

1. Summary of additional information and representations received

- 1.1 As was stated in paragraph 7.71 of my main report, the applicant has now submitted a more detailed assessment of the ecological impacts of the proposed development, which has been the subject of consultation. My response to this report (and the representations received in respect of this) is detailed in section 2 below.
- 1.2 Since this application was last reported to the Area 2 Planning Committee, further representations have been received as follows:
- 1.3 West Peckham PC: The PC has responded to the submitted ecology report and in doing so has attached as part of its comments two separate reports from Sally Clifton Ecological Consultant. One is a review of the Ecological issues relating to the application and the other is an ecological survey of land within Vines Farm, West Peckham. This last document has also been submitted directly by a neighbouring land owner.
- 1.4 The PC has also submitted a summary of the comments made during the Members Site Inspection that took place on 21 May 2011.
- 1.4.1 The comments of the PC are summarised as follows:
- WPPC is of the opinion that a full EIA is required as part of this application.
 - One of the major threats to local ecology is that of flood risk and run off that have not been adequately covered by the submitted flood risk assessment or ecology report.
 - How complete is an ecological report that seems to have failed to observe or positively identify any wildlife on the farm at all?
 - The ecology report has not been completed diligently, in the spirit of the planning process or with the depth required for an application of this magnitude
 - The flood risk assessment report does not fully explore the possible negative effects outside the applicant's landholding.
 - The LPA has a duty to protect many species that are present and observed (and unobserved) on the site and adjacent to it. Is this rather hastily complied report sufficient to ensure that TMBC are fully meeting those duties?
 - The report notes that the applicant has dug irrigation ponds on the site with steep sides this making them unattractive to wildlife. The applicant makes much of their

conservation credentials but even recently when designing these ponds they have not designed them in a way that reinforces these credentials or provides attractive habitat.

- A full bat survey has not been undertaken. A survey should be undertaken not least to ascertain why bats were not observed in an environment that includes many highly suitable habitats and to ensure that this is not due to the introduction of polytunnels.
- A full survey of dormice should be undertaken and a conclusion as to why a habitat that is extremely suitable for them contains no evidence of them and yet they are recorded in an area directly adjacent to the site.
- The report simply lists the birds found in the area and does not seek to reach conclusions about the effect that the use polytunnels will have on their habitat.
- WPPC request that the applicant be asked to undertake a wider and full survey and report on Great Crested Newts both in and surrounding the landholding.
- A full reptile survey should be requested.
- No account has been taken of the insect population in or near the landholding.
- The use of pesticides may significantly increase the drift of pesticides to the area immediately adjacent to the up wind poly tunnel ends, due to the tunnel effect.
- Leaching of chemicals into the water course. The report reaches a theoretical conclusion based on a proportion of production only and combined with the inadequate flood risk assessment, needs to be confirmed by a full scale study.
- The term “prescribed areas for storage of equipment” is introduced in the report. WPPC request that this term be defined and a map of the prescribed area made available. We would also ask the LPA to confirm if a requirement exists for planning permission?
- The pollution prevention plan and water management plan should be requested as part of the planning process.
- The effects, when tunnels are operational, on badgers and other wildlife are claimed to be beneficial due to an increase in food supply and bedding. The report does not explain how badgers can access these via a largely closed off structure and even if they could, would they choose to enter an environment that is several degrees in temperature higher than the outside air. The effect of tunnelling over a field of strawberries would reduce access to habitat.

1.4.2 The submitted review of ecological issues consists of two main elements. The first is a critique of the applicant’s submitted ecological survey. The WPPC response

summarises much of the criticism raised in the review of the applicant's ecological statement. It criticises the overall approach to surveys that were undertaken stating that they were inadequate as most of the methods fell well short of nationally accepted standards for surveys of protected species including those used for Great Crested Newts. It also states that no dates were provided for the surveys and scant detail has been provided as to the location of the surveys. The report notes that the applicant's ecological report has not undertaken any surveys on land outside the application site.

- 1.4.3 This section of the report concludes that the applicant's ecological report is overly dependant on externally sourced, standard information which is either not relevant or is not appropriately applied to the purpose of the report.
- 1.4.4 The second part discusses potential receptors located within adjoining land that were visited to assess the impact of the development upon them in terms of surface water run off. This section of the report focuses on one potential impact of this development: that which could be caused by increased surface water run-off from the polytunnels upon water bodies, especially those on adjacent land.
- 1.4.5 The report states that there are a variety of ponds, reservoirs and streams lying adjacent to and in most cases downhill of the polytunnels. It is stated that in the absence of adequate drainage systems, increased surface water run off into them could cause additional silting up and agrichemicals being carried into these water bodies. It also states with regard to the fish pond south of Alder Wood that if this pond were to regularly receive flooding, this would impoverish the biodiversity of the pond. The report also comments that heavy rainfall could cause run off into Grove Farm Ponds and Peckham Place Reservoir.
- 1.4.6 This section of the report also comments of the potential impact of run off upon Ancient Woodland indicator species within the woodland that Wateringbury Stream runs through, as well as reptiles or ground dwelling invertebrates.
- 1.4.7 The PC has also now reviewed the conditions recommended in my main report and has suggested amendments to some of them (on a without prejudice basis).
- 1.5 East Peckham PC: Noted (response to additional information received: Ecology Report)
- 1.6 West Malling PC: No objections (to revision of site location plan omitting land within the Parish of Hadlow).
- 1.7 Further comments have also been received from the EA since my main report was published. These are:
- 1.8 Further to our previous comments, we have been in discussion with local residents who have raised concerns about the implementation and continued effectiveness of the surface water runoff control measures. We remain satisfied with the calculations

provided by the applicant which demonstrate that the proposed strategy will be effective. However, as the scheme differs significantly from a conventional drainage system, we recommend that the following conditions are attached to any permission granted to secure its efficient working:

Condition 1 : The development hereby permitted shall not be commenced until such time as a scheme for the inspection and maintenance of the drainage system serving the polytunnels has been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To ensure the continued effectiveness of the drainage scheme.

Condition 2: The development hereby permitted shall not be commenced until such time as a scheme for monitoring runoff and soil erosion downgradient of the polytunnels has been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

In the event that any adverse effects from the rate and/or volume of runoff on soil erosion are identified, suitable remedial measures shall be agreed and approved in writing by the drainage authority. These measures shall be fully implemented in accordance with the details agreed.

Reason: To ensure that any deficiencies in the drainage scheme are promptly identified and rectified.

1.9 Natural England: Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

1.9.1 This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. It appears that Natural England has been consulted on this proposal to offer advice on the impact on a protected species.

1.9.2 Natural England's advice is as follows:

1.9.3 We have adopted national standing advice for protected species. As standing advice, it is a material consideration in the determination of the proposed development in this application in the same way as any individual response received from Natural England following consultation and should therefore be fully considered before a formal decision on the planning application is made.

1.9.4 The protected species survey has identified that bats, a European protected species may be affected by this application.

1.9.5 Our Standing Advice Species Sheet: Bats provides advice to planners on deciding if there is a 'reasonable likelihood' of bats being present. It also provides advice on survey and mitigation requirements.

1.9.6 The standing advice has been designed to enable planning officers to assess protected species surveys and mitigation strategies without needing to consult us on each individual application. The standing advice was issued in February 2011 and we recognise that it will take a little while for planners to become more comfortable with using it and so in the short-term will consider species surveys that affect European protected species against the standing advice ourselves, when asked for support by planners.

1.9.7 We have not assessed the survey for badgers, barn owls and breeding birds¹, water voles or white-clawed crayfish. These are all species protected by domestic legislation and you should use our standing advice to assess the impact on these species.

1.9.8 How we used our standing advice to assess this bat survey and mitigation strategy

1.9.9 We used the flowchart on page 10 of our Standing Advice Species Sheet: Bats beginning at box (i) and came to the following conclusion:

1.9.10 Box (i) - Using Nature on the Map we determined that **No**, the application is not within/close to a SSSI or SAC notified for bats. This took us to Box (v).

1.9.11 Box (v) - We looked at the survey report and determined that **No**, it did not highlight that there are suitable features for roosting within the application site (e.g. buildings, trees or other structures) that are to be impacted by the proposal. This took us to Box (vi).

1.9.12 Box (vi) advises the authority to accept the findings, consider requesting biodiversity enhancements for bats (e.g. new roosting opportunities, creation of habitat linkages or species rich feeding areas) in accordance with PPS9 and Section 40 of the NERC Act.

- 1.9.13 For future applications you should use our standing advice to decide if there is a 'reasonable likelihood' of protected species being present and whether survey and mitigation requirements have been met.
- 1.10 Kent Wildlife Trust: It would appear that experienced ecologists have carried out the ecological scoping survey and assessment. The Trust has no reason to question their recommendations contained in the submitted report except for the management of the five hay meadows. For these, we would want to be sure that scarification and re-seeding is not going to damage the species composition of the existing sward.
- 1.10.1 However, the Council must assess the application against the standing advice of Natural England in respect of the threat to amphibians where the construction of polytunnels will take place within 500m of ponds capable of supporting great crested newts.
- 1.10.2 The biodiversity enhancement measures recommended in the report are consistent with the Environmental Stewardship Plan for the farm and earn our support.
- 1.11 Private Reps: An additional 21 letters of objection have been received to the proposed development since the time of my last Committee report. 14 additional letters have also been received that support the application. 2 further letters have been received that are neutral but state that the writers wish to speak at the Committee meeting.
- 1.12 Many of the reasons given for objecting to the application re-iterate concerns already raised and which are discussed in my main report. One letter sets out a financial appraisal of the applicant's economic case and states that a lack of sensitivity analysis from the applicant concerning the coverage of polytunnels is a material omission and invalidates their economic case. Another letter objects to the development because of the impact of the polytunnels upon the Scheduled Ancient Monument at Dukes Place, West Peckham due to the short distance they would be allowed to be from residential properties. The letter refers to a 500m ruling in respect to an ancient monument.
- 1.13 The representations also focus on the submitted ecology report and related surface water flooding issues and these comments are summarised as follows:
- Has the development been the subject of an EIA?
 - Compelling evidence has recently become available that casts strong doubt upon the robustness of the applicant's submitted Flood Risk Assessment (FRA). This evidence has been seen by the EA and has resulted in their changing their stance from no objection to include conditions that they wish to be included on a grant of planning permission.
 - Not satisfied that TMBC has all information necessary to consider the issue of surface water run off satisfactorily.

- A DVD has been submitted with film footage taken in February 2010 which shows surface water flooding in the locality of the polytunnels. Photographs have also been submitted that show localised flooding in this area in November 2009
- Given the compelling evidence that the rainwater run off rate from the fields with polytunnels exceeds that of the rate of a green field, the applicant's FRA does not contain any evidence as to the impact of the increased maximum flow rate or the time taken to reach the maximum flow rate, upon the Coult Stream Dam.
- I am not satisfied that the EA has received all the relevant documentation and LPA notifications to enable it to make a reasonable judgement and to provide the LPA with appropriate proposed conditions.
- The LPA does not appear to have made reasonable checks upon unsubstantiated statements made within the FRA such as "The polytunnels have been in place for several years. During this time there has been no recorded history of localised flooding and sediment mobilization due to the placement of the polytunnels". The compelling evidence submitted to you today clearly shows this to be untrue.
- A report has been submitted from an ecologist appointed by a neighbouring land owner that assesses the ecological habitats and protected species that are present within neighbouring land to the application site (and which is down hill of it). This report also discusses the potential impacts of the polytunnels development upon the habitats in terms of surface water run off from the land within the application site. The main impacts are described as being from sediment build up in water bodies and agrichemicals (if present) being carried into the water bodies within the adjacent land (in the absence of an adequate drainage system).

1.14 The additional letters submitted in support of the application do so for the reasons specified in my main report.

2. DPTL response:

2.1 The issues of ecological impacts and surface water drainage are interrelated with objectors stating that inadequate drainage from the polytunnels fields could cause negative impacts upon habitats and protected species within the site and adjoining land.

2.2 The submitted ecological report considers the impacts of the polytunnels upon the habitats found within the site (including field headland, semi-natural habitat (woodland only), hedges, irrigation ponds and streams. It also considers the impacts upon Badgers, Bats, reptiles, amphibians, birds, Dormice, Otters, Water Voles and Odonata.

- 2.3 The report does actually specify when the surveys were carried out, which was 10 to 13 May 2011. Maps have been included within the submitted ecology report that identifies the site surveyed (the application site area) and provides details of the specific hedgerows and ponds that were surveyed.
- 2.4 The report considers that during the construction phase (the erection of the polytunnels), the impacts upon the habitats is negligible. This is because there would be no loss of field headland, hedgerows or trees within the site as a result of this development. The impacts upon ponds within the site are also considered to be negligible due to the distance of the polytunnels away from the older ponds within the site. Similarly, the report considers the impact of the construction phase upon Badgers, birds, Dormice, amphibians and reptiles to also be negligible. This is because there would be no loss of habitat for these species caused by the construction phase of the development. In the case of Badgers, the report notes that disturbance caused during the construction phase could result in reduced foraging opportunities, but this would not be a permanent impact as it would only occur for the duration of the construction works.
- 2.5 Concerning operational impacts, these are considered to be low with regard to field headland, hedgerows and trees. It is noted that there is a possibility that drift from pesticides and herbicide sprays could be deposited upon these areas. However, the report goes on to state that the use of polythene tunnels has facilitated a reduction in both drift and the quantity of sprays applied, particularly for disease control.
- 2.6 With regard to water bodies in general, the report states that polytunnel growing systems are able to closely match the supply of fertiliser to the crop requirements, thereby reducing waste and excessive leaching of nutrients. Consequently the report concludes that the operational impacts of the polytunnels on water bodies are considered to be low.
- 2.7 The report states that the operational impact of the polytunnels upon Badgers, bats, birds and amphibians would be beneficial, as there is a potential for increased food supply as the moist warm, still atmosphere of the polytunnels will provide excellent breeding conditions for certain kinds of insect that bats, birds, amphibians and reptiles feed on. With regard to Badgers the report states that damp earth will contain an increased food supply and be easier for them to forage in.
- 2.8 With regard to the criticisms aimed at the methodology of the ecological report submitted by the applicant, I would agree that the information and survey techniques used fall short of what would be expected if an EIA were submitted in respect of this development. For example, with regard to Great Crested Newts, the presence/likely absence survey carried out on behalf of the applicant has not used three of the survey methods recommended in the standing advice from Natural England. Furthermore, no habitats outside of the application site have been surveyed for the presence of Great Crested Newts. The KWT has indeed noted in its latest response

that all ponds within 500m of the polytunnels should be surveyed for the presence of this species.

- 2.9 However, as has already been stated in my main report, this development has been screened under the EIA Regulations and it has been concluded that this development does not need to be the subject of an EIA.
- 2.10 Furthermore, it is evident from the objections received to the ecology report that they consider the key impact of this development to be from surface water run off which they consider to be greater than that associated with a green field. It is acknowledged that there is potential for additional surface water run off to leave the fields containing the polytunnels and run into neighbouring land which lies down hill of them and into water bodies located within that land. However, the applicant has already proposed mitigation measures that are discussed in my main report that would result in run off being limited to levels at or below that for Greenfield sites.
- 2.11 I note the comments of the objector regarding the EA's "change in position" regarding this application. As a matter of fact the EA is still maintaining its position of not objecting to the proposed development. However, in a very recent email from the EA, it is now suggesting the use of additional conditions to monitor site drainage, surface water run off and soil erosion and to undertake mitigation where necessary to deal with any impacts of surface water run off identified by the approved monitoring regime.
- 2.12 The film footage and photographs submitted as part of an objection to this development does indeed show surface water runoff and localised flooding taking place. Whilst no detailed information is included on that footage showing the detailed location of where this is taking place, the footage appears to show locations within and surrounding the area of the application site. The action footage was shot in February 2010 after a period of very heavy rainfall that caused flooding over quite a wide area. It is believed that the severity of that flooding incident is quite rare and I am not aware of the Goose Green dip having flooding at other times. Flooding on that day was related to intense rainfall and the resultant problems were not solely confined to catchments with polytunnels.
- 2.13 The information contained within the DVD is not, therefore, considered to be compelling evidence that the polytunnels were directly responsible for causing the widespread flooding problems highlighted in the submitted film footage. It has already been stated that the surface water run off, with adequate mitigation as detailed in my main report, is not considered to be worse in this case with the erection of polytunnels on this land than in a greenfield situation. However it would be prudent to monitor the situation and, where necessary, undertake additional appropriate mitigation to ensure the amount of surface water run off does not exceed that expected with a green field site. This approach would, ensure that the development would not have an adverse impact upon water bodies or protected species living within them.

- 2.14 Turning to other ecological matters, the habitats considered suitable for Dormice (hedgerows and woodland) would not be directly affected by the polytunnels that are and would be located within open fields and would not require woodland or hedgerows to be grubbed out.
- 2.15 With regard to bats, the latest advice from Natural England is clear on this matter and no further surveys are considered necessary.
- 2.16 With regard to birds, the report submitted on behalf of WPPC criticises the submitted ecological report as it fails to consider the impact of the polytunnels upon ground nesting birds such as Skylark and Lapwing, which were observed on site by the applicant's ecologist. However, it must be remembered that the application seeks permission to erect no more than 165ha of polytunnels in any one calendar year within a site that totals some 557ha of land. Open fields would, therefore, remain available for ground nesting and feeding birds. As Members will be aware, in my main report a condition is recommended that would limit the polytunnels coverage to 165ha in any one year.
- 2.17 In summary, whilst the submitted ecological report has not evidenced that all surveys have been undertaken in accordance with Natural England's standing advice, it is apparent that a qualified ecologist undertook the survey work and the subsequent writing of the report. The report clearly shows that suitable habitat exists within the site that could support protected species including Great Crested Newt, Water Vole, Dormouse, and Badgers and lists the types of birds (including red book species) that were observed during the field survey work. It is also apparent that the physical location of the polytunnels on cultivated land which itself has little ecological value would not require the removal of or harm the hedgerows, ponds or woodlands within the site that contain the habitats recognised as being of important ecological value. The main potential impact arising from the polytunnels as identified by the objections to the application relates to the possibility of additional surface water run off generated by the expanse of polythene coverings, running downhill of the polytunnels into neighbouring land containing sensitive water bodies. It is considered by the objectors that if this were to occur, silt and the presence of agrichemicals could build up in watercourses harming habitat and protected species. It is considered that with the submission of all of this material, the Borough Council can determine the application as it currently stands. Conditions are recommended that deal with the matter of surface water run off.
- 2.18 Concerning the matter of the financial sensitivity analysis raised by an objector, my main report deals with the economic case in detail. It may or may not be profitable to farm a smaller area of soft fruit; this would ultimately depend on a number of variables. Indeed, as is set out in my main report, the operating profit of HLF has varied considerably from year to year. However, the application has to be assessed on its merits. The economic analysis submitted as part of the application has been critically assessed by the Council's specialist consultant and he, in turn, has confirmed that the level of return upon which the analysis is based is not

unreasonable, given the variability of operating profit from year to year, the level of investment and overheads, and the risks that arise from price inflation in inputs (largely labour costs), contrasted with the relatively static prices achieved from the sale of the fruit itself. Members will be aware that, notwithstanding suggestions that a lesser area of polytunnels might be viable, it is the application as submitted that needs to be given formal consideration. The judgement that needs to be made, therefore, is whether, in the light of all the circumstances and on the basis of the available information, the proposal, including the scale of the development, is reasonably supported by the evidence.

- 2.19 I note the concerns of the local residents regarding the impact of the polytunnels upon the Scheduled Ancient Monument at Dukes Place. Current Government advice contained within “Scheduled Monuments: Identifying, protecting, conserving and investigating nationally important archaeological sites under the Ancient Monuments and Archaeological Areas Act 1979” (dated March 2010) states:

“In terms of impact of development on the setting of a scheduled monument, securing the preservation of the monument ‘within an appropriate setting’ as required by national policy is solely a matter for the planning system. Whether any particular development within the setting of a scheduled monument will have an adverse impact on its significance is a matter of professional judgement. It will depend upon such variables as the nature, extent and design of the development proposed, the characteristics of the monument in question, its relationship to other monuments in the vicinity, its current landscape setting and its contribution to our understanding and appreciation of the monument. “

- 2.20 This echoes guidance contained within PPS 5 that states that the effect of an application on the significance of a heritage asset or its setting is a material consideration. I have found no reference in either of these documents to a 500m zone around an ancient monument. In this particular case, the application site is located in excess of 300m away from the curtilage of Dukes Place and a field containing polytunnels that is owned by another party stands between the application site area and Dukes Place. I am, therefore, satisfied that the polytunnels, the subject of **this** application does not have a detrimental impact upon the setting of Dukes Place.

- 2.21 I have also taken the time since the Committee report was published to re-evaluate the schedule of conditions and consider that amendments should be made to some of them, which are detailed below. I would also recommend that additional conditions be added in line with recent advice from the EA. However, the conditions will need to be modified to enable appropriate control to be exercised over these matters.

- 2.22 With regard to the comments from the PC regarding the suggested conditions, it is normal practice for the Borough Council to consult Parish Councils on the submission of details reserved by conditions. The PC has also requested that condition 3 be

amended to require no polytunnels to be erected within either 30 metres of the boundary of any residential curtilage or 50 metres of the building line of dwellings. However, the recommended distance of 30 metres is considered to be acceptable to protect residential amenity. I do not consider it reasonable to prohibit vehicle access to the fields or materials being stored within these buffer zones.

- 2.23 Condition 7 applies also to successional tunnels as well as rotational tunnels. However, the purpose for condition 7 is for a strategy to be developed to deal with the location of the rotational tunnels as they are moved around the various fields within the application site with a view to minimising their visual impact upon the landscape. The successional tunnels are already in situ and will not be moved. I do not, therefore, consider it necessary for the condition to refer to successional tunnels or explicitly refer to the need to minimise polytunnels on particular areas within the site.
- 2.24 I do not consider it necessary to amend condition 9 as suggested as the rationale for the polytunnels is to protect soft fruit crops. Therefore, if the land within the site was to cease being used for these crops, there would be no reason for the polytunnel to remain in place.
- 2.25 With regard to condition 8, I do not believe it would be reasonable to reduce the length of time the coverings can be in place on the polytunnels from 9 to 6 months within one calendar year. The use of polytunnels has lengthened the season for harvesting soft fruits to 6 months (May-October according to the applicant), and the plants will need to be protected prior to them cropping. The nine months timeframe, is, therefore, considered to be reasonable in this particular case.
- 2.26 With regard to the additional conditions suggested by the PC, I would not recommend that they be added to a planning permission for this development. The development by virtue of condition 1 will need to accord with the submitted details, including the drawings showing the detailed design of the polytunnels themselves. It would not be reasonable to impose a temporary condition for this development due to the nature of the development itself. The development has to be assessed on its merits in accordance with adopted planning policies and other material considerations that exist today. Whether national policy or guidelines change in the future will not have a bearing upon the outcome of this application.
- 2.27 I have suggested below some revisions to the conditions already specified in my main report. I have also suggested two additional conditions broadly in line with the advice from the EA, which has advocated that the issues of surface water drainage and soil; erosion be monitored within the application site.
- 2.28 In the interests of clarity, I have reproduced a revised schedule of the recommended conditions below:

AMENDED RECOMMENDATION:**Amend and add conditions as follows:**

1. The development hereby permitted shall be carried out in strict accordance with the following approved documents, unless otherwise agreed in writing by the local planning authority :

Location Plan 01 A dated 20.05.2011, Letter dated 20.05.2010, Design and Access Statement dated 08.07.2010 (except "Table 1 : Land use 1999 – current, with likely future rotation"), Landscape Statement dated 08.07.2011, Letter dated 30.12.2010, Landscape Statement ADDENDUM dated 30.12.2010, Ecological Assessment dated 26.05.2011, Proposed Plans and Elevations 1640/3 dated 08.07.2010, Proposed Plans and Elevations 1640/4 dated 08.07.2010, Proposed Plans and Elevations 1640/5 dated 08.07.2010, Section 1640/6 dated 08.07.2010, Letter dated 09.07.2010, Planning Statement GKS/RLK: S1640 dated 09.07.2010, Flood Risk Assessment dated 08.07.2010, Email dated 26.05.2011, Report ECONOMIC CONTRIBUTION dated 08.07.2010, Report ECONOMIC dated 08.07.2011, Landscaping EXPLANATORY NOTE dated 15.05.2011, Letter dated 13.04.2011, Letter dated 18.04.2011, Letter dated 16.06.2011, Report MANAGEMENT PLAN dated 08.07.2011

Reason: In order to comply with the scale and nature of the development hereby permitted, in the interests of rural and residential amenity.

2. The gross area of fields containing polytunnels shall not exceed 165ha during any single calendar year. For this purpose, the expression "polytunnels" shall include polytunnel hoops from which the plastic covering has been removed, temporarily or otherwise. Within this overall total, the gross area of fields containing rotational tunnels shall not exceed 91ha and the gross area of fields containing successional tunnels shall not exceed 74ha.

Reason: In the interests of visual amenity.

3. Successional tunnels shall be located only in those fields identified for this purpose on the Polytunnel Status Plan (Figure 2) date-stamped 8 July 2010 contained within the revised Design and Access Statement. Rotational tunnels shall be located only in those fields identified as "land suitable for rotational tunnels" on that Plan. No polytunnels shall be located at any time on those fields annotated "no polytunnels" on that Plan.

Reason: In the interests of visual amenity.

4. No polytunnels shall be located closer than 30m to the boundary of any residential curtilage except in the case of residential properties occupied as part of the farm holding and save in respect of any dwellings agreed in writing with the local planning authority.

Reason: In the interests of the residential amenity of the occupiers of residential property in the vicinity of the application site.

5. The measures to regulate and control surface water run-off from and within the site, as set out in the Flood Risk Assessment dated August 2009 and date-stamped 8 July 2010, shall be implemented in relation to all fields whilst polytunnels are present in those fields. The mitigation and maintenance measures set out in the Water Management Plan, contained within the Management Plan date-stamped 8 July 2010, shall be carried out fully in accordance with the regime set out therein.

Reason: In the interests of flood prevention and the protection of amenity.

6. The measures set out in the Management Plan date-stamped 8 July 2010 with regard to the inspection, management and maintenance of polytunnel coverings shall be fully undertaken in accordance with that Plan or such management plan as subsequently agreed with the local planning authority.

Reason: In order to minimise the noise caused by loose or poorly secured covers, in the interests of residential and rural amenity.

7. Within six months of the date of the granting of this planning permission, details of a strategy for the location of rotational tunnels, generally in conformity with "Table 1 : Land use 1999 – current, with likely future rotation", shall be submitted for the approval of the local planning authority. The strategy shall also provide details of the measures to be taken to minimise, as far as practical, the concurrent use of adjacent fields for the location of tunnels within Areas 2, 3, 4, 5 and 8, as identified in the Landscape and Visual Impact Assessment. The strategy shall also indicate how the principles set out in "Table 1 : Land use 1999 – current, with likely future rotation" are to be carried forward into subsequent rotational cycles for future years. Following approval, this strategy or any strategy subsequently agreed with the local planning authority shall be adhered to at all times.

Reason: In the interests of visual amenity.

8. Within six months of the date of the granting of this planning permission, full details of a landscape strategy including details of additional planting and a timescale for the implementation of the strategy, shall be submitted to the local planning authority for approval. The approved strategy shall be implemented in accordance with the agreed timescale.

Reason: In the interests of visual amenity.

9. All polytunnels and associated equipment shall be permanently removed from the application site in the event that the land ceases to be used for soft fruit production.

Reason: In the interests of visual amenity.

10. No polytunnel shall be covered with plastic sheeting for more than nine months in any calendar year.

Reason: In the interests of visual amenity

11. No polytunnels (including uncovered hoops) shall be erected within 4m of the centre line of any Public Right of Way

Reason: In the interest of visual amenity.

12. Within six months of the date of the granting of this planning permission, full details of a strategy to monitor surface water run off and soil erosion downgradient of any of the polytunnels including the timescales for the implementation of the strategy, shall be submitted to the Local Planning Authority. The approved monitoring strategy shall be implemented in accordance with the approved timescale.

In the event that any adverse effects on the rate and volume of runoff or on soil erosion are identified by the approved monitoring strategy, details of mitigation shall be submitted to the Local Planning Authority. The submission of the mitigation strategy and its subsequent implementation following approval by the local planning authority shall be undertaken prior to the date that the next monitoring exercise as set out in the approved monitoring strategy is due to take place.

Reason: In the interests of ecology and flood prevention.

13. Within six months of the date of the granting of this planning permission, a scheme for the inspection and maintenance of the drainage system serving the polytunnels hereby approved shall be submitted to the local planning authority. The scheme shall be fully implemented within three months of it being approved and shall be adhered to in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the local planning authority.

Reason: To ensure the continued effectiveness of the drainage scheme.