

## Appendix 2 to Polytunnels Guide Cabinet Member Report April 2018

### Consultation Responses Summary

CONSULTEE	RESPONSE	ACTION
Joel Hockenull Senior Drainage Engineer Balfour Beatty Living Places	Additions suggested relating to SuDS to ensure that water discharges meet quality objectives	Changes incorporated
	Additions suggested relating to surface water drainage and water quality/pollution prevention	Changes incorporated
Conservation Team	Tree Survey BS number updated to BS5837:2005	Changes incorporated
Kevin Singleton Team Leader Strategic Planning Herefordshire Council	Check with Development Management team that the condition in Guideline 14 is appropriate and useful	Checked. This condition has proved useful and appropriate
	Amendment required to simplify wording on temporary planning permissions	Changes incorporated
	Provide additional detail on and a link to pre-application planning advice	Changes incorporated
Mark Tansley Team Leader, Economy, Communities & Corporate Herefordshire Council	Amendments suggested to the wording of introduction relating to the possibility of table top growing to be located in non-agricultural environments (also see comments from Simon Withers)	Wording amended
	Are paragraphs relating to the need for planning permission required given that the position has been established through caselaw?	This section has been reduced to 3 paragraphs. It is considered useful information for the public, so has been retained in this simplified form
	Amendment required to guidance on setting of listed buildings in line with NPPF paras 132 & 133	Changes incorporated

	Amend wording to section on AONBs to bring it in line with NPPF requirements	Changes incorporated
	Amend Guideline 7 to bring it in line with NPPF 'substantial harm'	Changes incorporated
	Amend Guideline 9 to remove ambiguity	Minor alteration made. Checked with Kevin Bishop (Lead Development Manager) that this guideline remains useful to DM officers
	Polytunnel growth is not gradual as it needs to be of an economic scale from the outset. Clarify the planning position in relation to designated landscapes	Polytunnels on farms can be gradually increased from the initial development, therefore the wording has been retained in an altered format. Wording relating to designated landscapes has been altered in line with NPPF and Core Strategy policies
	Residential amenity and buffer zones. Harm would need to be identified if enforcing such conditions.	Discussions with DM officers revealed that buffer zones can be useful to protect residential amenity and the wording has been altered but the guideline remains
	Guideline 15 highway safety. Replace word 'may' with 'will'	Change incorporated
Samantha Banks Neighbourhood Planning Team Leader Herefordshire Council	Welcome references to NDPs. No further comments	Noted
Development Management officers combined responses (Kevin Bishops, Roland Close, Simon Wither, Ed Thomas)	Amendments suggested to the wording of introduction relating to the possibility of table top growing to be located in non-agricultural environments (also see comments from Mark Tansley above)	Wording amended
	Planning Guideline 7: Make reference to the NPPF concepts of substantial harm and public benefits	Wording amended
	Planning Guideline 8: Make reference to the NPPF concepts of substantial harm and public benefits	Wording amended

	Planning Guideline 10: how does one distinguish between these and 'normal' agricultural activities?	Wording amended
	Planning Guideline 14: favour retaining this provision, but the term 'shall' could be replaced with 'consideration will be given to their removal'	Wording amended
	Planning Guideline 16: Check with BBLP that this is still a provision that is considered appropriate	BBLP consulted. Wording amended
	In Economic Assessments section, consider making reference to Social Assessments in the context of the wider definition of sustainability	Wording amended
	Re-order paragraphs relating to pre-application planning guidance	Changes incorporated
Sarah Faulkner Environmental & Rural Affairs Adviser NFU	Food security is a key national concern. The future challenges to food production will be to maximise outputs, minimise inputs, achieve environmental sustainability and adapt to climate change	Wording of section on The Increasing Use of Polytunnels amended
	The contribution that soft fruit farmers in Herefordshire make to the local rural economy must be given full consideration when determining planning applications	Section on Economic Need & Impact amended
	Growing techniques have evolved since the 2008 SPD and some of the guidance (including in relation to rotations will no longer be appropriate)	The document has been fully updated. However, for those applications where polytunnels do not house table top growing methods, this element of the guidance is retained
	The document should link more closely with the economic objectives of the Core Strategy and NPPF and additional DPDs or SPDs should only be used where clearly justified and not add unnecessarily to the financial	The document contains up to date and policy compliant planning guidance and is therefore considered to meet local and national policy objectives

	burdens on development. Whilst it does not have status of an SPD, this document should be prepared in accordance with these provisions	
	The guidance should reflect new national policy guidance on polytunnels and farm reservoirs and should be tested against it	The document is considered to address the government's proposed changes to the planning system. No change proposed
	The guidance document should be made more concise	The guidance is considered to be clear and comprehensive. No change
	Additional consultation with growers and their agents is suggested	Should a formal SPD be considered necessary in the future, a comprehensive consultation will be carried out.
	Polytunnels in non-agricultural environments would require significant areas of land and have a reliable water supply and would therefore there may be few suitable urban locations	Wording amended
	In section on Polytunnels and Planning Control, reference should be made to the prior notification process	Wording amended
	Section 4 Detailed assessment of planning issues. Make reference to the economic benefits of soft fruit production to the wider local and national economy	Wording amended
	The agricultural sector can achieve significant growth and productivity gains through the use of new growing techniques. This should be reflected	Wording amended
	Review the section on whole farm plans. With increasing table top growing crop rotation is not always a suitable production method	The document provides guidance to polytunnel development of all kinds and whole farm plans have been useful to development management officers in the determination of planning applications

	Guideline 2: cumulative impact should be altered to allow for proposals to be assessed on a case by case basis	Wording amended
	Guideline 3: landscape character zones. Each application should be considered on its merits and consideration on a case by case basis would be preferable. Specialist landscape character assessments are costly and this should be taken in to account	Wording amended to allow development management officers to assess the specific limitations in landscape character zones on a case by case basis
	Guideline 4: AONBs. This should be amended to reflect the wording of the associated text relating to farm-scale development proposals	Wording amended
	Guidance 6: polythene removal. Case by case assessments should be made and conditions negotiated in this way	Conditions imposed on planning permissions relating to polythene removal have proved effective in protecting amenities and its removal is not considered to be appropriate
	Guidelines 9 & 10: residential buffer zones. The amenity considerations for farm houses may be different from those for dwellings adjacent to farm businesses	Such conditions would be imposed to protect amenities of both current and future occupiers of properties and it is therefore not considered appropriate to remove this wording from the guidance
	Guideline 12: noise. It is difficult to assess the noise which may arise in the future, therefore growers should be encouraged to put in place employment policies which reduce noise disruption to adjacent dwellings. Amend term 'tunnel farmers'	Wording amended
	Waste plastic disposal is already dealt with under existing waste regulations and the duty of care. Duplication is not required	Wording amended
	Public rights of way: do not duplicate other legislation. Impacts on views will vary from case to case	Wording amended

Guideline 17: fluvial floodplains. Section requires updating to reflect changes to agricultural growing techniques and water management	Wording amended
Guideline 18: surface water drainage – SUDs may not cover all techniques employed by farmers and may not always be necessary where surface water is captured for irrigation	References added to Herefordshire SuDS Handbook
Points of clarification raised in relation to surface water drainage matters and nutrient levels	No change proposed. Guidance is considered to be comprehensive and appropriate
Disagree that polytunnels restrict groundwater recharge	It is stated that such development 'may' restrict groundwater recharge. No change proposed
Do not duplicate EA regulations on agricultural water management	No change proposed. Guidance is considered to be comprehensive and appropriate
Query the necessity for 6 copies of paper documents with planning applications	This is no longer a requirement. Wording deleted
Overall design concepts are not necessarily relevant for polytunnel development and they should be a recommendation not a requirement	Wording amended
Clarification of large-scale and significant is required	Wording amended to seek advice from Development Management officers
Temporary planning permissions: the investment required to set up a soft fruit business is substantial and the need for this section is not considered to be necessary	The guidance document is intended to cover all types of potential polytunnel development and this may not always relate to soft fruit production. No change proposed
Whole farm plan requirements should be dealt with on a case by case basis	Limited changes made to acknowledge that whole farm plans may not always be pertinent. However, these have proved useful

		tools for development management officers and the wording remains largely unaltered
	Polytunnels business case economic criteria (Appendix 1): Potential employers may not be able to ask applicants some of the questions without being discriminatory.	Wording amended
Mrs V Simpson – Wye Planning	Welcome the acknowledgement of the role and value that agriculture plays within the Herefordshire economy and the appreciation of the value of polytunnels in modern soft fruit production	Noted
	Para 2.7 should be amended to discuss the potential need for the Prior Notification procedure to be followed	Wording amended
	Guideline 2: fundamentally disagree with any limit of total farm coverage. This does not allow for a case by case assessment to be made	The aim of the Council's planning policies is to ensure that change caused by development should be appropriate to its setting and not be allowed to overwhelm and destroy the inherent character of the landscape. Amendments made to this section to allow for the consideration of development in different landscapes
	Guideline 9: reference to dwellings should be amended to 'non-protected dwellings'	Such conditions would be imposed to protect amenities of both current and future occupiers of properties and it is therefore not considered appropriate to remove this wording from the guidance
	Guideline 14: 'consideration' should be given to polytunnel removal	Wording amended
	Guideline 15: this is unnecessary. Other agricultural uses generate similar numbers of vehicular movements	The reasoning behind this guideline is explained in the associated text. No change proposed
	Guideline 16: this is unnecessary as PROWs are protected under other legislation	This guideline is considered to be appropriate. However, the wording has been amended

	Guideline 19: unnecessary repetition of Core Strategy policy and protected species regulations	The section has been retained, but the guidelines have been removed to avoid duplication of Core Strategy policies
	Guideline 20: unnecessary repetition of Core Strategy policies	The section has been retained, however the guidelines have been removed to avoid duplication of Core Strategy policies
	References to 'requirements' should be amended to advised, since an advice note cannot require	Wording amended
	Provide clarification over what 'large' and 'small' scale polytunnel developments are. It is suggested that large scale is 3+ ha	The document advises that developments of more than 1ha are considered to be of a larger scale. This may not be considered to be large scale to a grower, but is large enough to have the potential to have adverse effects on issues such as ecology or landscape. The guidance advises that discussions should be held with the development management officers to ascertain what additional information should be submitted with a planning application. Limited changes proposed
	Guidance should be included on what types of polytunnels are deemed to require planning permission to provide greater clarity and ensure consistency of approach	The document is considered to provide comprehensive advice on what types of development are likely to require planning permission and officers of the council can confirm requirements in individual circumstances. The types of polytunnels used and how they are used continues to change over time and this is therefore considered to be the most appropriate way of ensuring that planning permission is submitted in cases where it is deemed necessary
	Whole farm plans and the limits to total coverage is negative and it would be better of the impacts of polytunnel development	Comments received from the development management team suggest that whole farm plans are considered to be useful in the



	proposals are considered on a case-by-case basis	consideration of planning applications and the assessment of the potential impacts. No change
	Appendix 1 – local/migrant split. Is this relevant or appropriate?	This was originally included so that the need for accommodation and on farm facilities could be assessed, in addition to the use and demand for local services. However, the point raised is noted and appendix 1 has been amended