

a) **DOV/20/00425 - Change of use for the siting of 9 caravans for seasonal workers, conversion of a barn to amenity block and conversion of a farm building to dwelling house - Elmstone Court Farm, Padbrook Lane, Elmstone**

Reason for report: As a result of the number of representations received that are contrary to the recommendation and at the request of Cllr Connolly.

b) **Summary of Recommendation**

Planning permission be granted, subject to conditions.

c) **Planning Policies and Guidance**

Development Plan

The development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act (2004) comprises the Dover District Council Core Strategy 2010, the saved policies from the Dover District Local Plan (2002) and the Land Allocations Local Plan (2015). Decisions on planning applications must be made in accordance with the policies of the development plan unless material considerations indicate otherwise.

Core Strategy Policies

A summary of relevant policy is set out below:

- CP1 -The location and scale of development in the District must comply with the settlement hierarchy. Elmstone is a hamlet which is not suitable for further development unless it functionally requires a rural location.
- DM1 - Development will not be permitted outside of the settlement confines, unless it is specifically justified by other development plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.
- DM4-Supports the re-use or conversion of rural buildings beyond settlement confines to commercial uses where the building is of suitable scale and character and is acceptable in all other respects.
- DM11-Development that would generate travel will not be permitted outside the urban boundaries and rural settlement confines unless justified by Development Plan policies.
- DM13 – Provision for parking should be a design led process based upon the characteristics of the site, the locality, the nature of the proposed development and its design objectives. Provision for residential development should be informed by the guidance in the Table for Residential Parking.
- DM15 Development which would result in the loss of or adversely affect the character or appearance of the countryside will only be permitted where it is in accordance with allocations in Development Plan Documents, is justified by the needs of agriculture, is justified by the need to sustain the rural economy or it cannot be accommodated elsewhere.

National Planning Policy Framework 2019 (NPPF)

- Paragraph 2 states that “planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise”.
- Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. The objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- Paragraph 11 states that decision making should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up to date development plan or where there are no relevant development plan policies or the policies are out of date, granting permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development, or any adverse impacts of granting permission doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in this Framework taken as a whole.
- Paragraph 80-identifies that significant weight should be put on the need to support economic growth and productivity.
- Paragraph 83-supports a prosperous rural economy and states decisions should enable growth and expansion of all businesses through the conversion of existing buildings and well designed new buildings. The development of agriculture and other land based rural businesses should be enabled.
- Paragraph 85-recognises that sites to meet local business 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. It is important to ensure that development is sensitive to its surroundings and does not have an unacceptable impact on local roads.
- Paragraph 109 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.
- Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- Paragraph 127 states that planning decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and landscaping, are sympathetic to local character and history and create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users.

Sections 66(1) and 72(1) of Planning (Listed Buildings and Conservation Area) Act 1990

Section 66(1) of the Act states that, ‘In considering whether to grant planning permission for development which affects a listed building or its setting, the local

planning authority, or as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses.'

Section 72(1) states that, 'In the exercise, with respect to any building or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

Kent Design Guide

The guide provides criteria and advice on providing well designed development.

National Design Guide

Provides guidance on objectives for good design and how this can make a positive contribution to the character of an area.

d) Relevant Planning History

DOV/20/00142 - Certificate of Proposed Lawful Development for the Siting and Use of nine caravans for seasonal agricultural workers over the harvesting season 1 August to 30 November-Certificate granted.

e) Consultee and Third-Party Responses

KCC Highways - Initially requested extra information about the farm operations and occupation of the caravans, number of daily vehicle movements in relation to the proposed number of workers and how workers would gain access to shopping and entertainment if they do not own a car. In response to feedback the following KCC observations were made:

"The caravans are already permitted to be sited for four months of the year, from 1st August to 30th November. This may generate a small number of daily vehicle movements, mostly minibuses taking workers to/from the caravans or for food shopping, but there may be a smaller number of car movements associated with a few of the workers owning cars. These daily movements will occur throughout the year under the current proposals to permanently site the caravans, although the number of movements outside the harvest season is likely to be less as the number of workers will decrease. The current situation without the caravans requires the majority of workers to be taken to/from the farm by minibus and a few in their own cars. Again this will occur at its peak through the harvest season and less so outside this period. The proposed manager's accommodation may generate a limited number of vehicle movements typical of a single dwelling, however it will remove the movements associated with the manager travelling to/from work as at present. The permanent retention of the caravans removes the vehicle movements associated with transporting the caravans to and from site each year.

Taking all of the above into account the proposals are unlikely to have a severe impact that would warrant a recommendation for refusal on highway grounds. I therefore have no objections in respect of highway matters subject to the following being secured by condition:

- 1) Submission of a Construction Management Plan before the commencement of any development on site to include the following:
 - (a) Routing of construction and delivery vehicles to/from site

- (b) Parking and turning areas for construction and delivery vehicles and site personnel
 - (c) Timing of deliveries
 - (d) Provision of wheel washing facilities
 - (e) Temporary traffic management / signage
- 2) Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the use of the site commencing.
 - 3) Provision of a minibus service for workers shopping trips in accordance with details to be submitted to and approved by the Local Planning Authority.”

Rural Planning Consultant - Initially requested further information in relation to the need for year-round accommodation given that there are no packing and storage facilities at Elmstone Court Farm (ECF). Details were requested about the number of operatives involved, whether there is currently a farm manager and if so where do they live.

In response to feedback the following observations are summarised below:

“The applicants are large scale local fruit growers and packers of their own fruit with an operational base at Flanders Farm, Hoo, Medway. In addition, three main hub farms are used at Bobbing near Sittingbourne, Bicknor and ECF. In 2018 the yield at Elmstone Court Farm was 3684 bins of fruit but this is expected to rise to 4050 bins in 2020 and 6500 bins in 2027, as a result of new planting.

The additional occupation of the caravans would be for tasks such as tree planting, pruning, tree tying, fruit thinning, and fruit bin mending at ECF. This would avoid the mobiles having to be taken off site, during every period they are unoccupied, and then brought back again. This approach saves on the costs and additional traffic that such movements would cause, and it is now very common on farms of this sort of arrangement to be approved, subject to suitable conditions.

The proposed conversion for a staff amenity block, with utility and recreation space (floor area 19.8m x 6.25m) appears an appropriate associated facility necessary for the provision of the overall well-being of staff and the ability for such workers to be attracted and retained by the applicants.

Finally, the proposal includes the conversion of an existing farm building into permanent accommodation for the farm manager, who currently lives in Sandwich in rented housing.

The farm manager’s accommodation would be located close to the mobile homes. The submitted statement argues that “This will ensure that there is a manager on site to monitor and support the occupiers of the mobile homes during work and leisure hours, whilst also providing a manager who is on site at all times for the overall management of the farm”, and “The ability to house a manager on site will ensure that someone is always there to oversee farm operations day and night, as well as any essential emergencies, whilst also having the provision of separate space.

However, as indicated above, the farm does not include any fruit storage or packing facilities and having regard to the nature of the other farming activity, it would be difficult, in my view, to regard it as essential (in terms of any emergencies requiring immediate attention at short notice) for the farm manager to live here, as opposed to elsewhere in the general locality. That said, as indicated above this accommodation would be modest in scale, has the benefit of utilising an existing redundant building rather than being a new build, and would be of considerable benefit to the business in terms of convenience, and the ability to attract and retain a suitable manager.”

DDC Environmental Health - "Whilst it is not customary to comment on facilities for foul drainage, I note concerns have been raised relating to the capability of the current mains drainage network to cope with additional feed to the system. I am advised by the applicant that it is the intention to feed foul drainage to the existing mains sewer manhole within the farm. Whilst it is likely consent will be required from SWA I would suggest that confirmation is sought from SWA that the existing sewer network is able to manage additional waste water input."

Southern Water-notes that there is a public water distribution main within the access and that the exact position must be determined by the applicant. No excavation works should take place within 6m of the public water main and no new soakaways should be located within 5m and all existing infrastructure should be protected during construction works. All works should be in consultation with and approved by Southern Water.

A formal application for connection to the public sewerage system is required in order to service the proposed development. Proposals for cess pit or private treatment plant in the presence of public foul sewerage network close to the development site would not be supported. The foul sewerage shall be disposed in accordance with Part H1 of Building Regulations hierarchy. Environment Agency shall be consulted directly regarding the use of a cess pit.

Initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer.

Confirm that there are no issues with regard to sewer network capacity in relation to the planning application.

Environment Agency – agree with Southern Water that all foul drainage should be discharged to the mains sewer with their permission and that an alternative strategy for surface water drainage will be required rather than using the foul sewer. It is noted that the design of infiltration SuDS may be difficult or inappropriate in this location given the shallow depth to groundwater. Any permission granted should include a condition to cover this matter. Without this condition an objection would be raised in line with paragraph 170 of the NPPF as it cannot be guaranteed that the development will not be put at unacceptable risk from or adversely affected by unacceptable levels of water pollution.

KCC Local Lead Flood Authority - The site is located within an existing orchard. It is not shown as being subject to any flood risk associated with surface water flooding nor any fluvial flood risk; therefore the issue for development of the site is the provision of drainage to the proposed caravans, appropriate control of surface water generated and the final discharge destination. The site is shown to be underlain by Woolwich Formation. BGS information indicates that water table may be found at less than 3 m, but that the underlying bedrock should be freely draining. The EA has indicated there may be constraints in relation to utilisation of infiltration from the new development and Southern Water have indicated that they would not accept the disposal of surface water to the foul sewer. We would raise the point specifically in response to EA comments that this proposal is for an impermeable area of approximately 340 m² in a total site area of approximately 0.6 ha and for control of clean roof runoff. As the development proposal is of small size, we would estimate that shallow infiltration trenches around the perimeter of each caravan would be sufficient to manage the clean roof runoff and would replicate the existing surface water management within the site. We do not

assess the impact to surface water flood risk as significant and believe this can be dealt with through appropriate design of on-site controls based upon some additional investigation as proposed by the EA.

Parish Council - "The Parish Council generally supports the viable use of buildings on the site and has no objection in principle to the conversion of the buildings to provide managers accommodation and a welfare block. However, whilst acknowledging the need for accommodation for seasonal workers, and of the prior approval for the stationing of 9 mobile homes on the site between 1st August and 30th November each year, the Council objects to the proposals to, effectively, make those arrangements permanent. The current nature of agriculture is one of change and, whilst there is currently a need for mobile home accommodation on the site that may not be the case going forward. The prior approval would require the annual removal and re-siting of the mobile homes and that at least maintains the temporary nature of the arrangements and ensures that they are kept under annual review. In the event that the seasonal mobile homes are not required, the land would then simply revert back to agricultural use. The Parish Council would be happy to work with the applicants to seek positive outcomes for this and any future proposals for the site."

Third-Party Representations

A total of 29 representations have been received, all of which raised objections.

The following comments were made:

- Development is unsightly and would have a harmful visual impact that would change the nature of Elmstone
- Inappropriate and disproportionate scale of development
- Adverse effect on character and appearance of Conservation Area and nearby Listed Buildings
- Site is disruptive for the local community and businesses
- No justification for year round workers at the site. If caravans are for "seasonal" workers, why are they needed all year round? A more detailed business based economic justification is needed if caravans are to be permanent. The application has only been made to ease logistical issues associated with delivery and removal of caravans that are permitted on a temporary basis.
- No justification for the conversion of the whole building for farm managers accommodation. Why would it not be possible to make use of the farmhouse to accommodate workers.
- Noise pollution associated with use of the caravans
- Light pollution from use of caravans
- Loss of privacy
- Loss of views
- Increase in population of Elmstone
- Impact on highway safety and conflict with residents, horse riders, cyclists and walkers.
- Site should be accessed from Church Hill rather than Padbrook Lane.
- Staff parking details required
- Refuse storage/collection details required.
- Other existing redundant buildings should be used to provide accommodation for workers.
- Local water and sewerage problems already exist locally and could not cope with extra demand.

- Social distancing within the caravans would be difficult and lead to spread of Covid
- Suggest use of caravans at alternative farms to accommodate workers
- Proposal could be a step towards alternative permanent residential development at the site.

f) 1. The Site and Proposal

The Site

- 1.1 Elmstone is a hamlet situated to the east of Preston, outside of any settlement confines and within the countryside. Much of the hamlet lies within a Conservation Area. The Elmstone Court Farm (ECF) buildings are located towards the centre of the hamlet with land under the applicant's ownership extending mainly to the north and south. There are some residential properties on the north side of Padbrook Lane together with the Court Farm site to the north east. The area is rural in character with surrounding fields in agricultural or horticultural use.
- 1.2 Elmstone Court Farm forms part of a larger scale fruit growing and packing business for its own fruit farms and also for other farms. The company has an operational base at Hoo, Medway where there are fruit processing and storage facilities at Flanders Farm. The applicants own or rent 29 farms with a total of over 1000 hectares of land and have undertaken extensive orchard re-planting programmes. ECF is one of their 3 hub farms, the others being at Bobbing and Bicknor.
- 1.3 ECF comprises a cluster of buildings/barns/former stables/redundant cold stores and pack house buildings around the farmyard, with accesses from Padbrook Lane and Sheerwater Road to the south. There are 63.5 hectares of land associated with ECF.
- 1.4 The application relates to an irregularly shaped area of land that falls within the northern part of the farm that is currently in use as part of a larger orchard. This parcel of land is approximately 1.25 hectares in size. The application also includes two single storey buildings that adjoin this land- a Dutch barn in the southern corner of the identified site and a brick building to the south east of the orchard.
- 1.5 The application site is reached via the existing access from the western side of Padbrook Lane. Whilst the two identified farm buildings fall within the Conservation Area the proposed caravans would be located on land adjacent to but outside the Conservation Area.

The Proposal

- 1.6 The application comprises three elements, as follows:
1. To change the use of a small area of the orchard close to the entrance to the farm from Padbrook Lane to accommodate 9 x seasonal workers caravans arranged either side of an accessway. It is stated that each caravan measures approximately 10m x 3.8m and would be spaced 6m apart in accordance with industry recommended standards. The caravans are required to accommodate workers not just at harvest time but also throughout the year whilst other routine jobs and maintenance work are carried out. These include hedge cutting, grass mowing, erection of tree stakes and wire networks. There is a requirement for around 40 workers at ECF, although not all 40 would be required throughout the year. Each caravan would accommodate 4 or 5 people with the resulting potential for between 36 and 45 workers at the site.

The caravans are to be painted light green to blend with the surrounding setting. It is proposed to plant a hedge around the caravans to provide some screening. A drainage system is proposed to be installed to allow the mobile homes to be connected to mains drainage.

2. To convert a brick building to a farm manager's house with car port and office. The proximity of the proposed house to the caravans would enable the farm manager to monitor the workers accommodation. External works will include cladding with timber weather boarding and replacement composite sheets to the roof. Existing openings will be used to provide windows and doors. In support of this element of the application a Building Inspection report has been provided which assesses the capability of the building to function in the alternative residential use. From a visual inspection it is concluded that apart from some general maintenance issues there is no evidence of significant distortion and the building is structurally sound.
3. To convert a Dutch barn to an amenity block for use by the seasonal workers. The barn in question lies to the south of the caravans and would be used to provide welfare facilities for the agricultural workers such as washing machines and recreational areas. The conversion will involve replacing the external cladding from corrugated sheeting to composite panels above a brick plinth. Windows and doors will be inserted in the north west and south eastern elevations to provide light and drainage.

Background Information Provided by the Applicant

- 1.7 Approximately 75% of top fruit handling in the UK is said to take place in Kent and is carried out by a number of small companies including the applicants. By way of background information it is understood that the current owner purchased the farm in 2013 together with 63.5 hectares of farmland. The applicant is one of the largest UK growers of apples and pears and farms a total of 2400+ acres of land for top fruit over 16 freehold farms and 13 rented on long term agreements.
- 1.8 The applicants have a hub farm in Medway (Flanders Farm at Hoo) and ECF is the hub farm for east Kent. It is not possible to make every farm self-sufficient in storage terms, so the hub system allows the pooling and sharing of labour and equipment with an associated reduction in capital investment.
- 1.9 To meet increased demand and changing customer preferences farmers have had to adapt their techniques to replant orchards with rootstocks at closer densities, introduce new high yielding varieties, installing drip feed irrigation systems and training of fruit on wires. These measures allow the fruit growers to remain competitive and commercially viable.
- 1.10 The increased level of input requires cost and time which puts pressure on the farmer for additional labour, to maintain higher volumes of fruit per hectare. The aim is to extend the growing season and produce quality produce at affordable prices. Increased levels of labour, equipment and infrastructure have resulted in increased costs leading to the pooling of resources at hub farms. It is understood that the applicant's business has invested £63.4 million throughout Kent in order to advance growing methods and remain competitive.
- 1.11 The fruit growing season commences towards the end of November, after the harvest is over with the removal of dead or dying trees, followed by replacement planting, pruning, thinning and spraying in the spring. The company's workers are grouped into teams of up to 40 comprising tractor drivers, labourers, supervisors and a forklift truck driver. It is

possible that different teams need to be accommodated at different farms dependent on the range of tasks that need to be carried out and the time of year.

1.12 It is understood that the workers serving Elmstone Court Farm are currently accommodated on a range of farms occupied by the applicant., principally at Howt Green Farm, Bobbing. This has resulted in logistical problems in addressing labour requirements and matters on site with workers having to leave early in the morning to travel to ECF. This arrangement is not attractive to workers and cannot continue.

As part of the assessment of the application, officers have asked for clarification from the applicant regarding the precise nature of the operation and the need for the proposals subject of the application. In response, the applicant has provided the following detailed review:

Requirement for Caravans

1.13 “The majority of farming takes place at Elmstone Court Farm, with only packing and storage of the fruit taking place at other holdings. It is important that the applicant’s need for occupation of the mobiles beyond the four-month period allowed under the Lawful Development Certificate is not lost. As has been the accepted case elsewhere on the applicant’s other farms the need for the workers in orchards principally relates to caravans being occupied for nine months of the year – primarily between 1 March and 31 December.

1.14 The core farming of the land, which is extremely labour intensive takes place at Elmstone Court Farm. This is not by any means limited to the harvest period and is in no way a minimal task. Core staff are required at Elmstone Court Farm from the beginning of March to the end of December to not only harvest the fruit, which can take place at different times of the year, but to prune, thin, train and tie fruit, spray for disease control, fungus, fertilise, as well as ensuring the correct levels of irrigation for blossom development, fruit setting as well as to optimise cropping levels and sizing. Elmstone Court Farm is currently used for the storage of apple bins, so the repair and maintenance of these is also undertaken by the workers. These jobs are all undertaken by seasonal workers. Alongside this, the orchards are constantly being monitored and managed to ensure that the wire work and stakes that are in place are fit for purpose.

1.15 A lot of the existing orchards at Elmstone Court Farm have been or are being replaced with new more modern varieties of orchard stock. This planting and the care for young stock to fruiting age is a closely monitored process which requires significant labour to check and manage that all conditions will facilitate optimum growth and development. This is very labour intensive. The changing climate, which in turn is producing some ‘out of season’ events, requires the factors that can be controlled- such as water in times of unseasonably low rain to be dealt with immediately.

1.16 Aside from the direct jobs that relate specifically to the individual orchard trees, the whole holding right down to orchard level needs to be maintained. This involves topping, flailing, hedge cutting, ditching, repair and replacement of stakes and/or fencing as well as pest control. This will ensure that the orchards are not constrained due to light, rabbit damage, are weed free and the drainage is optimised as much as it can be.

1.17 The precise occupancy rates of caravans are always difficult to give not least because of the unpredictability of farming times due to weather and overall growing conditions but also due to the changing labour conditions. What might happen one year might be delayed or earlier by weeks the next year by an early spring or a late winter. As a general rule the mobile homes will hold 36 people so for each month this is the approximate number of people that will be residing in the mobiles:

January- 24
February- 12
March- 12
April- 12
May- 12
June- 9
July- 18
August- 36
September-36
October- 36
November- 36
December- 27

1.18 As previously identified though, it is not in the businesses interest to have workers on site for longer than necessary or when not needed as this costs the business. If the mobile homes are not available for them to reside in, the seasonal workers numbers provided (as a minimum) will have to be bussed in and out from other accommodation across AC Goatham's holding.

1.19 This obviously has an impact upon the local road network, but also has an impacts upon the business financially as well as in terms of workers welfare. AC Goatham will have to pay to transport the workers in/out of their place of work, whilst also paying the workers for their travel time rather than just their time 'at work'. The seasonal workers work long days as it is, adding on a commute to this is obviously not favourable for their welfare, the productivity of the business or its response time to the farming demands and weather patterns.

1.20 As can be seen from these workers numbers and the table previously provided, it is clear that there is another pruning season where a certificate could be obtained for the mobile homes to be utilised on site for December and January (albeit the pruning season is longer than this in farming terms). This would mean that the mobiles could be provided on site for at least 6 months of the year.

1.21 For reasons of efficiency and through workers choice, the mobile homes would be occupied at slightly lower densities but not spread throughout the whole of the nine mobiles, depending upon the time of year. There will be empty mobiles at certain times, but again this very much depends on the seasonal demands at the time. Again, we would stress, it is not in the businesses interest to have people retained on site if not needed, whilst there are also obvious costs associated with occupying multiple units as opposed to all of them. When mobiles are unoccupied, it is a good chance to redecorate, repair and undertake any necessary works on them. The workers' pay a rent so it is more efficient for occupiers to share units rather than housing workers in lots of different units which all need to be heated, have water and electricity too.

1.22 The workers that are required to sort and pack fruit at other parts of the business will not reside at Elmstone Court Farm. Elmstone Court Farm is considered to be a hub farm due to its size and geographical location, together with the yard and range of buildings which are used to store equipment, machinery and fruit bins.

1.23 This application seeks the occupation of the mobile homes outside of the harvest season, to allow a place for the various pruning, maintenance, mowing teams to reside on site. The in situ storage of the mobile homes is also sought outside of the harvest and wider management season, when the mobiles are unoccupied, so that they are not having to be brought in and out of the site at various times of the year.

1.24 The Rural Planning Consultant recognises that this management approach is a necessary and accepted way to facilitate and enable farms to operate efficiently. A fact which he has re-iterated in his comments for Elmstone Court Farm.

Requirement for Farm Manager's Accommodation

1.25 With regard to the proposed farm managers accommodation the applicant does not share the view of the Rural Planning Consultant, as outlined below:

1.26 "A manager is needed on site, this is indisputable as a senior member of staff needs to be available on site at all times to ensure that the holding is running smoothly as well as for security. This senior staff member needs to be on hand not only to manage all of the different staff and teams at various times of the year but to also ensure that the irrigation control is monitored at all times of the day.

1.27 With regard to the occupation of the caravans these could 'function' without a manager in so far as they can be occupied without one, but this is not favourable, as it is ultimately the manager who ensures that all occupants are respectful of each other, the mobiles they reside within and their surrounding neighbours. The manager is the person who implements the 'zero tolerance' procedure to safeguard the entire team and neighbours against any bad behaviour so, it is not possible to implement this if off site. Asking the team of workers to self-regulate causes obvious conflict amongst workers and gives no comfort to neighbours that they have a point of contact. The holding could not function without a manager as it needs someone to decide on the daily tasks and implement these accordingly.

1.28 The house which exists at Elmstone Court Farm is already in use for seasonal workers and is already set up and laid out to accommodate multiple occupants. In order to ensure that mobile home numbers are kept to the absolute minimum and existing built form can be utilised, it was proposed to convert an existing building.

1.29 The farmhouse will continue to be used to accommodate seasonal workers that are required on site as the fruit trees mature and the crop increases, it will not remain empty all year round. The mobile homes are proposed to house the majority of the workers and will be relied upon for this; the farmhouse will take up any necessary excess that cannot be housed in the mobiles. It is true that the majority of the workers prefer to be located within the mobile, but with that many workers there are always a small minority who are content or even prefer to be located in shared accommodation. This happened when you get a larger family unit of workers or where workers have subsequently introduced their friends to the business.

1.30 It would not be financially efficient for the farm manager here to reside in the farmhouse due to its size. The farm manager for this unit (which is not one of the company's Directors) will not want or be able to pay for the upkeep of a five bedroom house, when only a couple of bedrooms are needed, even if this would be partially subsidised. This is not an attractive prospect for this level of farm manager's salary package, who would rather have a more disposable income in the 'salary package' compared to the 'benefits offered' in having a larger, older house with greater running costs and far less efficiencies (where the costs of this are effectively taken out of their salary package) than a smaller modern conversion which costs less to run but also puts more in the pocket in term so disposable income for the farm worker. Whereas, occupation by multiple seasonal workers better spreads the running costs, and therefore the overall reduction on each workers salary package, meaning they all have a greater amount of 'cash' in their pocket. This approach is also more cost effective for the business overall.

1.31 As previously advised the holding is forecast to generate circa 4050 bins for the 2020 harvest. This equates to a workforce requirement of 40.5 workers. With 4 people in each mobile unit, and one manager the head count would be 37 workers. So the farmhouse is needed in addition to this to make up the residual. So in short yes the farmhouse is in addition to the 36 workers in the mobiles.

1.32 Outside of the seasonal workers occupation time periods, a farm manager is still needed on site to deter theft, monitor irrigation systems, as well as to ensure that someone is on site to deal with situations raised by inclement weather. It is therefore put forward that it is essential for a rural worker to live permanently at their place of work as these tasks cannot be undertaken or acted upon quickly enough, remotely.

1.33 The mobile homes could still function without a manager on site, but the holding would not. It is also put forward that the local residents have concerns regarding the behaviour of the seasonal workers. This is not uncommon amongst residents reactions to such proposals and as such, having a manager on site to be a point of contact for locals, as well as to ensure effective management and behaviour, has become a way for AC Gotham & Son to ensure that harmony is maintained.

1.34 Respectfully, it is considered that the conversion of an already redundant building (which is encouraged by the NPPF) to serve an agricultural business is a sensible proposal. “

Amenity Building

1.35 “The proposed amenity building would accommodate games, television and computer areas as well as a laundry room. This facility would allow the workers to have a separate amenity area with only minimal alterations required and avoid the need for an additional building. The amenity building will provide an enclosed social area separate from the mobile homes and will provide an attractive facility to attract employees.”

Applicant's Economic Justification

1.36 “If planning permission is not granted for the proposals then in the first instance the decision would be appealed as there is the identified need. A point, we have already successfully been through at appeal twice with two different authorities for this client (and in both cases for even more mobiles on both sites) and won on both occasions; one with costs. (Flanders Farm, Hoo and Turkey Hall Farm, Upper Stoke, Rochester).

1.37 In the short term, the applicant would have no choice but to transport workers on a daily basis to obligate existing fruit contracts, but this would be at great additional expense, with added logistical concern and increased unpredictability about actually having the staff to do this. In reality, finding that many staff to rise extra early for added travel after a busy and long day's work the day before is nearly impossible; especially to ensure workers welfare is protected. Having to do this may even mean having to try to find twice the number of people to get the operations done to ensure that unreasonably long hours are not required of the workers (whose productivity then drops off, which in turn jeopardises the fruit being harvested within certain weather patterns) which itself is a difficult enough task when there have already be labour shortages across the country. This obviously costs considerably more in direct labour terms but also in sorting minibuses, having to house these labourers elsewhere (as the provision of labour is an industry standard). It also significantly increases movements to and from the site, requires far greater logistical planning, and if the weather is bad (meaning tasks need to be put on hold) it puts a far greater number of people in the vicinity with nowhere to go whilst they are on standby (whereas, the proposal means they can have waiting time in their mobiles).

1.38 In the long run, the viability would be significantly jeopardised. There a risk that the harvest could not be brought in (meaning all the year's investment on site is wasted), the income generated does not meet the labour demands throughout the year for this particular holding but does not contribute to the wider overheads of the business (in particular the businesses HQ where over £20 million has been invested in modern infrastructure at the forefront of British agriculture in less than 10 years) and the business actually faces fines from their supermarket for failing to get fruit to them in time. This is not just a physical cost out to the business, but this jeopardises the businesses ability to renew entire contacts with suppliers – which in itself ensures the continuity of the entire business in the future. Further, a failure to produce the quantity and quality of fruit also diminishes the supply of British apples into the food supply chain (which then only increases the demand for foreign produce which increases air miles of our fruit, CO2 with it and in turn the price to consumer). Finally, further concern should be given to the fact that if the farm becomes unviable, the land doesn't become managed, whilst, there are also obvious and very serious economic impacts for all those employees and businesses that are dependent on AC Goatham and Son.

1.39 An inability to harvest the fruit on this farm and farm it in the future, will in affect see the investment across this site, which is estimated to be in the order of £1.5 - £1.75 million (not including the farm purchase) for the 64 hectares entirely wasted. This has undeniable economic consequences for any business, but none more so for a business that has had to wait several years for its community to come into fruition and get to the point where it starts to produce a reasonable yield.

1.40 Alongside the appeal the applicant would use permitted development rights to station mobile homes for the seasonal workers required for the pruning season in any event. This brings none of the benefits offered in direct landscaping terms locally whilst it does nothing to frame parameters or provide continuity and ease of conducting the farming operations. The movement of the mobiles in/out of site at least twice a year is not only an inconvenience to the road network and business, it has a financial cost and onward implications. The mobile homes would need to be stored somewhere, so either planning permission would need to be obtained for this somewhere on this or another holding, or a site which provides this already would need to be found and utilised. Research into the cost to store 9 mobile homes ranges between £2115 to £2700 at Milgate Storage or Artoe storage in Folkestone, DJ Storage in New Romney to name the closest certified caravan storage sites. It appears that there are up to 34 week waiting lists for these sites.

1.41 In addition to the storage of the mobile homes off site, there is the cost of the transportation of each mobile home which costs between £800-£1000 per mobile for a 2-way trip. The cost to the business would therefore be in the order of £20,000 per year to store the mobiles elsewhere based on them being on site for only pruning and harvest. If a space can't be found or an alternative permission will be required. This does not then give consideration to any costs associated with making such application, any necessary appeal.

2. Main Issues

- Principle of the Development
- Planning History
- Justification
- Impact on character of area
- Impact on residential amenity
- Highway Matters
- Heritage Matters

- Other Matters

Assessment

Principle of Development

2.2 The starting point for decision making is Section 38(6) of the Planning and Compulsory Purchase Act 2004. This states that regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be in accordance with the plan unless material considerations indicate otherwise.

2.3 In March 2017 DDC Cabinet agreed to commence the review of the Core Strategy (CS) and Land Allocation Action Plan (LALP) through the preparation of a single local plan. The decision to review the CS and LALP is an acknowledgement that in some cases the evidence base is out of date. It is also recognised that some of the detailed policies applicable to the assessment of this particular application (including Policy DM1) are to various degrees, now considered inconsistent with aspects of the NPPF and as such are out-of-date. That does not mean however that these policies automatically have no or limited weight. They remain part of the Development Plan and must therefore be the starting point for the determination of the application. Furthermore while the overall objective of a policy might be held out-of-date, greater weight can nevertheless still be applied to it depending of the nature/location of the proposal in question and the degree to which the policy (in that limited context) adheres to and is consistent with the policy approach in the NPPF. In the circumstances of this application therefore, with regard to the policies mentioned at the outset of this report, these are considered to remain generally consistent with the aims of the NPPF with regard to agricultural development at an existing farm location in the countryside.

2.4 Under policy CP1 of the Core Strategy Elmstone is defined as a hamlet and the proposed development lies outside of any urban or village confines. Both policies CP1 and DM1 recognise that development is not normally permitted in such locations unless it functionally requires a rural location or it is ancillary to existing development. Agricultural related development is considered to be one of the exceptions to the aims of policies CP1 and DM1 and which clearly require a rural location. The proposals are therefore broadly in accordance with adopted policies.

2.5 The application is also in accordance with paragraphs 7, 11, 80 and 83 of the NPPF which as mentioned above outline that there is a presumption in favour of sustainable development and a need to support businesses including those in rural areas such as agricultural enterprises. The NPPF highlights the need for economic growth with the expansion of existing businesses and the development of agriculture. In addition, paragraph 85 states that there is a need to meet local business requirements in rural areas beyond settlements in areas not well served by public transport. The proposals at ECF are in broad accordance with these aims.

2.6 Policy DM4 covers the conversion or re-use of structurally sound rural buildings both within and outside of identified confines. Outside of the confines permission will be given for the re-use for commercial, community or private residential purposes. The use as a dwelling is related to the commercial operation of the farm and if approved would need to be conditioned to prevent its use as independent private property in the future.

2.7 The suitability of the site for the development in this case is considered to turn on the detailed assessment of the merits of the three elements of this scheme as set out in this report, relative to matters including the impact on character of the area and existing residential amenities and a consideration of its general compatibility with the requirements of the NPPF, including paragraph 11 (presumption in favour of sustainable development). It is also necessary to consider the most recent planning history for this site.

Planning History

2.8 An application for a Certificate of Lawful Development was made earlier for the installation and use of 9 caravans for seasonal agricultural workers at the site under DOV/20/00142. The initial application was to site and use the caravans from 1st March until 31st December, a period of 10 months.

2.9 The main issue in determining application DOV/20/00142 was whether the proposal fell within the Permitted Development rights as set out in Schedule 2 Part 6 Class A of the Town & Country Planning (General Permitted Development Order 2015 as amended). Under such an application it is not possible to consider the desirability (planning merits) of the scheme, but simply whether it would be lawful (i.e. meet certain criteria and be classed as Permitted Development).

2.10 During the assessment of application DOV/20/00142 the initial request to site the caravans for 10 months was considered having regard to relevant appeal decisions and legal interpretations of a "particular season". In recent case law concerning the length of a "particular season" Inspectors have noted at appeal that the length of a "season" will vary depending on the nature and scale of the agricultural use, but that a temporary use is envisaged. As a matter of fact and degree a period of 6-7 months is generally found to be two seasons and not sufficiently temporary to be properly regarded as a seasonal use.

2.11 In the light of the above application DOV/20/00142, the request for a 10 month period for the siting of the caravans was not considered to represent a season. As a result the description of the development was amended to cover the months from August to November and a Lawful Development Certificate was issued to reflect the amendment.

Justification for the Development

2.12 As outlined above the applicant's agent has submitted a significant amount of supporting information explaining the company's proposed changes for ECF and their plans going forward to grow the business through enhanced farming methods. The need for the caravans, farm managers accommodation and amenity building appear to be based on projected labour levels at ECF as it develops as a hub farm.

2.13 The movement of 9 caravans into and out of the site each year would involve considerable time and expense for the applicant. The stationing of the caravans for a further 8 months of the year (in addition to those already agreed under the Lawful Development Certificate) would avoid the need for the caravans to be brought in and taken off site and the associated traffic movements. This requirement has led to the submission of the current application which is essentially to change the use of a small area of orchard to the siting and storage of 9 caravans for workers with either continuous or intermittent occupation throughout the year depending on the nature of the seasonal work. As has been explained above, occupation may not necessarily be at full capacity at all times.

2.14 The Council's Rural Planning Consultant notes that this is a very common approach to housing agricultural workers on farms and one that has been approved throughout the County. Such year round siting arrangements avoid the need for costs and the upheaval of having to move units back and forth when accommodation may not be in use. The need for and number of caravans appears appropriate for the scale of proposed enhancements to the fruit farming business at the Elmstone Court site and the Rural Planning Consultant has not raised an objection to the caravans.

2.15 The need for the amenity building and farm managers accommodation are linked to the provision of the agricultural workers caravans. The farm managers dwelling and office is required to facilitate the effective management and security of the holding including the

workers. The amenity building will enable the applicant to attract workers to this expanding agricultural enterprise whilst maintaining welfare standards.

2.16 With regard to the possible use of the farmhouse for the agricultural workers at the site, the agent advises that they do not enjoy living separately from fellow employees and this leads to complaints that not all workers are treated equally but will be accommodate there as necessary.

2.17 It should be remembered that in some instances it is possible to convert agricultural buildings to dwellings without the need for a full planning application under Schedule 2, Part 3, Class Q of the Town & Country Planning (General Permitted Development) Order 2015 as amended, subject to certain criteria. This would not be an option at this site as the building in question falls within the Conservation Area where such rights are not permitted.

2.18 The Rural Planning Consultant recognises that there are no storage or packing facilities at the ECF site and that the provision of a farm managers dwelling whilst not essential, would be of considerable benefit. The applicant does not share the Rural Planning Consultants view that a farm managers dwelling is non-essential. They argue that it is required to secure the smooth running of the farm and for security reasons. The proposal would make use of an existing building at the site that is said to be of modest scale and in this instance the conversion to provide a farm managers dwelling is considered to be justified.

2.19 The proposed number of caravans and associated amenity block appear commensurate with the size and nature of the farming enterprise and its labour requirements. While some questions remain about the need for the farm managers dwelling, as advised by the Council's Rural Advisor, the convenience of such a facility here is acknowledged and its small scale nature, involving the change of use of an existing building. Comments raised by the applicant regarding the benefits of having a manager on site 24hrs to enforce 'zero-tolerance' and to act as a regular contact point for neighbours is considered to provide a helpful and compelling basis for concluding in the circumstances of this case that the limited farm managers accommodation can be justified.

2.20 In the light of the above there appears to be a sufficient need for the three elements of the application and satisfactory justification, given the scale of the agricultural activity proposed at the farm.

Impact on Character of the Area

2.21 Paragraph 8 of the NPPF recognises the intrinsic character and beauty of the countryside as a core planning principle and the conservation and enhancement of the natural environment. Core Strategy policy DM15 relates to the impact of proposed development in terms of its visual appearance and the need to protect the countryside.

2.22 Notwithstanding the Certificate of Lawful Development for the 9 caravans for 4 months of the year, it is necessary to consider the permanent siting of these structures on the general character of the area. The part of the orchard the subject of the application is elevated slightly above road level and is set a short distance from the main cluster of farm buildings. There will however be a distance of at least 20m from the nearest caravan to Padbrook Lane and a separation distance of approximately 32m from the vans to the nearest residential property in Padbrook Lane. There is currently a substantial hedge along Padbrook Lane and additional native hedge planting is proposed around the group of caravans, together with some planting to infill any gaps along Padbrook Lane. Full details of the species and hard surfacing to be used have been provided by the applicant.

2.23 The caravans are to be sited close to the cluster of farm buildings and the development would involve the loss of only a small portion of orchard land. Given that the caravans are of a single storey nature, will be grouped together, painted pale green and surrounded by

boundary planting, any visual impact is likely to be at low level. It is considered that there will be no long term adverse impact upon the character and appearance of the nearby countryside such as to justify withholding planning permission. A planning condition can be used to ensure the implementation of the proposed landscape planting. No objections are raised in terms of policy DM15.

2.24 If any external lights are required, it is envisaged these should be relatively unobtrusive in the site context. That said, a condition is recommended to ensure details of all lighting are provided. Details will be required of refuse storage facilities for the occupants of the caravans and managers accommodation.

Impact on Residential Amenity

2.25 The caravans would be sited sufficiently far away from existing residential properties such that there would be no overlooking or loss of privacy. Whilst there might be some change in outlook, under Planning legislation residents are not entitled to a view.

2.26 During the day time employees would be working either in the fields or within farm buildings/yard as is to be expected at such a site. In the evening workers would either be in their caravans or making use of facilities in the amenity block with occasional visits to local shops for food. The provision of an on-site manager (24hrs) provides the opportunity for greater supervision and the addressing of any noise concerns. Notwithstanding, it is recommended that a condition be imposed to require a plan as to how any residents concerns can be raised with the manager as/if required. .

No objections in respect of noise impacts have been raised by Environmental Health

Highway Matters

2.27 Policy DM11 seeks to locate travel generating development within settlement confines and restrict development that would generate high levels of travel outside confines. For the purposes of assessing this application, the site falls outside the settlement confines. The KCC Highways Engineer raises no objections.

2.28 Access to the site is shown from Padbrook Lane. This would represent a suitable option given the location of the application site so close to this existing farm access.

2.29 Policy DM13 concerns the need to provide parking facilities at the site to meet the needs of the development. The submitted plans show an open car port on one side of the farm managers dwelling to accommodate several vehicles. The agent states that the rate of car ownership is low and is discouraged. Based on experiences elsewhere of a similar size workforce it is anticipated that a maximum of 3 cars might be associated with the number of workers.

2.30 There is sufficient space within the farm holding to accommodate parking needs in association with the proposed development. A condition has been recommended to cover this matter.

2.31 In weighing up the travel impacts associated the proposal, it is considered that benefits would arise from a body of workers no longer having to be brought to/from the site daily. The avoidance of the bi-annual transportation of the caravans (to/from site) will also reduce travel and assist the safe/efficient use of the highway network.

Heritage Matters

2.32 The views of the Council's Senior Heritage Officer have been sought and it is acknowledged that the caravans already have permission to be in place for part of the year. It

is considered that the visual impact of the caravans on the Conservation Area would be negligible.

2.33 It is proposed to convert two adjacent buildings to form the managers accommodation, office and parking area. One of these is a brick structure in relatively good condition that is said to be capable of conversion without the need for substantial reconstruction. This building is noted to have no particular heritage value in its own right and the proposed external works will not be harmful to the character of the Conservation Area.

2.34 The adjoining building is a partly open sided lean to structure of no heritage value. The modern materials would be removed and a cart shed style parking area provided. These works should represent a visual improvement.

2.35 The third building to be converted to the amenity block currently comprises an open sided structure that is partly screened from view by other buildings and vegetation. This would be enclosed by composite panels to maintain its agricultural appearance without harm to the heritage values of the Conservation Area.

2.36 There are no objections in terms of any impact on the heritage values of the Conservation Area.

Drainage Matters

2.37 The applicant has confirmed that they are happy to follow the advice of the Southern Water with regard to connection to the public sewerage system to dispose of foul sewerage appropriately and SWS have confirmed that there is capacity in the existing network for this.

2.38 For the avoidance of doubt, no surface water drainage is proposed into the mains sewer. As the development is of a small scale, the LLFA has estimated that shallow infiltration trenches around the perimeter of each caravan should be sufficient to manage the clean water run off. As there is no impermeable hardstanding proposed on site it is considered that the site offers adequate soakaway for surface water as is currently the case – so in effect the status quo will remain in this regard. A condition is recommended to cover this matter.

Temporary Permission

2.39 The possibility of a temporary permission has been raised with the applicant. The following response has been received from the agent:

“This has not been accepted elsewhere on holding’s which have justified agricultural workers in the same circumstances. Neither Medway, Maidstone or Swale have sought to implement such a condition on eight other approved applications involving the siting of mobile homes to serve the functional need to manage orchards, including the above-mentioned appeal. Furthermore, and most respectfully, we are not aware of any policy requirement for such and we would therefore conclude that such a condition is not necessary to make the development acceptable in planning terms. Again, most respectfully, as was set out in appeal APP/A2280/W/17/3181443 (a different appeal made by the applicant which was allowed together with an award of costs against an inappropriate condition) it was set out by the Inspector that “A condition cannot be imposed to remedy a problem not created by the development, and the impact of the development does not justify a condition which seeks to control the effect of unknown future development. For these reasons the condition does not fairly and reasonably relate to the development or to planning.” We considered the same to be relevant in this case.

2.40 Respectfully, we would point out that significant investment would need to be made by AC Goatham & Son to provide this proposal. If this was to be of a temporary nature then this offers no security to this investment on any reconsidered application at a later date. Whereas

suitable conditions and a manager's dwelling enable any perceived impact to local residents to be managed and where necessary, enforced against."

2.41 The conditions recommended in this case will be noted which require that the caravans only be occupied by those working for the applicant and that in the event that they are no longer required then they can be removed.

Land Ownership

2.42 During the determination of the application a neighbour has made claims about ownership of a parcel of land adjacent to the south western boundary of the area of the proposed caravans and a right of way through the farm site. The land in question appears to fall within the "blue line " area of land under the applicant's ownership, but outside the "red line" area, the subject of the proposals.

2.43 The applicant's agent has been contacted about this matter. The neighbour has been made aware that the Council does not hold details of land ownership and that a private right of way is a matter between the parties concerned.

2.44 The issues raised by the neighbour do not appear to have a bearing on the determination of the current application.

Neighbour Comments

2.45 Within the neighbours comments some reference has been made to the possibility of increased Coronavirus spread with workers living in the proposed caravans. Occupants of the caravans would need to comply with current safeguarding measures in place, in the same way as any others living in more communal circumstances.

2.46 Any proposal for other residential development at the site would need to be the subject of a further planning application.

3. Conclusion

3.1 The applicants have provided a very detailed account of their farming requirements at the application site in connection with their wider business across Kent and their justification for the caravans, managers accommodation and amenity facility.

3.2 It is concluded that the siting of the caravans to accommodate teams of workers required in conjunction with this agricultural business is required/justified and that their permanent siting is appropriate and would avoid the need to alternately install and remove the structures. The provision of a farm managers dwelling and office and an amenity block for workers through the conversion of disused agricultural buildings are also considered to be appropriate.

3.3 The business case for the application has been fully made and arguably represents a logical next step which will bring economic advantages arising from the more efficient/effective operation of the enterprise. The proposal will have a very limited local impact on the rural character of the immediate area and/or the character of the conservation area. Opportunities for additional landscaping will bring environmental benefits, as will the reduction in travel arising from the current need to transport workers in/out of the site from across Kent. No highways objections to the scheme are raised by KCC Highways. It is recognised the proposal might be 'sensitive' for existing local residents. However there is no evidence to suggest the proposal would cause any undue harm to residential amenity. No objections are raised by Environmental Health. The applicant is alive to local concerns and measures would be put in place (through the on-site manager) to help address any unanticipated and unexpected eventualities. Overall, the application is considered to be in accordance with Core Strategy policies and relevant paragraphs of the NPPF

3.4 This application must be assessed in line with the 'tilted balance' at paragraph 11 of the NPPF which in the circumstances of this case requires that planning permission be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the scheme. From the foregoing, it is not considered that there are any harmful impacts arising that would justify the refusal of the application in line with the requirements of the NPPF (paragraph 11)

3.5 It is concluded that planning permission should be given in this instance subject to all necessary conditions.

Recommendation

PERMISSION BE GRANTED subject to the following conditions:

I Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.
Reason: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (or any legislation revoking or re-enacting that legislation with or without modification).
2. The development hereby permitted shall be carried out in accordance with the following approved plans:
ACG&S_ESF_541, 542, 550, 551, 552, 553, 554, 555, 556, 557 received 21.4.2020.
ACG&S_ESF_540 received 16.6.2020 and 543 received 7.7.2020
Planning Statement received 20.4.2020.
Heritage Statement received 7.7.2020
Building Inspection report received 19.8.2020.
Reason: For the avoidance of doubt.
3. The 9 caravans hereby approved shall only be occupied by agricultural workers employed at Elmstone Court Farm, Padbrook Lane, Elmstone and in accordance with the details received 20.5.2020. At no time shall they be occupied as permanent residential accommodation.
Reason: To reflect the special occupational need for the permitted development.
4. If any of the caravans subject to this permission are not used for accommodating seasonal agricultural workers during 2 consecutive calendar years, or if at any time they are no longer required for accommodating seasonal workers, they shall be removed from the site and the land upon which they were sited restored within 3 months to its previous condition, unless any variation is otherwise first agreed in writing by the Local Planning Authority.
Reason: To reflect the special occupational needs for the permitted development and the site's location within an area where residential development would not normally be permitted.
5. No more than 9 caravans shall be located on the site at any one time.
Reason: In the interests of visual amenity.
6. The caravans hereby approved shall be painted green in accordance with a colour sample that shall first be submitted to and approved in writing by the local planning authority. The caravans shall be maintained thereafter in that colour.
Reason: In the interests of the visual amenities of the area.

7. The landscaping scheme outlined in the details received 27.7.2020 and 15.9.2020 shall be carried out fully within 12 months of the first occupation of the caravans hereby approved. Any trees or other plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the local planning authority give prior written consent to any variation.
Reason: In order to protect and enhance the amenity of the area.
8. No development above ground level shall take place until samples of materials to be used in the construction of the external surfaces of the buildings hereby permitted to be converted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
Reason: In the interests of visual amenity.
9. The occupation of the dwelling shall be limited to a person solely or mainly working or last working in the locality in agriculture (as defined in Section 336 of the Town and Country Planning Act 1990) or forestry or a widow or widower of such a person and to any resident dependents
Reason: To reflect the special occupational need for the development.
10. The amenity building hereby approved shall only be used by the agricultural workers based at Elmstone Court Farm.
Reason: In the interests of the residential amenities of the occupants of nearby properties.
11. The Construction Management arrangements shall be carried out in accordance with the details received dated 15.9.2020.
Reason: In the interests of highway safety.
12. The area shown on the approved drawings as vehicle parking space and turning space shall be provided, surfaced and drained before the use is commenced/ accommodation to which it relates hereby is/are first occupied, and shall be retained for that use thereafter whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking, and re-enacting that Order with or without modification).
Reason: Development without provision of adequate parking of vehicles is likely to lead to highway safety issues to other road users.
13. The minibus service for workers to undertake shopping and other trips shall be carried out in accordance with the details received 15.9.2020 and shall be implemented in this way at all times.
Reason: To reduce the number of vehicle movements to/from the site and in the interests of highway safety.
14. No caravan hereby approved shall be occupied and the residential unit and amenity block shall not be brought into use until details of refuse/recycling storage facilities for each have been submitted to and approved in writing by the local planning authority. The approved details shall be provided before the caravan/dwelling/amenity block to which it relates is first brought into use/occupied and shall thereafter be kept available for their approved purpose at all times.
Reason: In order to ensure satisfactory provision of on site storage for refuse/recycling facilities.

15. No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the National Planning Policy Framework.

16. No floodlighting, security lighting or other external lighting shall be installed or operated at the site, other than in accordance with details submitted to and agreed in writing by the local planning authority. Such details shall include a statement as to the need for the lighting, the hours and frequency of operation, the areas of illumination and beam angles, and the number and location of any lighting. Thereafter any lighting details shall be installed as agreed and retained in that condition.

Reason: In the interests of the visual and residential amenities of the area.

17. A Management Plan shall be submitted to and approved in writing by the local planning authority before the use first commences. The Management Plan shall set out how the applicant will monitor the use in respect of its impact on the residential amenity of nearby local residents, ensure impacts are minimised and how local residents will be informed of a named person whom they can contact to discuss any concerns arising from the use. Once approved, the Management Plan shall be implemented in full and operated for the duration of the use hereby approved.

18. Prior to the development hereby approved commencing, details of infiltration trenches around the perimeter of each caravan, sufficient to manage clear roof run off, shall be submitted to and approved in writing by the Local Planning Authority. Such details as are agreed shall be carried out concurrently with the development and maintained at all times.

Reason: In order to secure a satisfactory standard of surface water management.

Informatives

1. A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link: southernwater.co.uk/infrastructure-charges.
2. Southern Water would not support the proposals for cess pit or private treatment plant in the presence of public foul sewerage network in the close vicinity of the development site. The foul sewerage shall be disposed in accordance with Part H1 of Building Regulations hierarchy.
3. Only clean uncontaminated water should drain to the surface water system. Roof drainage shall drain directly to the surface water system (entering after the pollution prevention measures). Appropriate pollution control methods (such as trapped gullies and interceptors) should be used for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system.

There should be no discharge into land impacted by contamination or land previously identified as being contaminated. There must be no direct discharge to groundwater, a controlled water.

- II Powers to be delegated to the Head of Planning, Regeneration and Development to settle any necessary planning conditions, in line with the issues set out in the report and as resolved by Planning Committee and to draft and issue a Statement of Reasons.

Case Officer

H Johnson