

PLANNING STATEMENT

Car park for the use of Vineyard Farms employees

Site: Field to the south Brookers Farmyard

Prepared by: DHA Planning Ltd & Vineyard Farms Ltd

Date: 31/10/2023

1.1 Introduction

- 1.1.1 This planning statement has been produced by DHA Planning and Vineyard Farms Ltd to support an application for the necessary engineering works to construct a formal car parking area for Vineyard Farms Ltd office, winery and vineyard workers, to support their work in growing grapes and producing and selling wine.
- 1.1.2 This application is a re-submission following application 20230181, for a similar proposal. This covering letter sets out the merits of the proposal, including the amendments that have been made in addition to providing additional context to the Council to understand why the proposal has been made.
- 1.1.3 While recognising the previous application, following a pre-application meeting with the Council it was explained by the Officer's M/s Faye Hobbs and M/s Katherine Parkin that the Council were not able to understand how the application (and the nearby compost/track application) fitted into the wider land holdings and the ongoing operations. This application seeks to address this and provide additional information in the form of further context on the application and the wider operations of the applicant. A formal pre-application response was issued on the 19th October 2023.
- 1.1.4 It remains the position of the applicant that the proposed car park and related operations are all strictly an agricultural use and therefore no change of use is required. Without prejudice to this position, Very Special Circumstances are put forward for the proposals in the form of:
- (1) The unique business requirements of Vineyard Farms Ltd and the subsequent operational/logistical requirements, including the current lack of central parking area and current issue of employees being forced to park on grass verges and along what are relatively narrow rural lanes;
 - (2) The fact that uncontrolled parking of agricultural workers can take place in the field, and has indeed been undertaken without landscaping or biodiversity benefits;
 - (3) The clear need to accommodate a large and growing estate workforce which will exceed 100 next year and in due course will be expected to be around 300;
 - (4) The viticulture use has and will continue to provide very important rural employment as well as a very significant economic contribution;
-

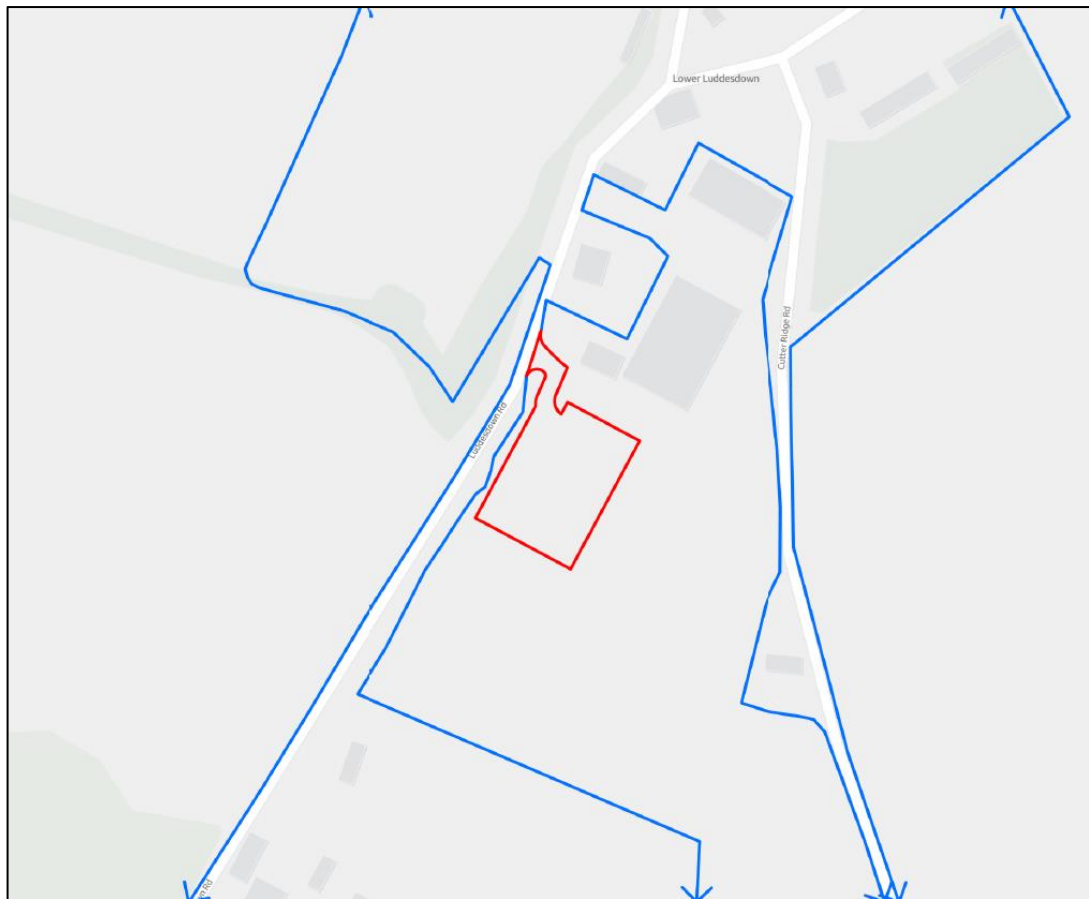
- (5) Reducing local resident/business conflict as a result of parking on verges and on the road, removing 'on highway' parking and random parking on verges and within the local fields;
- (6) Supporting a significant local employer, and supporting the continued growth of a local rural business which will provide an ongoing substantial tourism boost to the Gravesham economy;
- (7) Substantial ecological and landscaping enhancements, in the form of a zero carbon organic operation, new hedgerow planting and gapping up, native tree planting, bug hotels, bird and bat boxes and log piles.

1.2 Applicant introduction

- 1.2.1 Vineyard Farms Ltd are based in Luddesdown, Kent, and are the largest organic vineyard and the largest single vineyard site in the UK, with some 1600 acres of farmland of which some 600 acres is vineyards, the remainder woodland and pastureland. The 'estate' is referred to as the 'Silverhand Estate'.
- 1.2.2 Vineyard Farms vision is to become the UK's largest producer of English sparkling and still wines. In order to do this, they have invested very significant sums in infrastructure, vineyards and people. At the heart of their vision is operating in the right way, and this means that they farm organically, sustainably and create the right environment for their people and workforce. Their vision is to be a net zero farm. The vineyard and winery is already a very significant local employer and has and will continue to provide training to staff in respect of viticulture and -eco-friendly-farming.
- 1.2.3 The Applicant intends, as part of a 'Brexit good news story', to improve the English economy by creating jobs, providing investment and putting Kent on the map for the fast-growing industry of English wine.
- 1.2.4 MDCV UK (the applicant's parent company) has a vision to bring the finest English and Provincial wines to the UK market. MDCV has a long history of producing award-winning Provence Rosé and English Sparkling Wines, with an extensive infrastructure, both in France and the UK. They will be the largest producer of wine in each of these regions by 2027, with a combined production of over 10 million bottles annually.
- 1.2.5 MDCV's French estates span over 1000 acres and associated sales are already established in many global markets, with sales of over 6 million bottles. The Silverhand Estate is to be the largest single vineyard site in the UK, and the intention is to be in full production from 2024.

1.3 Application Site

- 1.3.1 The site is located within Luddesdown Village, to the south of Brookers Farmyard. The site does not have immediate residential neighbours.



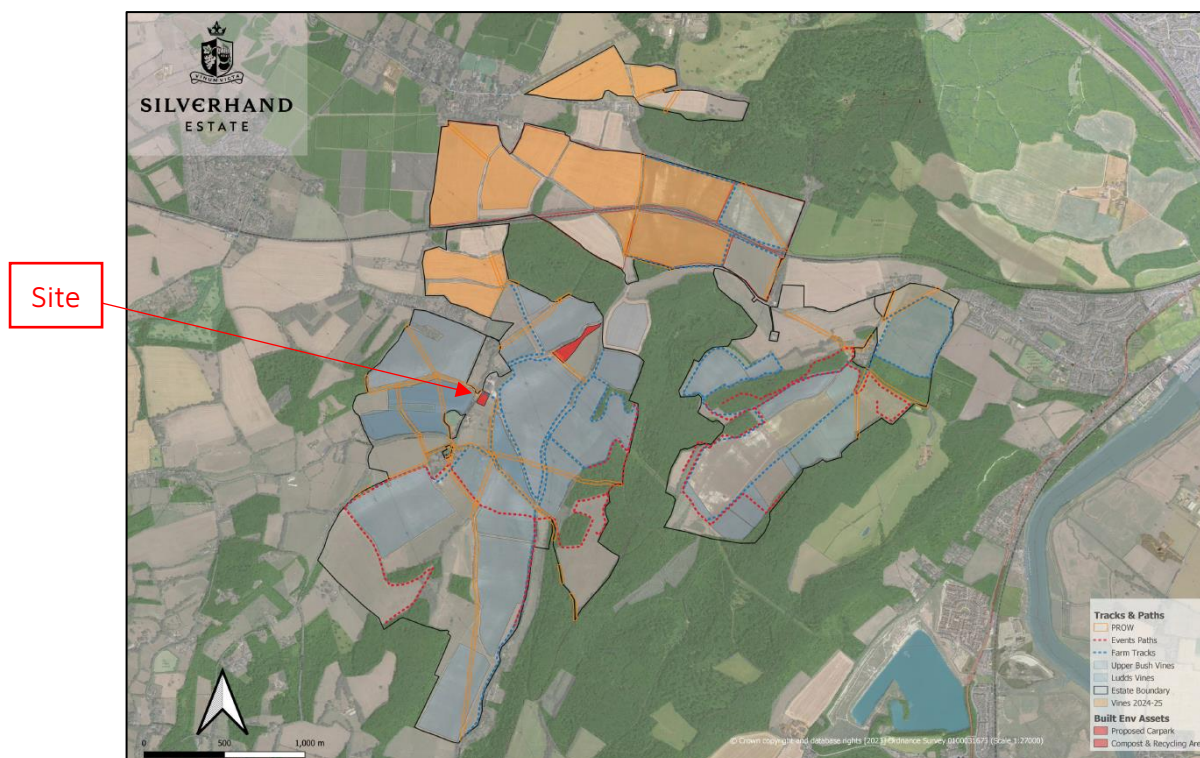
Site location plan

- 1.3.2 The site is currently used for sheep grazing (in addition to seasonal parking for farm workers). Given the nature of the site, there is low ecological potential for the site with limited contribution to biodiversity.
- 1.3.3 While the field will continue to be used for parking, whatever the outcome of this application, the applicant wishes to present a high quality, AONB/rural appropriate car park to relieve pressure on the local road network and to prevent the need for employees to park on the highway network, verges and randomly within fields.



Worker cars parked within a field (October 2023)

- 1.3.4 In the context of the wider land holdings of Vineyard Farms, the proposed car park is relatively centrally located and very well connected to the internal network of tracks. The car park is also located adjacent to the Brookers Farmyard which is effectively the operations hub for Vineyard Farms. It is in the intention in the near future to move their entire staff to be based from an office at this farmyard.



Site masterplan

- 1.3.5 The aim is to be able to provide adequate, well screened parking facilities so that staff can access the site and then be transported to the vineyards to undertake work, or undertake work at the winery at Brookers Farm.
- 1.3.6 There is a Grade II listed building 'Brookers Farm' located some distance to the north of the site, beyond the Brookers Farm buildings but a combination of distance and intervening buildings mean that the proposal will have no impact on the setting of that building.
- 1.3.7 The site is located within the Kent Downs AONB, and within the Green Belt.
- 1.3.8 The site is located within the West Kent Downs Landscape Character Area of the Kent Downs Landscape Character Assessment (LCA) Update 2020 and within the Luddesdown Sub Area.

1.4 Planning History

- 1.4.1 The sole planning history on the site relates to the previously refused application of a similar nature (20230181).

20230181	Engineering works to construct a formal car parking area for Vineyard Farms Ltd office, and winery and vineyard workers.	Refused (24/05/23)
-----------------	---	---------------------------

Planning history

1.5 Proposed Development

- 1.5.1 This proposal seeks to provide a car park ancillary to the viticultural activities of the applicant, Vineyard Farms Ltd. The car park will be used strictly for employees and customers of Vineyard Farms. The full context to the application and justification is provided in the next section.



Proposed layout

- 1.5.2 The car park is shown for 56 spaces, reduced from 60 from the previous proposal to increase landscaping and screening. This reduced number is expected to enable all staff and customers to be accommodated without the need for on highway parking. Increased landscaping has been introduced for the current proposal, in addition to considerable ecological enhancements.
- 1.5.3 The layout and design of the car park is based on the design used by the National Trust for their sites and the precise detail is the same as that used for Ightham Mote.
- 1.5.4 At the present time the Applicants are investigating lighting systems and will present further detail if lighting is to be installed. Any installations will be in accordance with ensuring the dark night skies and tranquillity of the AONB are maintained.
- 1.5.5 The main access way into the car park will be tarmac, but the large majority of the car park will be with a crushed stone material rolled in to ensure a rural appearance, with plastic insets to delineate parking spaces. It should be noted that the extent of tarmac has been substantially reduced.
- 1.5.6 Due to the slope of the car park onto Luddesdown Road, the underlying soil, and the volume of traffic expected, a bound surface is essential at the entrance point. The precise colour and detail of this could be subject of a condition. We do however note that the adjacent farmyard is a mixture of grey concrete and

tarmac, such that a grey finish could be preferable. Following careful consideration, the disabled spaces are to be relocated to the main Brookers farmyard. Two spaces will be created to the front of the existing office space. This assists in reducing the need for the use of a tarmac finish.

- 1.5.7 A total of 56 spaces are shown which will also include EV charging spaces, albeit those using wheelchairs will be directed to use the space available within Brookers Farm itself. It should be noted that in the relatively short term, the farm is expected to employ up to 300 FTE (full time equivalent) staff.

Biodiversity and landscaping measures

- 1.5.8 As part of any planning permission, the Council are invited to place a condition relating to securing biodiversity and landscaping enhancements.
- 1.5.9 It is noted that the KCC Biodiversity officer on the previous application was 'unclear whether biodiversity net gain is being achieved' despite the introduction of the hedgerow and planting within an amended layout.
- 1.5.10 As has already been highlighted, the site is currently used for sheep grazing (in addition to existing parking). Given the nature of the site, there is low ecological potential for the site with limited contribution to biodiversity.
- 1.5.11 The site should also not be seen in isolation, and works across the estate clearly represent an overall biodiversity net gain. The Estate have already planted several KM of hedgerows and have reinstated wildflower meadows and other ecology enhancement measures as part of its stewardship role.
- 1.5.12 Notwithstanding the above, a number of ecological enhancements are proposed. It should be noted that further amendments and enhancements to the scheme have been undertaken to address earlier concerns and to ensure the visual impact of the works is minimised. These are indicatively demonstrated on a landscaping plan, and can be secured by condition.
- 1.5.13 Proposed enhancements include:
- (1) Planting around the car park, including double staggered hedgerows and native tree planting. Noting comments from the Kent Downs AONB unit on the previous application, native tree planting is also located centrally within the car park to reduce visibility of hard surfacing when viewed from the higher topography of valley sides.
 - (2) Mature tree planting in the field to the west of the site, on the boundary with Luddesdown Road. This will contribute to breaking up views from PROW NS225.
 - (3) Hedgerow planting to the east of the site, adjacent to the PROW NS239.
 - (4) Bird and bat nesting boxes on existing trees on and adjacent to the site.
 - (5) Bug hotel and log piles to be set up in key locations around the car park.

- (6) Management of the existing hedgerows in a way that encourages more nesting birds and pollinators; cutting the field side in a three-year rotation (the roadside has to be cut annually for highway reasons).

1.5.14 All of these enhancements are within the ownership of the applicant and can be secured by condition.

1.6 Context to the application

1.6.1 The Silverhand Estate covers 632 hectares of land, of which 217 hectares is under vine and a further 161 hectares will be planted in the next two years making Vineyard Farms the largest organic wine producer in the country.

1.6.2 The rest of the estate is comprised of chalk downland habitats such as SSSI, broadleaved woodlands, grazing and species rich meadows and hedgerows to be managed from next year under the High Tier Stewardship Scheme which will last at least 10 years. A map has been submitted to show how this is spread across the estate.

1.6.3 The applicant's aim is to increase the vineyard's productivity by putting emphasis in nurturing and restoring soil health while maximising the benefits for biodiversity and minimising their carbon footprint.

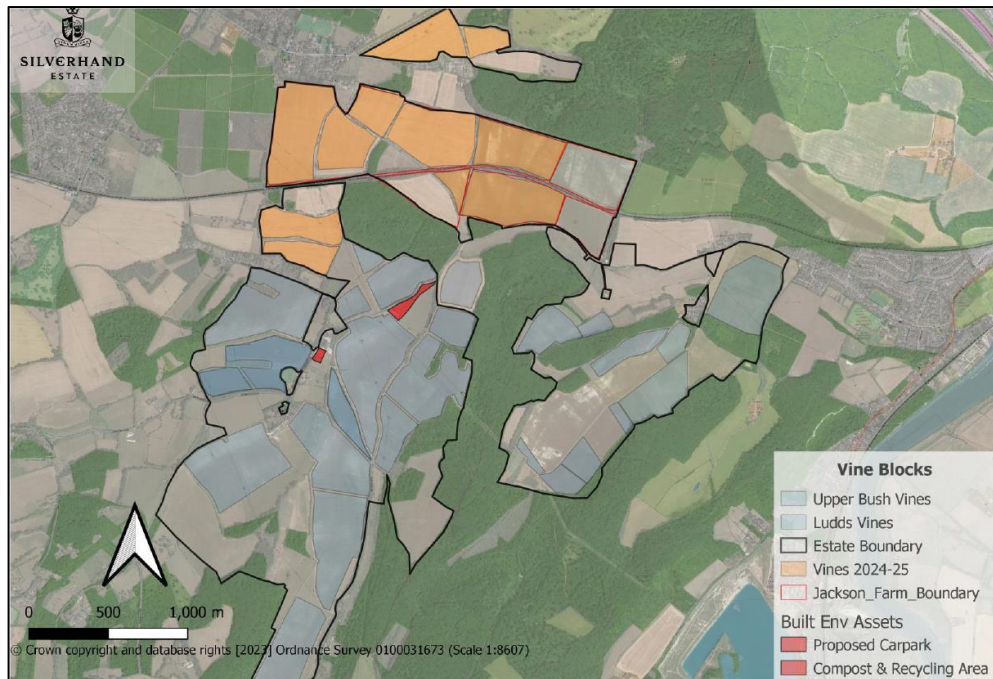
1.6.4 Currently, VFL have 65 permanent employees based in Luddesdown and Upper Bush (with 40 at other sites) and through the year this number increases with the arrival of seasonal workers required during key periods such as harvest or to carry out maintenance tasks such as trellising. This year the applicants are likely to reach 100 people working across the estate and this figure is likely to increase next year due to the growth in grape productions. At full production, the number of employees is expected to reach 300 FTE. As GBC will appreciate, this is a very significant figure for agriculture and the rural employment benefits should be afforded very significant weight.

1.6.5 The aim is that in the short term, employment should increase to 150 FTE employees directly on the site over the next 3 years. These numbers include Agricultural Workers and Commercial Staff.

1.6.6 It should be noted that the applicants have recently had a temporary permission for the use of Darenth Grange as accommodation for workers, in Dartford BC.

1.6.7 Darenth Grange will be used to accommodate up to 30 employees, provided with both premium quality living and training facilities. For 6 days a week workers will be transported via electric minibuses, provided by the company, to and from the vineyards once a day. Breakfast, packed lunch and dinner will be provided to workers. It is important to recognise that there will be no requirement for parking at the new car park for these workers. However, parking for winery staff, management, sales, marketing and supervisors is required and a minimum of 56 spaces will be required for this.

1.6.8 A plan has been prepared demonstrating the areas that have been planted with vines, with an extract provided below. As is clear from the plan, 2024-2025 will see a significant increase in the area of vines planted and there will therefore be a corresponding increase in staff requirement.



Silverhand Estate Masterplan - Vines

- 1.6.9 Despite this, VFL are operating a business without a designated, centrally positioned parking area. It is important to note that despite many employee's car sharing on their way to work, on arrival they are forced to park along the narrow lanes which at times can impede normal traffic flow. This can be particularly problematic when agricultural/large vehicles meet on the roads.
- 1.6.10 On many occasions, workers are forced to park in field margins. This is an unsustainable practice as this will have a detrimental effect on hedgerow health due to soil compaction. It is therefore important from an ecological perspective to find a more sustainable solution. In addition, cars along the highway and on verges are highly visible and inevitably have an impact on the overall character and appearance of the AONB and GB.



A field entrance on the estate in October 2023 – almost unusable

- 1.6.11 This problem is made even worse during winter months when the field tracks, which are mostly chalk, become almost impassible and there are more vehicles required to use the road.
- 1.6.12 In effect, not having a centrally located area in the estate to park is resulting in the problem being spread across the estate. This is negatively affecting not only the business, but also the local highway network and local residents.
- 1.6.13 The field subject of the application is already regularly used by parked cars of employees, however during the winter months the ground varies between being saturated and muddy and frozen and rutted.
- 1.6.14 For the reasons and context stated above, the Applicants wish to provide a high-quality car park area in a centralised location. The future intention is to move all employees into an office at Brookers Farm from the existing offices at Court Lodge, providing further reasoning for the location of the car park.
- 1.6.15 In order to ensure the scheme is appropriate to the sensitive location the Applicants have researched National Trust style car parks. The scheme and intended site layout are based on a scheme at Ightham Mote and materials and

construction are to be as selected for that project. Full landscaping and ecological enhancements have been set out, very much enhanced by this proposal, and can be secured by condition.

- 1.6.16 It is essential when considering this application, that the Council understands that this development is a crucial element for the operational growth of VFL and a pressing priority.
- 1.6.17 It should also be noted that the applicant's currently help the nearby Luddesdown Village Hall with extra parking on the fields, and the car park will be available to these users when suitable, for events such as community fairs.
- 1.6.18 It should be noted that while VFL are currently looking at future 'winery' locations, it is inevitable that Brookers Farm will continue to require the level of parking applied for.

1.7 VFL Wider activities

- 1.7.1 When considering this proposal, it is important to recognise the credentials of the applicant in relation to their biodiversity efforts across the estate. The continued success of VFL will only continue to ensure that the estate is carefully and sensitively managed.
- 1.7.2 Over the last 2 years VFL planted around 21,000 mixed species native hedgerows across the estate. This is part of increasing habitat connectivity and enabling species movement across the landscape.
- 1.7.3 VFL also have around 12 kilometres of historic hedgerows managed with biodiversity in mind - cut on a 3-year rotation.
- 1.7.4 Approximately 150 new trees (broadleaf) have been planted as a woodland shaw to reconnect two woodlands.
- 1.7.5 A woodland management plan for the 41 hectares of woodland in the estate is being drawn up. Biodiversity conservation and enhancement is the main driver for the plan.
- 1.7.6 VFL are currently improving the condition of 17ha of species rich meadows and managing this through conservation grazing with ancient sheep breeds.
- 1.7.7 Late last year VFL restored another 1.5ha of species rich grassland that was in decline.
- 1.7.8 VFL are managing key verges around the estate specifically for wild orchids and monitor their extent and condition.
- 1.7.9 This year VFL will be improving nesting habitat for predator birds, bats and various protected invertebrates by constructing 5 Wildlife Towers, recently approved by Gravesham Borough Council and Medway Council.
- 1.7.10 VFL are also working on entering the estate into the High Tier Countryside Scheme and as part of it, several of the pasture fields will be re-seeded with species rich grassland plant species and more set aside areas created within some of the vine blocks.

- 1.7.11 For a full visual breakdown of the Silverhand Estate natural environment, please refer to the submitted masterplan. We consider it highly important that this development should not be seen in isolation, but rather with consideration of the overall activities and objectives of Vineyard Farms Ltd. The business plan is clear, in that Vineyard Farms Ltd are expected to become the largest organic wine producer in the country. From a rural economy and Gravesham perspective in general, this should be seen as a huge boost to the Council. The economic benefits in the form of increased jobs and wine tourism are very significant.
- 1.7.12 Notwithstanding this, it is clear that Vineyard Farms Ltd lack the current infrastructure to continue to meet the requirements of their projected growth. While recognising the sensitivity of the local area and the various constraints, it is hoped that the Council can now see the obvious benefits of such a business locally and the clear context that explains their requirements. In addition, GBC will note that the Applicant has reduced the number of spaces and increased the extent of landscaping and ecological enhancement. In particular, the application includes additional tree and hedgerow planting that will help to reduce the landscape and visual impact of the proposal.
- 1.7.13 As the wider activities show, the careful management and consideration of the applicant's land demonstrate their attempts to act as responsible long-term stewards of the land. However, it is essential that there is support from the Council.

1.8 Planning Policy Framework

Policy Overview

- 1.8.1 Section 70 of the Town and Country Planning Act 1990 and Sections 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.
- 1.8.2 For the purpose of this planning application, the development plan comprises of policies from the Gravesham Local Plan (2014) and Saved Policies (2014).
- 1.8.3 The Council are also in the process of preparing a Site Allocations and Development Management Policies Plan and ran a consultation at Regulation 18 (Stage 2) during October – December 2020. Given the Development Plan is at a relatively early stage of production, limited weight is afforded to it.
- 1.8.4 In addition to the development plan, the Government's updated National Planning Policy Framework ('NPPF' or 'the Framework') was published in September 2023. The NPPF sets out the Government's requirements and policies for planning in England and must be treated as an important material consideration. Other material considerations include relevant adopted Supplementary Planning Documents.
- 1.8.5 This chapter therefore highlights the aspects of the NPPF and Development Plan that are relevant to this application.

Core Strategy (2014)

- 1.8.6 The following policies are deemed relevant for the application.

- Policy CS01 – Sustainable development.
- Policy CS02 – Scale and distribution of development.
- Policy CS07 – Economy, employment and skills
- Policy CS09 – Culture and Tourism.
- Policy CS10: Physical and Social Infrastructure
- Policy CS11 – Transport.
- Policy CS12 – Green Infrastructure
- Policy CS18 – Climate Change
- Policy CS19 – Development and Design Principles
- Policy CS20 – Heritage and the Historic Environment

Saved policies (2014)

- T1 – Impact of Development on the Highway Network
- T5 – Access to the identified Highway Network
- P3 – Vehicle Parking Standards

Supplementary guidance

1.8.7 The following documents have been adopted by the Council as Supplementary Planning Guidance.

- SPG4: Kent Vehicle Parking Standards
- Kent Downs AONB Management Plan 2021-2026
- Gravesham Landscape Character Assessment (2009)
- Kent Downs Landscape Character Assessment Update 2020

National Planning Policy Framework (2023)

Presumption in Favour of Sustainable Development

Paragraph 11 states that plans, and decisions should apply a presumption in favour of sustainable development. For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay.

Building a strong, competitive economy

1.8.8 Paragraph 81 states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking

into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.

Supporting a prosperous rural economy

- 1.8.9 The NPPF objectives seek to support the development of rural business, paragraph 84 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;
 - 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.
- 1.8.10 Paragraph 85 is clear 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. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

Promoting sustainable transport

- 1.8.11 Section 9 is clear that transport issues should be considered from the earliest stages of development proposals, including assessing the potential impacts of development on transport networks and addressing the patterns of streets and parking in order to contribute to high quality places.
- 1.8.12 Paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Proposals affecting the Green Belt

- 1.8.13 Paragraph 147 is clear that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances.
- 1.8.14 Paragraph 149 is clear that buildings for agriculture are not inappropriate development in the Green Belt and is an exception.

- 1.8.15 Paragraph 150 highlights that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. This includes engineering operations. In addition, local transport infrastructure which can demonstrate a requirement for a Green Belt location is an appropriate form of development in the Green Belt (Paragraph 150).

Conserving and enhancing the natural environment

- 1.8.16 Paragraph 174 is clear that planning policies and decisions should contribute to and enhance the natural and local environment.
- 1.8.17 Paragraph 176 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

1.9 Planning Considerations

Principle of Development

- 1.9.1 The proposal is for the provision of engineering works to effectively formalise the use of part of an existing agricultural field for the parking of vehicles associated with the agricultural business activities of Vineyard Farms Ltd.
- 1.9.2 The parking is for the employees working in the office, in addition to winery and vineyard workers; and other users of Brookers Farm.
- 1.9.3 In this respect it is essential that the role of Brookers Farm is understood. It lies relatively centrally to the vineyard and as such is the appropriate base for the office and vineyard workers. At present, there are around 70 staff but by next summer this will increase to over 100, and within another season up to 300 persons.
- 1.9.4 As will be explained in a Master Plan, the role of Brookers Farm as a main base for vineyard works will not alter. As a consequence, and notwithstanding use of company vans and best efforts for car sharing, it is inevitable that a car park of the size applied for will be needed to properly service farming operations.
- 1.9.5 Policy CS02 is clear that development outside settlements, including 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, while Policy CS07 is clear that the Council will support proposals that promote the appropriate expansion and diversification of the rural area economy.
- 1.9.6 In addition, Policy CS09 is clear that the Council will seek to maximise opportunities for expansion in cultural and tourism activity, including to support sustainable rural tourism and leisure developments that benefit rural businesses, communities and

visitors where it is compatible with national policies for protecting the Green Belt and where it accords with policies in this plan.

- 1.9.7 As is evident from the above, local policy is clear that there is support for the growth of rural businesses, subject to according with national green belt policy and other policies in the plan.

'Agricultural use'

- 1.9.8 The proposal does not amount to a change of use as the parking is by persons employed in agriculture and as such is incidental to the agricultural operation. We do however note that the engineering works themselves do require the submission of an application.
- 1.9.9 In making this application we make reference to the 'Millington' case where it was established that work relating to the production of wine from grapes grown on a farm near Shrewsbury amounted to 'agriculture'. We submit that on the same basis, the use as intended does not amount to a material change of use such that it is only the works to change the external appearance that require the submission of a planning application. Matters such as the use itself and impacts such as parking do not therefore fall to be considered as part of this application, as they amount to agricultural impacts.
- 1.9.10 Vineyards and wine-making have long been considered an agricultural use. Indeed, as clarified in the Case of 'Millington vs Secretary of State for the Environment, Transport and the regions' in 1999, it is clear that vineyards, wine-making, wine tasting on site, vineyard tours and cellar door sales, all fall within the definition of an agricultural use. As an extension of this, this includes a car park necessary to facilitate this use.
- 1.9.11 It is noted for the previous application that the first reason for refusal related 'inappropriate development in the Green Belt'. The Council considered at the time of the previous application that the Millington case did not apply owing to the scale of the proposal.
- 1.9.12 Subsequently to the decision being made, the appeal decision (APP/A2280/W/22/3307648) for the nearby 'Cuxton Wine Vault' was released (the applicant was the appellant for this Appeal).
- 1.9.13 While the Appeal was dismissed, the Inspector helpfully clarified the position of the Millington case law with regards to 'scale'.
- 1.9.14 The Inspector stated with regards to the winery:
- "18. Whilst the R6 party drew a distinction between the scale of the operations proposed as part of this appeal with those involved in the Millington case, I am satisfied that the issue of scale is not material to the application of the agricultural exception"*
- 1.9.15 This has therefore confirmed the position as set out in the previous application on this scheme, that the scale of the operations are not relevant to the context. This has been accepted by the Council at pre-application stage.

- 1.9.16 With regards to national policy on development in the Green Belt, paragraph 149 (a) of the NPPF states that buildings for agricultural uses are regarded as an appropriate building in the Green Belt. As stated above, the provision of a car park to support the viticultural activities of Vineyard Farms Ltd is considered agricultural in nature. While no building is proposed, 149(a) demonstrates an acceptance of agricultural activities on Green Belt land to support the agricultural and viticultural activities of Vineyard Farms Ltd.
- 1.9.17 It is noted that in the pre-application response, that the Council have agreed with the point in relation to Millington, however GBC consider there to be a change of use of the land to the car park. The Council consider the proposals to perhaps then not pass the tests of preserving openness of the Green Belt.
- 1.9.18 It remains the position of the Applicant that there is no change of use, as the car park is strictly ancillary to the wider use of agriculture, strictly in use for VFL employees and customers. Moreover, the field will be used on an ongoing basis for parking by the Estate irrespective of GBC's approach to this proposal.

VSC

- 1.9.19 Employees are already using the field, albeit with the very wet weather this has become an issue, both due to the soft ground, but also from the perspective of potential for deposition of mud onto the highway and compaction of the soil.
- 1.9.20 As has already been stated, Vineyard Farms Ltd are based in Luddesdown, Kent, and are the largest organic vineyard and the largest single vineyard site, with over 1600 acres of vineyards, woodland and pastureland. As the applicant seeks to become the UK's largest producer of English sparkling and still wines, it is inevitable that the space required for workers at Brookers Farm will increase and the aim is to relocate all office-based workers to Brookers Farm in the very short term.
- 1.9.21 The Applicant does not want to cause any concerns with the local resident population by forcing workers to park on what is a typical rural road network adjacent to Brookers Farm and the vineyards and is committed to ensuring the facility utilises a rural design approach. It is for that reason that the scheme follows principles used in the design of National Trust car parks, such as that for Ightham Mote.
- 1.9.22 As set out above, as the use itself does not require a planning application, car parking does not strictly fall to be considered. Cars are already parked in part of the field and this arrangement will remain unaltered albeit this application will allow for works to provide a 'year-round' parking facility. While it is recognised that the proposed car park will allow for greater numbers of parked cars, the context set out within this statement sets out the business requirements for Vineyard Farms including their expected growth.
- 1.9.23 Visually the car park will have a limited impact on the openness on the area, and will be mitigated with suitable landscaping.
- 1.9.24 It remains the position of the applicant that the car park would be strictly in agricultural use and therefore no change of use is required.

1.9.25 Without prejudice to this position, Very Special Circumstances are put forward in the form of:

- (1) The unique business requirements of Vineyard Farms Ltd and the subsequent operational/logistical requirements, including the current lack of central parking area and current issue of employees being forced to park on grass verges and along what are relatively narrow rural lanes;
- (2) The fact that uncontrolled parking of agricultural workers can take place in the field, and has indeed been undertaken without landscaping or biodiversity benefits;
- (3) The clear need to accommodate a large and growing estate workforce which will exceed 100 next year and in due course will be expected to be around 300;
- (4) The viticulture use has and will continue to provide very important rural employment as well as a very significant economic contribution;
- (5) Reducing local resident/business conflict as a result of parking on verges and on the road, removing 'on highway' parking and random parking on verges and within the local fields;
- (6) Supporting a significant local employer, and supporting the continued growth of a local rural business which will provide an ongoing substantial tourism boost to the Gravesham economy;
- (7) Substantial ecological and landscaping enhancements, in the form of a zero carbon organic operation, new hedgerow planting and gapping up, native tree planting, bug hotels, bird and bat boxes and log piles.

1.9.26 The suitable expansion and growth of rural businesses and the rural economy is supported by the Council, and the provision of a surfaced car park to enable all year parking (which employees are already using), will allow Vineyard Farms Ltd to continue to develop its viticulture operations.

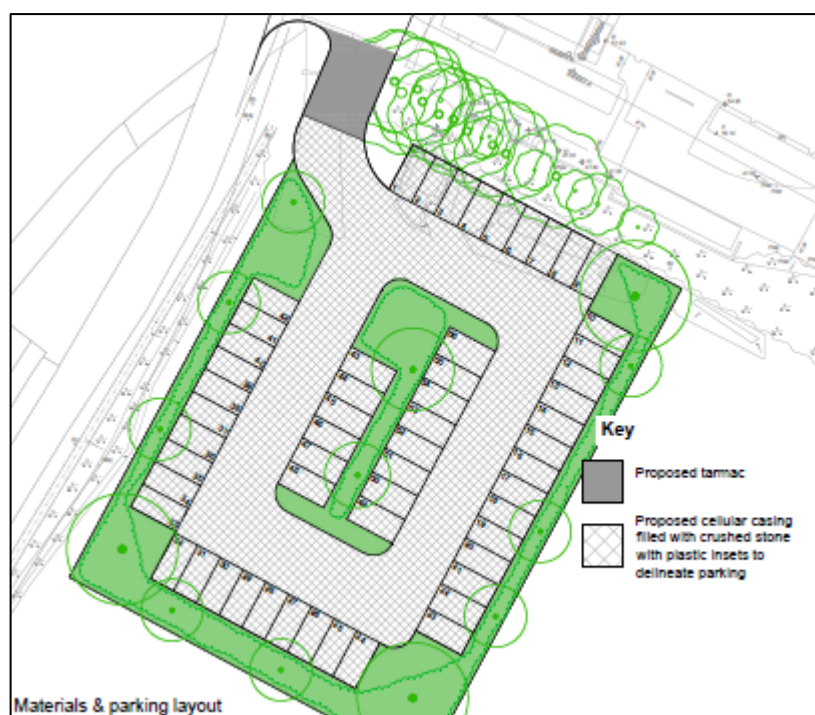
1.9.27 In any event, given that the proposal is simply a move from one agricultural use to another, the application only seeks permission for the required operational works. We therefore turn to consider visual impact. In any event the material will match and be seen alongside the farmyard.

Impact on the landscape

1.9.28 The car park material will be a crushed stone type finish and sensitive to the countryside setting. From a highways accessibility perspective, the entrance to the car park is required to be tarmac. The view of the tarmac will largely be restricted from Luddesdown Road, such that its impact on the landscape is limited.

1.9.29 Notably since the previous application, the disabled spaces have been relocated to Brookers Farm, and the tarmac reduced at the access. There is space for increased landscaping at the front, helping to visually reduce the impact.

1.9.30 The proposal will include 56 spaces, and the detailed design is based on the design model of Historic England that it uses at rural locations such as Ightham Mote.



Proposed car park layout

- 1.9.31 It is noted that the second reason for refusal on the previous application related the impact on the AONB:

"The proposal, by virtue of the extent and spread of parking across the open field, would fail to conserve or enhance the rural landscape and scenic beauty of this site within the Kent Downs Area of Outstanding Natural Beauty and the Luddesdown Downs Landscape Character Area..."

- 1.9.32 It is recognised that the site lies within the West Kent Downs Landscape Character Area of the Kent Downs Landscape Character Assessment (LCA) Update 2020 and within the Luddesdown Sub Area.
- 1.9.33 Summary characteristics of this Character Area include the dip-slope landform of dry valleys running north-south, interspersed with broad, undulating ridges and plateaux; extensive blocks of woodland, as well as strips on valley sides with the topography and woodland restricting views in much of the area, but with occasional long views along valleys.
- 1.9.34 In respect of the Luddesdown sub area it is stated that *'this is a tranquil, complex and distinctive landscape, with a peaceful remote feel, strong sense of place and few detracting features. It has a strong sense of time-depth, and the structure of the landscape has remained largely unchanged since the late nineteenth century'*.
- 1.9.35 When considering the application site, it should be recognised that it is adjacent to the Brookers Farm site, whereby VFL operate from. As such, the area is notably busy during the day and the description as set out above is not necessarily accurate when considering the reality of the site.
- 1.9.36 It is noted that the LCA laments the loss of hedgerows in areas of arable cultivation. It should therefore be recognised that the applicant seeks to provide new

hedgerows as part of this application, in addition to the extensive provision already seen across the estate in recent years.

1.9.37 Landscape Management Recommendations within the LCA include:

- *Protect the deeply rural character of the area, resisting development which gives it a more urbanised character.*

Comment: While noting the proposal introduces hardstanding onto an undeveloped field, the context of the existing busy farmyard adjacent to the site limits the character as 'deeply rural'. Notwithstanding this, the considerable landscaping enhancements seek to limit views of the proposal. Existing unregulated parking in this field and others locally, as well as along highway verges without such landscaping increases the extent of visual impact.

- *Protect the enclosed landscapes of the dry valleys formed by the steep valley sides and numerous woodland blocks.*

Comment: Native tree planting on the application boundary and internally, in addition to tree and hedgerow planting in adjacent fields contribute to isolating the proposal from the wider field. There are no losses proposed to any existing boundaries and no built form which would impact upon the enclosed nature of the dry valley.

- *Manage arable areas to encourage a diversity of pollen and seed rich habitats, hedgerow replanting and field margins to enhance the structure of the landscape and improve habitat connectivity. Encourage continued management and support for long term farm-based arable reversion projects to allow species richness of the grasslands to develop further. Promote new hedgerows and roadside trees from existing hedge stock.*

Comment: The proposal includes significant enhancements to hedgerows and tree planting that will enhance the landscape structure and improve habitat connectivity. The removal of cars parked on the field margins will help to strengthen the future of the field boundaries and avoid further soil compaction.

- *Manage the extensive new vineyard areas to maximise the potential to enhance landscape and biodiversity.*

Comment: Despite the proposal not being new vineyard, the proposal is a direct result of the vineyard areas. This proposal includes numerous enhancements to contribute to both the landscape and biodiversity.

- *Manage hedgerows, including alongside roads, encouraging replanting rather than repair where they have become gappy.*

Comment: VFL have shown clear commitment to the ongoing management and enhancement of hedgerows, and should be recognised as part of the proposal considerations. In addition, new hedgerows are proposed that will significantly enhance screening while also contributing to habitat connectivity.

- *Ensure that any new development around historic villages respects the scale, layout, massing and materials of existing buildings, and also their relationship with the landform. Landscape proposals should reflect local character, using appropriate form, structure and species.*

Comment: the proposed landscaping will help to assimilate the proposals into the surrounding landform and will largely screen the use of the field while also enhancing biodiversity. All landscaping will be native planting and in accordance with the Kent Downs AONB management plan.

- *Use the existing and valued landscape characteristics and qualities to design new tree establishment as part of climate change mitigation.*

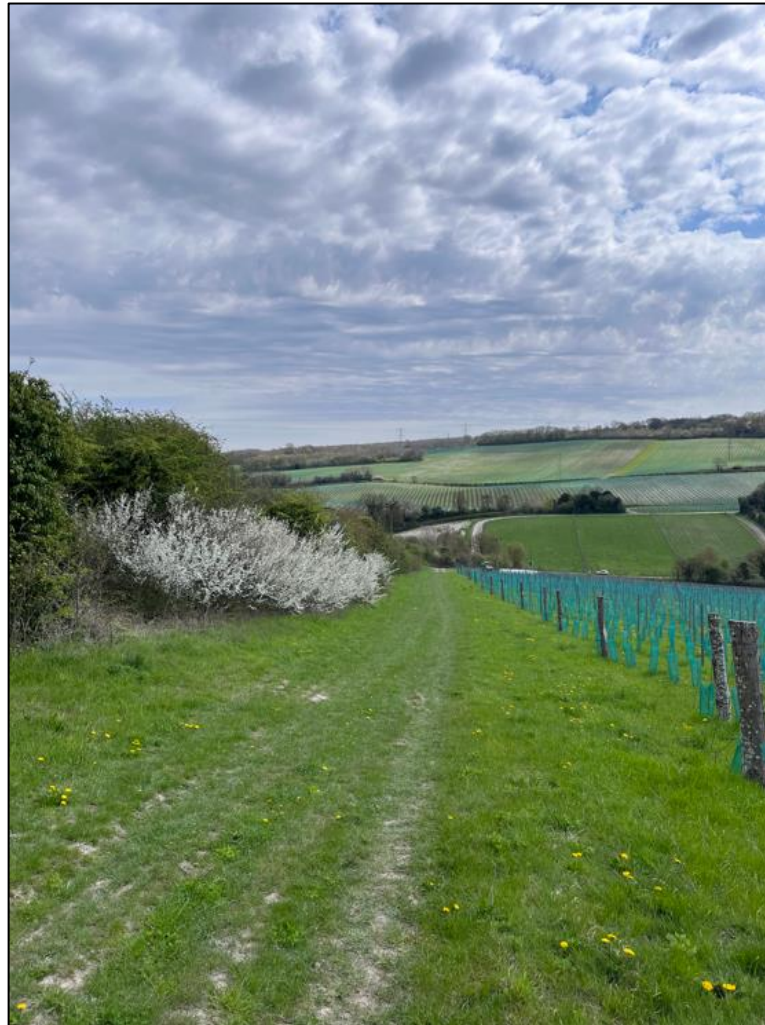
Comment: the proposed landscaping will contribute to the restating of hedgerows that have been lost over time, while respecting the enclosed valley landform. Positioning of landscaping will be considered with respect to maintaining views across the valley while reducing views of the proposal.

- 1.9.38 The proposed development must be seen in the context of a pressing business requirement for the car park, and therefore supporting of the rural economy should be given considerable weight by the Council.
- 1.9.39 Notwithstanding this, we recognise the proposals sensitive location and therefore have amended the proposal by reducing the extent of the proposed bound surface, reducing the number of parking spaces to 56 and increasing the amount of landscaping within the scheme. The Applicant has confirmed that they will also undertake planting of additional hedgerows and tree planting to assist in screening the proposal.
- 1.9.40 All plant species will be selected according to their suitability with the surrounding landscape.



View from PROW NS239 over site

- 1.9.41 As the above image shows, visibility of the site from this footpath is limited owing to the topography. Notwithstanding this, a hedgerow is proposed along this footpath boundary helping to screen while providing ecological benefits.



View from PROW NS225 over site

- 1.9.42 From the footpath to the west of the site, it is noted there is a limited view of the site behind existing vegetation. To shield this view while retaining visibility of the landscape, hedgerow and tree planting is proposed on the field boundary with Luddesdown Road. Similarly, hedgerow and tree planting internally to the site will further screen this view, such that any views of the car park are minimised.

Ecology and biodiversity

- 1.9.43 In order to support the application a Preliminary Ecological Appraisal was carried out by KB Ecology.
- 1.9.44 The report made the following conclusions:
- (1) Amphibians – with the land take under 0.5ha, no impact is expected onto Great Crested Newts.

- (2) Reptiles – Due to the low likelihood of reptile presence on site, a precautionary mitigation strategy is recommended.
- (3) Birds – Although a breeding bird survey is not deemed to be necessary, on the basis that the site contains suitable habitat for breeding birds, consideration should be given to the timing of the clearance works, if any is to take place.
- (4) Hazel Dormouse – No hedge/tree clearance is proposed on site and therefore no further work is recommended with regards to dormice.
- (5) Badgers – No impact is expected to badgers and thus no further work is recommended for this species.
- (6) Bats – No impact is expected and no further work is recommended.
- (7) Other species – There is some potential for hedgehogs, therefore any areas where mammals could be sheltering should be hand searched prior to disturbance.

1.9.45 No further surveys were required in advance of the application.

1.9.46 The KCC Biodiversity officer on the previous application was 'unclear whether biodiversity net gain is being achieved' despite the introduction of the hedgerow and planting within an amended layout. The site in its current situation has low ecological potential for the site with limited contribution to biodiversity.

1.9.47 Although Kent County Council's Biodiversity Opportunity Mapping categorises this site as having minor opportunity for chalk grassland and medium for chalk woodland (the most characteristic semi-natural habitats in the area), through the incorporation of native shrubs and tree species, the proposal will help to obtain a net gain for biodiversity.

1.9.48 The site should also not be seen in isolation, and works across the estate clearly represent an overall biodiversity net gain.

1.9.49 Arable farming has been the main land use of this site since the 1800s and cultivation intensified in the 20th century, thereby having an effect on biodiversity. The proposed scheme with its integrated planting, new hedgerows (in accordance with Principles SD2 and SD3 of the Kent Downs AONB Management Plan) and management of them in a rotation, will have a positive effect not only on biodiversity, but also mitigate any potential visual impact.

1.9.50 Notwithstanding the above, a number of ecological enhancements are proposed that will substantially contribute to improving biodiversity as part of the proposals. These are indicatively demonstrated on a landscaping plan, and can be secured by condition. This includes bird and bat nesting boxes on existing trees on and adjacent to the site and bug hotels to be set up in key locations around the car park.

1.10 Conclusions

1.10.1 This planning statement has been produced by DHA Planning and Vineyard Farms Ltd to support an application for the necessary engineering works to construct a

formal car parking area for Vineyard Farms Ltd office, winery and vineyard workers, to support their work in growing grapes and producing and selling wine.

- 1.10.2 Vineyards and associated wine making activities (including the provision of an associated car park) are recognised as being covered by an agricultural use, and therefore no change of use is required. The proposal strictly relates to the operational works required for the car park.
- 1.10.3 It is understood that the Council at the time of the previous application did not have a full understanding of the business requirements and why the proposed work was essential to Vineyard Farms Ltd. This application has sought to provide additional context for the benefit of the Council.
- 1.10.4 We note that the Council's pre-application advice asserts that the proposal will impact on the openness of the Green Belt. While we strongly disagree with that opinion, based on the combination of the fact that cars have parked in the field already, as well as along the rural road network, and the proposal delivers substantial screening and ecological enhancement, we have presented a case of VSC without prejudice. In short, the VSC relate to the following matters:
- (1) The unique business requirements of Vineyard Farms Ltd and the subsequent operational/logistical requirements, including the current lack of central parking area and current issue of employees being forced to park on grass verges and along what are relatively narrow rural lanes;
 - (2) The fact that uncontrolled parking of agricultural workers can take place in the field, and has indeed been undertaken without landscaping or biodiversity benefits;
 - (3) The clear need to accommodate a large and growing estate workforce which will exceed 100 next year and in due course will be expected to be around 300;
 - (4) The viticulture use has and will continue to provide very important rural employment as well as a very significant economic contribution;
 - (5) Reducing local resident/business conflict as a result of parking on verges and on the road, removing 'on highway' parking and random parking on verges and within the local fields;
 - (6) Supporting a significant local employer, and supporting the continued growth of a local rural business which will provide an ongoing substantial tourism boost to the Gravesham economy;
 - (7) Substantial ecological and landscaping enhancements, in the form of a zero-carbon organic operation, new hedgerow planting and gapping up, native tree planting, bug hotels, bird and bat boxes and log piles.
- 1.10.5 It is important to note that the chalk downlands are highly suited to the cultivation of grapes. Unlike many 'crops', vineyards employ significant numbers year-round and represent a significant boost to the rural economy. Not all areas are so suited, and if the UK is to develop its wine industry, it will need to find ways to provide the necessary infrastructure to support the activity.

- 1.10.6 On the basis of above, it is therefore respectfully requested that planning permission is therefore granted.