

SECTION '2' – Applications meriting special consideration

Application No : 10/00925/FULL1

Ward:
Darwin

Address : Cottage Farm Cackets Lane Cudham
Sevenoaks TN14 7QG

OS Grid Ref: E: 545129 N: 159562

Applicant : Cottage Farms Ltd (Mr P Baxter)

Objections : YES

Description of Development:

Erection of glasshouse for agricultural purposes
RETROSPECTIVE APPLICATION

Key designations:

Special Advertisement Control Area
Green Belt

Proposal

This application seeks permission for a freestanding glasshouse of 320sqm at Cottage Farm, a site primarily used for an agricultural business involving the rearing of turkeys. These are predominantly sold at Polhill Garden Centre nearby. The applicant resides at the site. The glasshouse is 5 metres in height to the top of the pitched roof. It is located to the rear of the existing residential garden to the south western side of the farm complex.

The use is stated to be for horticultural purposes for a variety of plants and food which cannot normally be grown in the English climate. This use extends to other areas of the site where there are two historic smaller glasshouses and some open horticulture. The use is partly for the family but predominantly as an ancillary part of the butchery and catering business. It is also stated that in addition to the 30 people already employed at the site a further person would be employed in connection with this proposal.

Location

The site is located within the countryside in a small cluster of buildings, some relating to the turkey business at Cottage Farm, the residential buildings attached to the farm and several other residential properties to the north west of the site fronting Cacketts Lane. Predominantly open Green Belt land bounds the site to the south, east and west and to the north on the opposite side of the lane. A public footpath runs across the top of the field on the opposite side of the lane from which the site is visible.

Comments from Local Residents

A large number of representations supporting this proposal have been received, all of which are on template letters, mostly individually signed and addressed by individuals from inside and outside of the Borough. None appear to be from immediate neighbours.

The comments in the letters suggest that to move the glasshouse would make no sense as it would be more visible and will impact more on the environment, and support the granting of permission for it in the current location.

One letter of objection has been received from a close neighbour who points out that the committee previously found this location to be unacceptable in deferring the application to seek a revised siting. It is also pointed out that the application does not seek to reduce the height of the building and that the proposed screening will be ineffective.

Comments from Consultees

There are no consultee comments to report.

Planning Considerations

The proposal falls to be considered with regard to Policies G1 (Green Belt), NE12 (Landscape Character), BE1 (Design), BE3 (Buildings in Rural Areas) and BE11 (Conservation Areas). PPG2 – Green Belts is also relevant.

The Conservation Area adjoins the site and includes the cottages at the front on Cacketts Lane.

Planning History

Planning history for the site is limited to historic applications in connection with the turkey rearing business, plus application ref. 08/04238 which was permitted for the glasshouse but with a lower overall height and revised location closer to the existing farm buildings.

This matter was also previously reported to Members in the form of an enforcement report on 1st April 2010, where consideration was deferred due to the receipt of a

planning application which was submitted the day before the committee meeting. It was invalid and a letter was sent to the agent on 13th April 2010 requesting further information. No further information was received and the matter was reported to committee as an enforcement report for the second time on 1st July 2010. However, because the application was finally validated upon receipt of further information on 23rd June 2010, Members deferred consideration once again.

Conclusions

The primary issues in this case are whether the glasshouse is appropriate development within the Green Belt and whether it is harmful to the landscape and visual amenities of nearby properties, with regard to the above policies.

Following receipt of a complaint to the Council in November 2008, a retrospective planning application was submitted under ref. 08/04238 for a glasshouse of 320 square metres at Cottage Farm, which had been erected without the benefit of planning permission. The application states that the glasshouse is used for commercial horticulture and a business plan was presented to the committee to support this claim. Members deferred the application from Plans Sub Committee on 19th March 2009 in order to seek amendments to the scheme to reduce its height and potential re-siting, and further information regarding the uses proposed.

Following receipt of the business plan, the Council sought a view from agricultural consultants, who expressed some concern that the plan was not sound. The applicant's agent responded providing further information on income to be derived from the glasshouse, and the application was amended to show a revised location closer to existing farm buildings, a reduced height and setting into the ground to reduce the impact on the Green Belt and countryside, and to improve the views from nearby residential properties. Members granted permission for the revised siting, subject to a condition that the existing glasshouse should be demolished and all materials removed from the site by 31st January 2010. However, since this permission has not been implemented, it is not possible for the Council to enforce the condition as it has yet to become effective.

With regard to the location in the Green Belt, PPG2 and UDP Policy G1 state that new development within the Green Belt is inappropriate unless for certain purposes, which include agriculture, and Members will need to decide whether they agree with the applicant that the proposal constitutes appropriate development within the Green Belt by virtue of its horticultural use. The use appears to have some commercial horticultural element to it, however it would appear from letters on the previous file that the use of the entire building is not simply for the agricultural business, particularly as it is also linked to the applicant's hobby and adjacent to the domestic garden area rather than within the commercial area of the site. The entire use of the building would not appear to be for horticulture, as at least part appears to be for a hobby, and it is considered therefore that the building may not be appropriate development in the Green Belt. In the event that Members do consider that the

development is appropriate, then its visual impact still remains to be considered and this is not acceptable simply because a development is appropriate – it would then be necessary to have regard to its impact upon the openness and character of the Green Belt prior to determining this application.

The glasshouse remains in situ in its original location and this application seeks permission for the second time (the first application ref. 08/04238 resulted in an approval for a lower building in a revised location). The structure is 5m to the top and is located to the rear of the existing residential garden to the south western side of the farm complex. It is visible from around the site and clearly has some impact on the openness of the area and the Green Belt. The building is extremely large and despite being constructed predominantly of glass has a considerable impact upon the landscape, particularly when viewed from nearby residential properties and nearby public viewpoints. It is not considered that it will readily blend into the landscape even if screened with planting given its overall size and height. The proposal therefore conflicts with Policies BE1, BE3 and NE12 and also harms openness and visual character of the Green Belt.

Background papers referred to during production of this report comprise all correspondence on file ref. 08/04238, excluding exempt information.

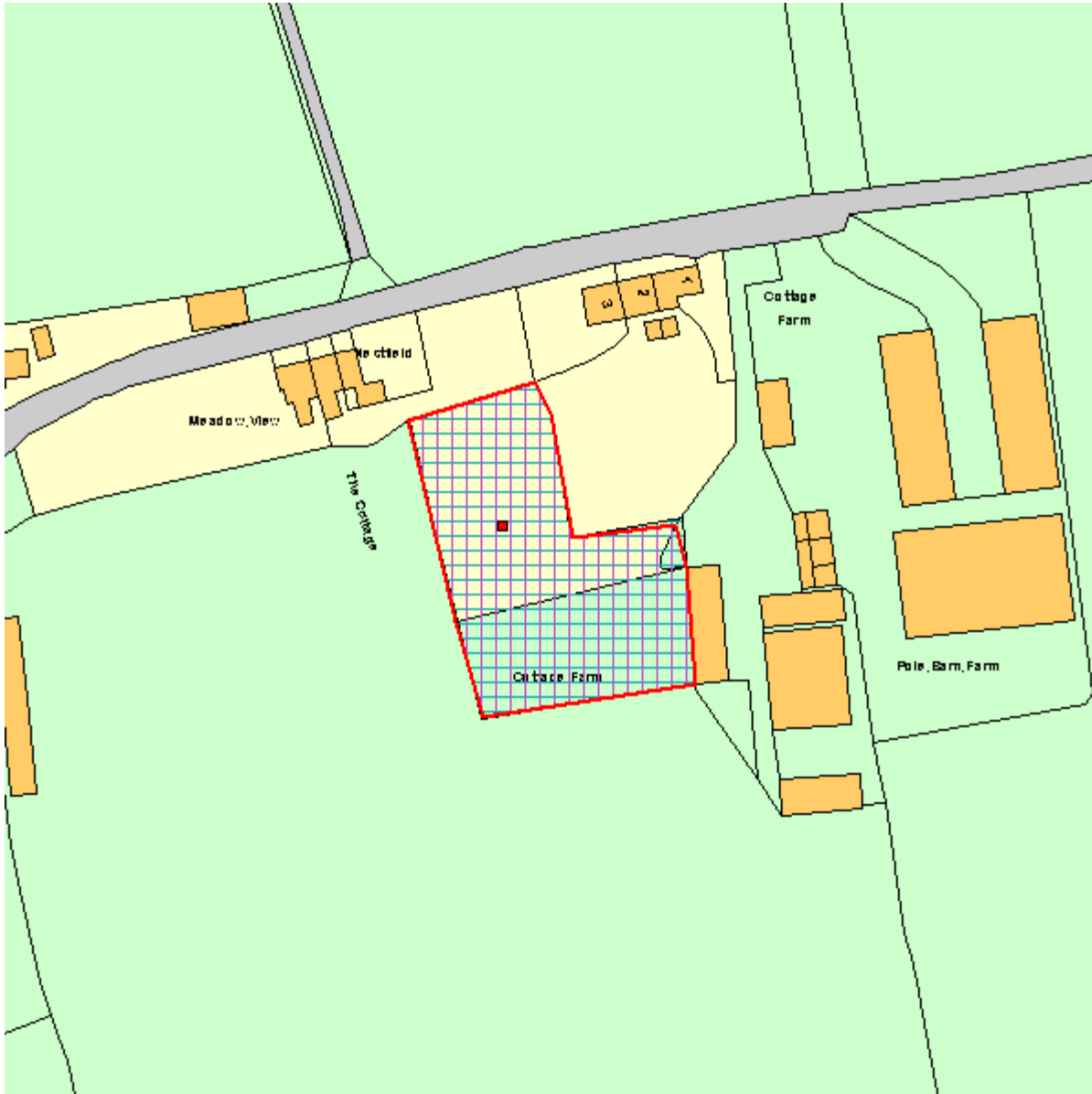
RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The glasshouse is located within the Green Belt where there is a presumption against inappropriate development. No very special circumstances have been put forward to justify the setting aside of normal policy requirements and the proposal is therefore contrary to Policy G1 of the Unitary Development Plan and PPG2 - Green Belts.
- 2 The glasshouse, by reason of its overall size and siting, constitutes a visually intrusive form of development, harmful to the rural character of the area, therefore contrary to Policies BE1, BE3 and NE12 of the Unitary Development Plan.

Further recommendation - Enforcement Action be authorised to secure the demolition of the glasshouse.

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