

# REVIEW OF THE VOLUNTARY CODE OF PRACTICE FOR THE USE OF POLYTUNNELS IN HEREFORDSHIRE

Report By: Polytunnel Review Working Group

## Wards Affected

County-wide

## Purpose

1. To report the findings of the Polytunnel Review Working Group.

## Background

2. In accordance with the decision of Cabinet on 14th October 2004, that the Code be reviewed every two years, the Review Group met in March and May 2006. It soon became apparent that the planning case at Waverley Borough Council had a strong bearing on the review of the Code and therefore the work of the Group was suspended pending the outcome of the Waverley case.
3. The Review Group met on 1st March 2007 and received advice from the Legal Practice Manager and the Development Control Manager. The attached summary sets out the basis of that advice.
4. The Review Group considered that advice and make the following recommendations to the Cabinet Member (Environment):

## RECOMMENDATION

**THAT;**

- (a) **all *new* polytunnel developments within the county (be they for soil grown crops or table top growing or otherwise howsoever) be treated as development requiring planning consent. The usual application form will need to be completed in those circumstances;**
- (b) **that enforcement proceedings be continued and/or initiated in accordance with the priorities below:**
  1. **Enforcement proceedings to be continued in respect of those sites where notices have already been served and/or are in preparation**
  2. **Enforcement proceedings to be initiated during the growing season of 2007 in all cases where polytunnels are already**

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Further information on the subject of this report is available from  
Kevin O'Keefe, Legal Practice Manager on 01432 260005.

known, or are suspected, to be outside the Code of Practice, there is a threat to acknowledged planning interests, and are approaching four years in situ

3. Enforcement proceedings to be initiated after the end of growing season 2007 in all other cases where planning applications have not, by then, been submitted and there is a threat to acknowledged planning interests; and

- (c) that the Executives response be reported to the Committee in due course.

#### BACKGROUND PAPERS

- None identified.