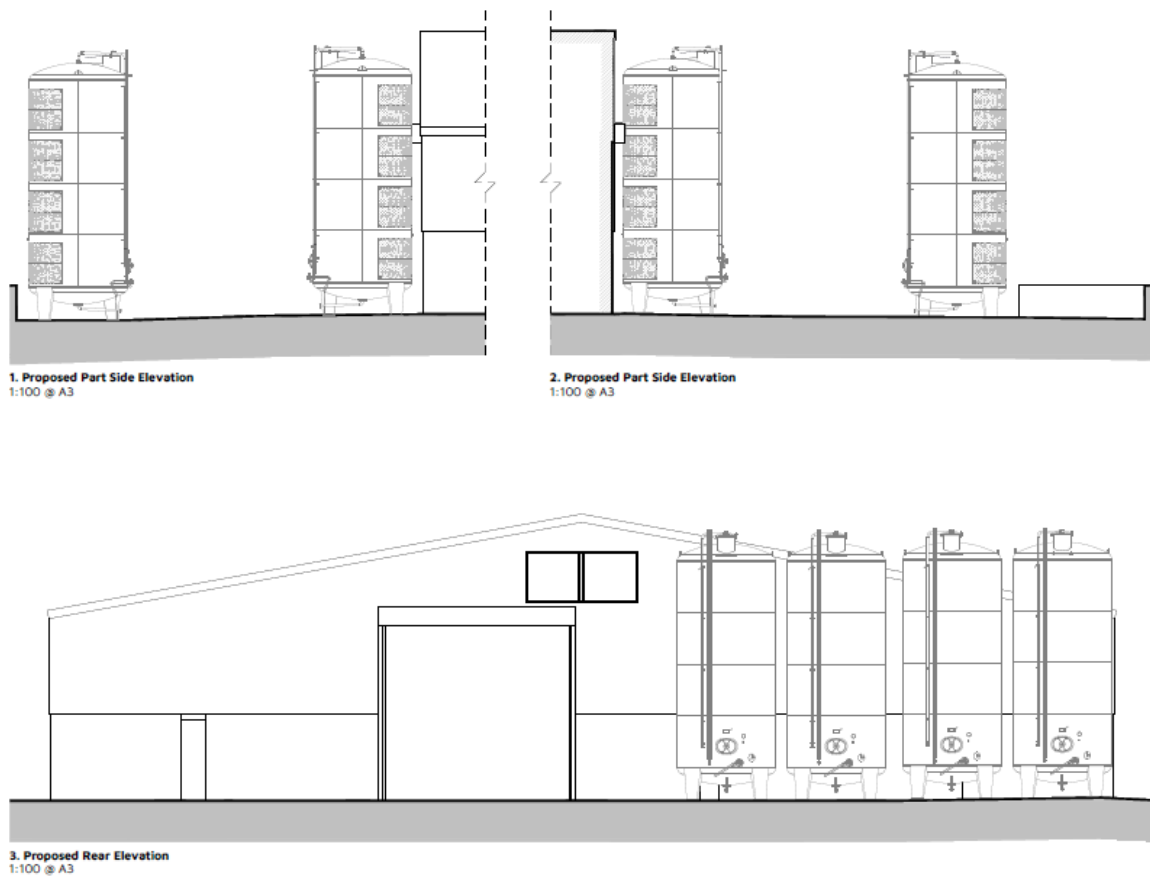


FIGURE 3-1: PROPOSED TANK ELEVATIONS (REAR AND SIDE)

PERMANENT RETENTION/INSTALLATION OF WINE TANKS AT BROOKERS FARM, LUDDSDOWN
PLANNING STATEMENT

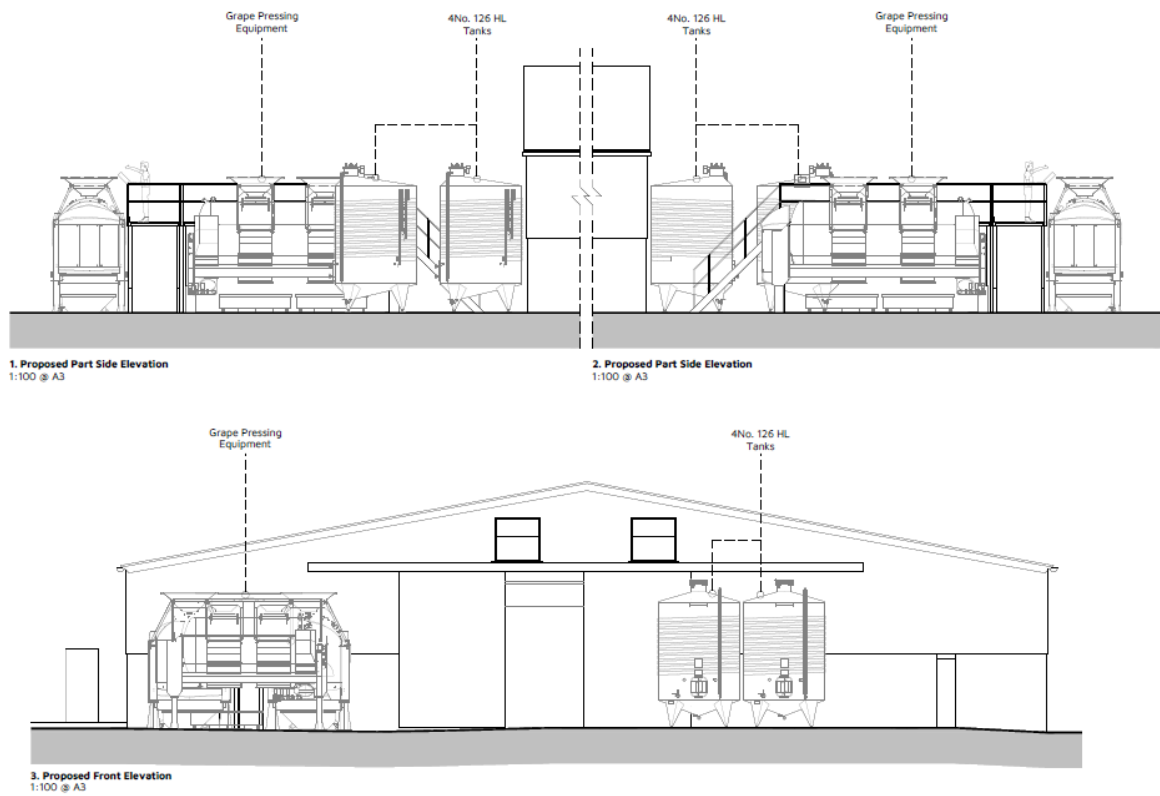


FIGURE 3-2: PROPOSED TANK ELEVATIONS (FRONT AND SIDE)

4 PLANNING POLICY FRAMEWORK

4.1 POLICY OVERVIEW

- 4.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the statutory development plan unless material considerations indicate otherwise.
- 4.1.2 For the purpose of this planning application the relevant development plan documents comprise the following:
- Gravesham Local Plan Core Strategy (2014)
- 4.1.3 The following Local and National Planning Policies are considered most relevant to the proposal:

4.2 GRAVESHAM LOCAL PLAN CORE STRATEGY (2014)

- 4.2.1 The following policies are deemed relevant for the application.
- **Policy CS01 – Sustainable development.** Planning applications that accord with the policies in the development plan for Gravesham will be approved without delay, unless material considerations indicate otherwise. When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework and in this Core Strategy. It will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
 - **Policy CS02 – Scale and distribution of development.** In the rural area, development will be supported within those rural settlements inset from the Green Belt and defined on the Policies Map. Development outside those settlements, including affordable housing and proposals to maintain and diversify the rural economy, will be supported where it is compatible with national policies for protecting the Green Belt and policies in this plan. The extent of the Green Belt is defined on the Policies Map.
 - **Policy CS07 – Economy, employment and skills.** The Council will support proposals that promote the appropriate expansion and diversification of the rural area economy.
 - **Policy CS09 – Culture and Tourism.** The Council will seek to maximise opportunities for expansion in culture and tourism activity derived from its rich

and diverse heritage and green infrastructure assets, its diversity as a multi-cultural community and from regeneration and growth in the area.

- **Policy CS12 – Green Infrastructure.** The overall landscape character and valued landscapes will be conserved, restored and enhanced. The greatest weight will be given to the conservation and enhancement of the landscape and natural beauty of the Kent Downs Area of Outstanding Natural Beauty and its setting. Proposals will take account of the Kent Downs Area of Outstanding Natural Beauty Management Plan, the Gravesham Landscape Character Assessment, and the Cluster Studies where relevant.
- **Policy CS19 – Development and Design Principles.** This requires new development to conserve and enhance the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anti-crime standards.

4.3 NATIONAL PLANNING POLICY FRAMEWORK (2024)

Supporting a prosperous rural economy

- 4.3.1 The NPPF objectives seek to support the development of rural business, paragraph 88 states that, planning policies and decisions should enable:
- (a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings;
 - (b) the development and diversification of agricultural and other land-based rural businesses;
 - (c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
 - (d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.
- 4.3.2 Paragraph 89 states that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport.

Proposals affecting the Green Belt

- 4.3.3 Paragraph 142 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 4.3.4 Paragraph 154(a) states that buildings for agriculture and forestry is not inappropriate development in the countryside.

Conserving and enhancing the natural environment

- 4.3.5 Paragraph 187 states that planning policies and decisions should contribute to and enhance the natural and local environment.
- 4.3.6 Paragraph 176 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes have the highest status of protection in relation to these issues.

4.4 ADDITIONAL MATERIAL CONSIDERATIONS

- 4.4.1 The following documents have been adopted by the Council as Supplementary Planning Guidance.
- Kent Downs Management Plan 2021-2026
 - Landscape Character Assessment

5 PLANNING APPRAISAL

5.1 OVERVIEW

- 5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.1.2 In determining whether the proposal accords with the development plan, the following issues are considered:
- Principle of the proposed development
 - Green Belt Assessment
 - Landscape impacts and The Kent Downs National Landscape

5.2 PRINCIPLE OF DEVELOPMENT

- 5.2.1 The proposed development constitutes wine storage/fermentation tanks located immediately next to Vineyard Farms Ltd other wine making facilities (grape press, bottling and labelling plant etc) which process grapes to make wine from the surrounding agricultural estate.
- 5.2.2 The wine tanks support and an existing and growing agricultural business.
- 5.2.3 Policy CS07 of the Core Strategy 2014 also supports proposals that promote the appropriate expansion and diversification of the rural area economy. Policy CS02 supports development outside rural settlements, including proposals to diversify and maintain the rural economy, where it is compatible with national policies for protecting the Green Belt.
- 5.2.4 Similarly the paragraph 88 of the NPPF provides strong support for the growth and expansion of agricultural and other rural businesses.
- 5.2.5 The principle of the proposed development is therefore considered to be supported by the Local Plan and the NPPF.

Green Belt Assessment

- 5.2.6 Paragraph 154(a) states that buildings for agriculture and forestry is not inappropriate development in the countryside. Planning weight to the Green Belt location of the proposed development does not therefore apply.

Landscape impacts and The Kent Downs National Landscape

- 5.2.7 The wine tanks, both existing and proposed, are/will be located behind the eastern and southern elevations behind their existing wine making facility at Brookers Farm. The location of the tanks sits between the building and an engineered escarpment cut into the hill side forming the boundary of the farmyard.
- 5.2.8 The tanks are not readily visible from Luddesdown Road to the west. The tanks are more visible from a short section of Cutter Ridge Road to the east, and so additional landscape planting has been introduced as part of this application
- 5.2.9 Whilst it is acknowledged that there are 12 additional tanks as part of the proposed application to the previous temporary application for 41 tanks (ref. 20230454), 9 additional tanks have also been previously approved by the Council by virtue of an application for prior approval in that regard (ref. 20240021).
- 5.2.10 It is noted also that the as part of the application for the 41 tanks the AONB Unit (now National Landscape Unit) stated:

"The AONB Unit does not raise any objection to a permanent permission..."

- 5.2.11 It also noted that the officers report for this consent also states:

"The site is also located within the Luddesdown Downs Landscape Character Area where the key characteristics are a very undulating topography with farmland used as arable and pasture. The guidelines to conserve, protect and maintain it character. The tanks are located close to the building between and a retaining wall. Whilst they are visible, they do not impact on the wider landscape as they are located within the existing farmyard in a relatively small area close to existing built form.

The development therefore accords with policies CS12 and CS19 of Gravesham Core Strategy (LPCS) 2014 which requires new development to be fit for purpose, will conserve and enhance the character of the local built, historic and natural environment and integrate well with the surrounding local area".

- 5.2.12 Given the above, we do not consider that this application includes any materially different elements that would justifiably alter the previous conclusions drawn.

Ecology

- 5.2.13 A Biodiversity Net Gain Statement, produced by JW Biodiversity concluded that the site benefits from a BNG exemption. Several development types are exempt from BNG. Development exempt from BNG is set out in the Biodiversity Gain Requirements (Exemptions) Regulations 2024. In this development case. Since there is no vegetation or other habitat within the application site, the de minimis exemption applies, and Biodiversity Gain does not need to be demonstrated.

6 PLANNING BALANCE AND CONCLUSION

- 6.1.1 Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission are required to be determined in accordance with the provisions of the development plan in force unless material considerations indicate otherwise.
- 6.1.2 This Planning Statement has demonstrated that the proposed development is supported in principle by both local and national planning policies, that it does not constitute inappropriate development in the Green Belt, and that it will not harm the special character of the Kent Downs National Landscape.
- 6.1.3 In accordance with the NPPF Local Planning Authorities should approve development proposals that accord with the development plan without delay and decision-makers at every level should seek to approve applications for sustainable development where possible.
- 6.1.4 For the reasons given above, we respectfully request that the Council give this planning application favourable consideration and grant planning permission for the proposed development, subject to appropriate conditions.