

PLANNING STATEMENT

Compost Track

Site: Field to the south of Luddesdown Road

Prepared by: DHA Planning Ltd

Date: 19/05/2023

1.1 Introduction

- 1.1.1 This planning statement has been produced by DHA Planning to support a retrospective application for the necessary engineering operational works to construct a track to serve an associated storage area ancillary to the operations of Vineyard Farms Ltd.
- 1.1.2 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 engineering works that require the submission of a planning application. Matters such as the use itself and impacts such as storage of fertilizer and compost do not therefore fall to be considered as part of this application, as they amount to agricultural operations.
- 1.1.3 Vineyard Farms Ltd are based in Luddesdown, Kent, and are the largest organic vineyard and the largest single vineyard site, with some 1600 acres of vineyards, woodland and pastureland.
- 1.1.4 Vineyard Farms vision is to become to UK's largest producer of English sparkling and still wines. In order to do this they have invested 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.
- 1.1.5 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 Application Site

- 1.2.1 The site is located to the North East of Luddesdown comprising part of a large field that sits relatively centrally within the wider farm area.



Proposed Site Layout (DHA/17381/02)

1.2.2 The site is located within the Kent Downs AONB, as well as the Green Belt.

1.3 Planning History

1.3.1 There is no planning history associated with the application site.

1.4 Proposed Development

1.4.1 This proposal seeks to provide a compost and organic fertilizer storage area ancillary to the viticultural and agricultural activities of the applicant, Vineyard Farms Ltd.

1.4.2 The main access way into the composting area will be tarmac, and taken from the existing access.

1.5 Planning Policy Framework

Policy Overview

- 1.5.1 Section 70 of the Town and Country Planning Act 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.
- 1.5.2 For the purpose of this planning application, the development plan comprises of policies from Gravesham Local Plan (2014), Saved Policies (2014). There are some "saved policies in the 1994 Local Plan, but that document is now such an age that they are considered of negligible weight. In any event policy related to the AONB and GB is set out in the Core Strategy and NPPF.
- 1.5.3 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.
- 1.5.4 In addition to the development plan, the Government's updated National Planning Policy Framework ('NPPF' or 'the Framework') was published in July 2021. 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.
- 1.5.5 This chapter therefore highlights the aspects of the NPPF and Development Plan that are relevant to this application.

Local Plan Core Strategy (2014)

- 1.5.6 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 CS11 – Transport.
 - Policy CS12 – Green Infrastructure

Supplementary guidance

- 1.5.7 The following Supplementary Planning Guidance is relevant to this document:
- Kent Downs AONB Management Plan

National Planning Policy Framework (2021)

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

- 1.5.8 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

- 1.5.9 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.

- 1.5.10 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

- 1.5.11 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.

- 1.5.12 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

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

Conserving and enhancing the natural environment

- 1.5.15 Paragraph 174 is clear that planning policies and decisions should contribute to and enhance the natural and local environment.
- 1.5.16 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.

1.6 Planning Considerations

Principle of Development

- 1.6.1 The proposal is for the provision of engineering works for the creation of an access to serve a storage area for compost and organic fertilizer associated with the agricultural and viticultural business activities of Vineyard Farms Ltd.
- 1.6.2 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. Over the last 2 years, approximately 21,000 native mixed species hedgerows have been planted across the estate to increase habitat connectivity across the farm. In addition to this, 12 kilometres of historic hedgerows are managed and maintained across the estate.
- 1.6.3 As set out above, as the use itself does not require a planning application, the storage that is accessed by the track does not strictly fall to be considered.
- 1.6.4 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. We consider that the proposal complies with both of the policies above as the track will provide access to a compost and organic fertilizer area that is central to the wider farm. The use of organic fertilizer and compost is an important part of the operation of

the farm and important for maintaining crop yields. This proposal does therefore relate to the ongoing viability of the farm.

- 1.6.5 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.
- 1.6.6 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. 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 is considered agricultural in nature.
- 1.6.7 Notwithstanding the above, paragraph 150 (b) outlines that engineering operations are not inappropriate provided they preserve its openness and do not conflict with the purposes of including land within it. We consider that the track maintains the openness of the area. Additionally no buildings have been proposed on the site, thus there is no additional built form. Whilst we accept that there is an agricultural track and storage area, we consider that these are both typically found in agricultural area, thus should not be considered out of character. Furthermore, it is clear that the track will not conflict with the purposes of the surrounding land, as it provides access to the area of hard standing on which the items are stored. This mixture is eventually used to fertilise the vines, in association with the existing agricultural use of the site, thus will not conflict with the surrounding land uses.
- 1.6.8 Vineyards Farm Ltd receive approximately 360 bags of compost per annum, each bag is approximately 500kg. These bags of compost are delivered on 15 tonne articulated lorries, (identified in the photograph below) and as Vineyard Farm Ltd grow and expand, more compost will be required to fertilise the additional vineyards. As such it was important to construct a heavy duty agricultural track, that has the capacity to support the increasing number of vehicles that utilise the track, as the farm grows and expands.



Compost being delivered to the site along access track

- 1.6.9 In respect of the Highway access matters, Vineyard Farms Ltd, wishes to minimise movements of large HGVs on the road network. This particular location is very central to the wider farm area and removed the need for vehicles to access Luddesdown itself. With compost and organic fertilizer stored in this location, the farm can then transport the material to the adjacent fields by tractor and trailer. They can do so in large part by avoiding use of the local road network. These

matters help protect the amenity of local road users as well as improving highway safety.

- 1.6.10 We therefore turn to consider visual impact. As denoted by the plan below the proposal is accompanied by a very large scale ecological and landscape works. This includes a 15 metre wide line of trees as well as creation of grazing meadows wildflower meadows, gapping up of the hedgerows and individual tree planting. This will screen the car park and hard standing when the site is viewed from the Luddesdown Road.

Design and layout

- 1.6.11 As identified by the figure below, the agricultural track provides access from Luddesdown Road to the compost and storage area. The access track runs in a generally north to south direction and is 4.5 metres in width. The landscape works will create creating rich habitats and soften the track's impact upon the surrounding area. The existing hedgerows on the site are to be managed and 'filled in' to create habitats for nesting birds and pollinators as shown on the Figure overleaf.



Biodiversity Enhancement Plan (DHA/17381/03)

- 1.6.12 We consider the proposal will be in keeping with the character of the AONB and Green Belt, and is acceptable on both a National and Local Level. The layout and planting ensure that the works will not have a negative impact on the surrounding area, whilst also providing a proposal that will ensure the diversification and expansion of a rural business, assist with local residential amenity and improve highway safety.

1.7 Conclusions

- 1.7.1 This Planning Statement has been produced by DHA Planning, on behalf of the applicant, Vineyard Farms Ltd. The statement has been produced to support an application for the operational works to provide a composting area and track ancillary to the operations of Vineyard Farms Ltd.
- 1.7.2 As was established in the 'Millington vs Secretary of State for the Environment, Transport and the regions' Case in 1999, vineyards, wine-making, wine tasting on site, vineyard tours and cellar door sales, all fall within the definition of an agricultural use. Thus do not consider this to be a change of use, rather works to assist in the efficient operations of an existing rural business. We therefore consider the proposal to conform with policy at both a National and Local level.
- 1.7.3 On the basis of above, it is therefore respectfully requested that planning permission is therefore granted.