

PLANNING STATEMENT

Site: Court Lodge Farm

Client: Vineyard Farms Ltd

Prepared by: DHA Planning Ltd.

Date: August 2023

1.1 Introduction

- 1.1.1 This Planning Statement has been prepared on behalf of the applicant in relation to a Prior Notification Application (PNA) made under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As amended), for the:

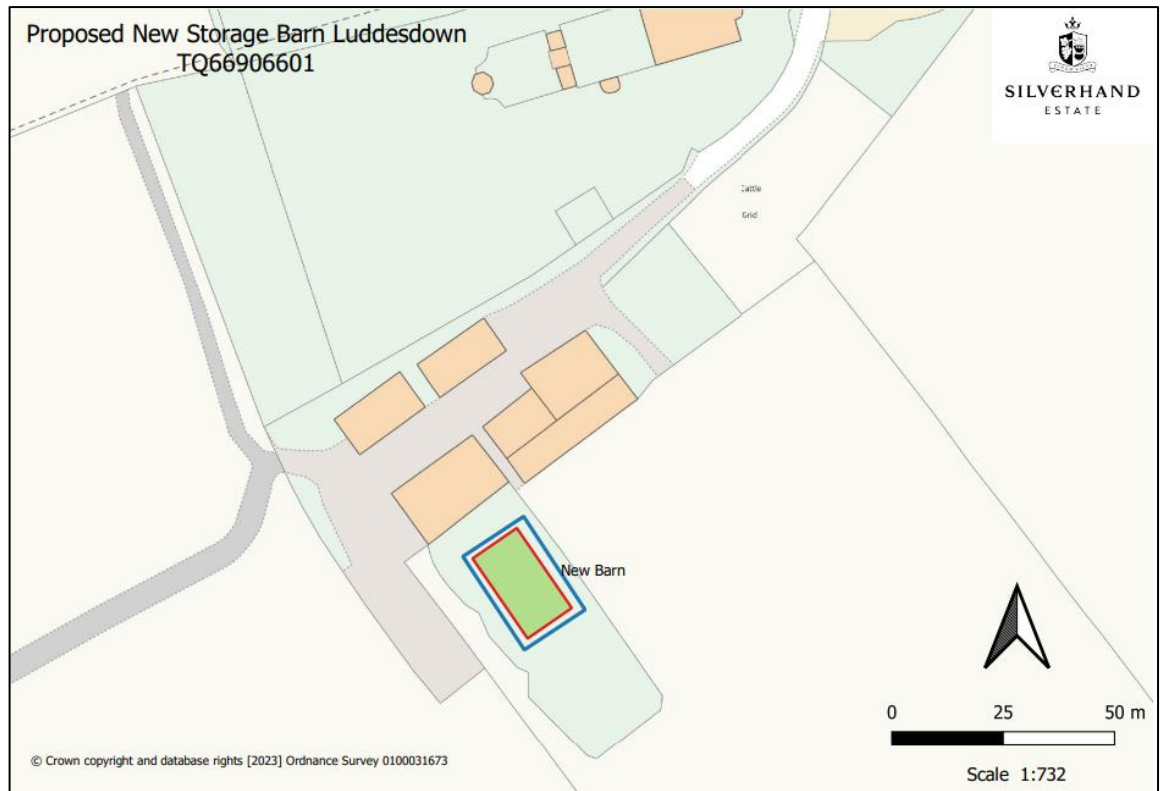
'Proposed erection of an agricultural barn for general agricultural storage'

- 1.1.2 This statement provides an overview of the application site, sets out the detail of the agricultural operation and justification for the building.
- 1.1.3 In accordance with the Town and Country Planning (General Permitted Development) (England) Order (as amended), information is provided in line with Schedule 2 Part 6 Class A.
- 1.1.4 The following documents and plans are submitted as part of this prior approval application

Title	Author
Site Location Plan.	Silverhand Estate
Google location plan	Silverhand Estate
Proposed plans (Ref: 23-20940)	Graham Heath Construction
Planning Statement (Ref: DHA/31993)	DHA Planning.

1.2 Site Context

- 1.2.1 The site is accessed via a private access road through the Luddesdown Court estate. There is access directly into the fields from the site.



Proposed location plan

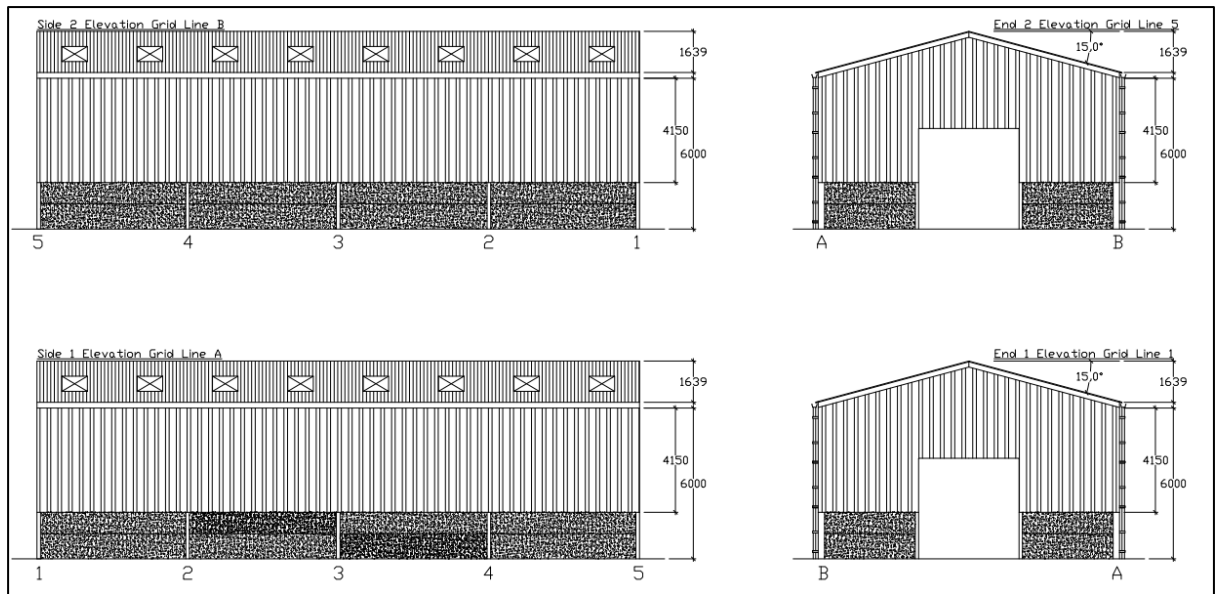
- 1.2.2 The building is proposed to be located at Court Lodge farm, amongst an existing group of farm buildings.
- 1.2.3 The site is located within Metropolitan Green Belt and the Kent Downs Area of Outstanding Natural Beauty.

1.3 Previous planning applications

- 1.3.1 The application site has no planning history associated with it.

1.4 This Prior Notification Application and agricultural justification

- 1.4.1 This PNA is submitted for the erection of the agricultural building, which will result in a building of 288m². The length of the building is 24m, with the width of 12m. The ridge height of the building ridge is circa 7.6m, and 6m to the eaves.



Proposed plans

- 1.4.2 Vineyard Farms predominantly use their land for the planting of vines to grow grapes (agricultural), however they also operate traditional farming on the site, arable and livestock.
- 1.4.3 The barn is proposed to be used for the following uses:
- Storage of animal hard feed in secure boxes
 - Secure storage of vehicles - ATVs and tractor together with associated farming equipment.
 - Storage of farm tools and animal handling equipment.
 - Storage of hay and straw (usually a minimum of 20 tons through the season and more as the flock/herd grows).
 - Storage of animal medical equipment and medication including freezer and secured storage boxes.
 - General storage of poles, harvest boxes and farm equipment.
- 1.4.4 The existing barns on site are all currently open to the elements and therefore are not fit for storing dry hay or straw. The applicants currently have to cover with tarpaulin. The open nature also leaves the barns accessible to vermin, and with no way to lock up the barns there is a security risk.
- 1.4.5 Three of the existing five barns at the farm are occupied with material relating to the vineyard (agricultural in use). As this enterprise continues to grow, it is clear that more space is needed for storage and therefore the additional barn will help to relieve this issue.
- 1.4.6 It is difficult to clean waste away from the existing barns owing to the nature of the buildings. A tractor/telehandler is unable to get in with a bucket.

- 1.4.7 The sides of all five barns are cement sheets, as are most of the roofs. In addition, three of these barns have leaky roofs. There is no drainage for surface water runoff in two of the barns, and the floors are uneven.
- 1.4.8 On the basis of above, the proposed additional barn will help to relieve many of these issues by providing a barn suitable for the needs of modern agricultural methods.
- 1.4.9 Furthermore, the applicant already has appropriate means of access to the agricultural buildings that already exist, such that when seen in that context visual impacts are minimised. We do highlight that visual harm is not an aspect the Council need to consider when determining the application at hand.

1.5 Confirmation that the proposal complies with the GDPO

- 1.5.1 Schedule 2, Part 6, Class A of the General Permitted Development Order (GDPO) 2015 (AS AMENDED) outlines what constitutes Permitted Development and what does not for agricultural development on units of 5 hectares or more. It is considered Permitted Development if:

'A. The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of -

- (a) works for the erection, extension or alteration of a building; or*
- (b) any excavation or engineering operations, which are reasonably necessary for the purposes of agriculture within that unit'.*

- 1.5.2 As the proposed development is for the erection of an agricultural barn needed for agricultural activities on an agricultural unit that is greater than 5 hectares, it is considered that the proposed development meets this criteria.

- 1.5.3 Therefore, consideration must now be given to Schedule 2, Part 6, Class A.1 of the GDPO and address why it is considered that there are no reasons for the proposed development to not be considered as anything but Lawful Permitted Development.

- 1.5.4 In the following text subparagraphs (a) - (k) of Class A.1, Part 6 of Schedule 2 of the GDPO, which describe development that is not Permitted by Class A will be referenced, with an explanation to each subparagraph outlining why the application in discussion does not meet the criterion.

'A.1 Development is not permitted by Class A if -

- (a) the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area'.*

- 1.5.5 As noted above the development, will be carried out on a parcel of land with an area considerably larger than 1ha.

'(b) it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S

of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins’;

- 1.5.6 Paragraph X of Part 3 of Schedule 2 defines established agricultural unit as *‘agricultural land occupied as a unit for the purposes of agriculture’*. It is noted that no development under Class Q or S of Part 3 (Change of Use) of Schedule 2 has been carried out by the applicant within a period of 10 years, nor will any development of that nature take place before the proposed development begins.

‘(c) it would consist of, or include, the erection, extension or alteration of a dwelling’;

- 1.5.7 The proposal does not consist of or indeed include the erection, extension or alteration of a dwelling.

‘(d) it would involve the provision of a building, structure or works not designed for agricultural purposes’;

- 1.5.8 The proposed agricultural barn will only be used to support and enable the operations undertaken at Court Lodge Farm and surrounding fields. Full justification has been provided in section 1.4.

‘(e) the ground area which would be covered by -

(i) any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations; or

(ii) any building erected or extended or altered by virtue of Class A, would exceed 1,000 square metres, calculated as described in paragraph D.1(2)(a) of this Part’.

- 1.5.9 The barn is not to be used for accommodating livestock or any plant or machinery arising from engineering operations.

- 1.5.10 We note that the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018 amends Class A of Part 6 of Schedule 2, substituting the previously permitted 465m² figure to now allow buildings up to 1,000m². The proposal meets this criteria.

‘(f) the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres’;

- 1.5.11 The buildings height at ridge level will be 7.6m, however the structure will not be within 3km of an Aerodrome. The below figure shows a 3km radius from the application site. There are no aerodromes within this area.



3KM radius around application site and nearest Aerodromes.

'(g) the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres';

1.5.12 The ridge height of the agricultural building will be 7.6m and is therefore considered to be acceptable.

'(h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road';

1.5.13 The proposed Agricultural Building will be over 200m from Luddesdown Road and Oakenden Road.

'(i) it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building';

1.5.14 (i) is not relevant, as confirmed in section 1.4. The site will not be used for the accommodation of livestock or for the storage of slurry or sewage sludge.

'(j) 'it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or'

1.5.15 At no point has or will the land be used in connection with fish farming.

'(k) any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system—

- (i) would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or*
- (ii) is or would be within 400 metres of the curtilage of a protected building’.*

1.5.16 This Prior Notification is not for the storage of fuel or waste from a biomass boiler or an anaerobic digestion system, therefore it is considered that subparagraphs (i) and (ii) do not apply to this application.

1.6 Conclusion

1.6.1 We reiterate that AONB and Green Belt are not a reason for refusing applications that are made under Schedule 2, Part 6, Class A of the GDPO. The application must solely be determined by the criteria of The Order, and anything else is deemed as unreasonable.

1.6.2 It is therefore respectfully requested that Gravesham Borough Council acknowledge that Prior Approval is not required and that the application conforms with the aforementioned Permitted Development Order.

1.6.3 Any queries please do contact me on 01622 776226 or alternatively please email either john.collins@dhaplanning.co.uk or oliver.ricketts@dhaplanning.co.uk