

APPLICATION: MA/09/0095 Date: 21 January 2009 Received: 13 March 2009

APPLICANT: W.B. Chambers

LOCATION: OAKDENE FARM, MAIDSTONE ROAD, SUTTON VALENCE,  
MAIDSTONE, KENT, ME17 3LS

PROPOSAL: Erection of agricultural cold store building and alterations to  
farmyard layout as shown on drawing nos. DHA/6895/01/A, 02, 03,  
04, 07/A received 22/1/09; and 05A and 06/C received on 13/3/09.

AGENDA DATE: 2nd July 2009

CASE OFFICER: Chris Hawkins

The recommendation for this application is being reported to Committee for decision because:

- it is contrary to views expressed by the Parish Council (both Langley and Sutton Valence)

### **POLICIES**

Maidstone Borough-Wide Local Plan 2000: ENV6, ENV26, ENV28, ENV43  
South East Plan 2009: CC1, CC6, T7, C4  
Kent & Medway Structure Plan 2006: SP1, SS1, SS8, TP19, EN1, EN3, EP8, QL1  
Village Design Statement: N/A  
Government Policy: PPS1, PPS7, PPG13

### **HISTORY**

MA/08/0090 Land at Oakdene Farm, Maidstone Road, Sutton Valence, Kent.  
Change of use of land for the stationing of 35 seasonal and general  
agricultural workers caravans. Approved.

MA/07/0081 Land at Oakdene Farm, Maidstone Road, Sutton Valence, Kent.  
Erection of extension to existing building to provide office and  
admin space, staff changing, canteen facilities and client meeting  
space. Approved.

MA/05/0566 Land at Oakdene Farm, Maidstone Road, Sutton Valence, Kent.  
Erection of an agricultural storage building (resubmission of  
application MA/05/0096). Approved.

- MA/05/0461 Land at Oakdene Farm, Maidstone Road, Sutton Valence, Kent. Change of use of land for the vacant storage of 12 No caravans for seasonal farm workers accommodation (Resubmission of application MA/04/0467). Approved.
- MA/05/0096 Land at Oakdene Farm, Maidstone Road, Sutton Valence, Kent. Erection of an agricultural storage building. Refused.
- MA/04/0467 Land at Oakdene Farm, Maidstone Road, Sutton Valence, Kent. Change of use of land for the vacant storage of 12 caravans for seasonal farm workers accommodation. Refused.
- MA/04/0452 Land at Oakdene Farm, Maidstone Road, Sutton Valence, Kent. Creation of an access track leading from Leeds Road to serve Oakdene Farm. Approved.

## **CONSULTATIONS**

**Sutton Valence Parish Council** were consulted and objected to the proposal on the following grounds:

'The Parish Council was concerned about the applicants claim that this development would have a 'relatively small' increase in traffic on the surrounding roads. Though predicted amounts of produce are given, no figures are provided for the number of future (or even current) traffic movements. The Parish Council believe that, in view of the size of the HGVs that currently use the track, any increase will have a significant impact upon the B2163, Leeds Road, which has already a weight restriction. In addition, the 'track' construction of which was permitted in 2004, could be growing by stealth into a major supply route. Since the track's construction, a weight restriction of 17 tonnes has been placed on vehicles passing along the B2163 between Leeds and Langley. We are concerned that the number of heavy vehicles generated by local businesses on this stretch of the B2163 could be growing unsustainably.

The effect of extra traffic at the already congested junction of the B2163 with the A274 must also be considered. Large vehicles, turning right towards Maidstone must negotiate a complex junction with very poor visibility from the Maidstone direction, adding to the danger of accidents.

On this basis, the Parish Council wish to see the application refused, at least until a traffic survey is undertaken and more details are provided on predicted traffic movements to and from the farm. We would also want to see any future development of a packing business at this site prohibited.'

**Langley Parish Council** were consulted and objected to the proposal on the following grounds:

'The Parish Council was concerned about the applicant's claim that this development would have a 'relatively small' increase in traffic on the surrounding roads. HGVs accessing local farms are now adding to the pressure already seen on the B2163 Leeds Road and A274 Sutton Road. The Parish Council has spent the last 18 months working in partnership with Kent Police, local residents and pressure groups to compile a dossier of road accidents and we have this available as evidence should you require it.

Kent Police undertook a highly publicised operation in September to address the problem of heavy goods vehicles contravening weight and width restrictions on road within the Maidstone rural area. Checks were run from 0730hrs until 1430hrs, for one day, and the following results were obtained for Langley: -

- 19 non fixed penalty notices for weight offences;
- 10 foreign HGVs turned around and given alternative route.

The Parish Council believe that, in view of the size of the HGVs that currently access the farm, any increase will have a significant impact on the already busy B2163 Leeds Road.

The Parish Council were also astounded in the report to read that access to the M20 at Hollingbourne is made via Leeds and the B2163. There is no mention in the report of the weight restriction on this section of road and it is evident that the Agents have based their recommendations for access on supposition rather than fact. A site visit is urgently recommended to the Agents to undertake the journey from Oakdene Farm through Leeds to the M20 at Hollingbourne to see the rural location and narrow lanes for themselves.

Finally, the initial findings from the Parish Plan reinforces that our parishioners are concerned that the rural aspect of Langley is being threatened by traffic and HGVs travelling through Langley.'

**Rural Planning Ltd** were consulted and made the following observations:

'As previously advised the proposal is intended to provide additional/improved handling, storage, packing and packaging facilities or the farm's expanding fruit production. To fill in the space between the two existing buildings, the new building would be irregularly shaped, 38metres wide at its northern end, 28.5metres wide at its southern end, and 34metres long.

The structure would be 6.4metres to eaves and 10metres to ridge, the height being dictated by the need to have clear working space to allow double-stacked palletted crates below the large roof trusses required to clear-span the buildings width.

The overall area of the proposed building includes about 300metres<sup>2</sup> for a new inward fruit holding area, 200metres<sup>2</sup> of controlled atmosphere storage, 360metres<sup>2</sup> of cold storage, and 220metres<sup>2</sup> for a new fruit outward holding area. A further 230metres<sup>2</sup> of cold storage is indicated in the existing packhouse.

The revised submitted floor plans show how the 2005 building would be split to include a separately-accessed, self-contained general farm storage section (30m x 15m) for implements, workshop and fertiliser etc. i.e. the dirty elements of day to day field tractors/equipment and associated storage etc. which need to be partitioned off from the packaging storage area and the rest of the building.

Taking account of the applicants submissions as to the space required to cope with the extent of palleted fruit for 3 days picking, together with longer term controlled atmosphere storage of cherries and redcurrants, as well as storage for palleted picking trays, fruit punnets, lids, and supermarket crates, and allowing for adequate access and circulation between various areas for holding incoming fruit, packing, pre-dispatch/loading outgoing fruit and packaging storage areas, the additional covered area appears necessary for sustaining and improving the packing facilities for the farms overall fruit and for the farm's continued and efficient operation overall.'

**The Environment Agency** were consulted and have assessed the application as having a low environmental risk, and as such have raised no objections to this proposal.

**Kent County Council Highways Authority** were consulted and raised no objections to this proposal as there are to be no alterations to the access.

**Kent County Council Public Rights of Way Officer** was consulted and raised no objections to the proposal as the development would not encroach onto the public footpath.

**Southern Water** were consulted and raised no objections to this proposal.

**Southern Gas Networks** were consulted and raised no objections to the proposal.

## **REPRESENTATIONS**

The Weald of Kent Protection Society were notified and made the following comments:

- Is the site is a sustainable location?
- There would be an impact upon the existing highway network;
- The Borough Council should fully assess the impact of the proposal upon the character of the area.

Neighbouring properties were notified and no letters of objection have been received.

## **CONSIDERATIONS**

### **Site Description**

The application site, Oakdene Farm, is located to the north east of the A274 on the outskirts of Sutton Valence. Access to the farm is reached via an unmade farm road from the B2163 (Leeds Road) to the west of the application site.

The site is located within the open countryside although is not subject to any special landscape designation.

The whole of the agricultural holding around the farmstead comprises approximately 45 acres (18.3 hectares), which includes the existing agricultural storage building and packhouse, to which this application seeks to extend. These buildings are grouped around the main farmyard area which lies in close proximity to Oakdene Bungalow (which is an agricultural dwelling associated with the farm).

The existing buildings within the site comprise of an office building, and large sheds on either side of the courtyard.

To the north, east and south of the farmstead are open fields, although it is noted that there are residential properties to the west and south west which front onto the main Maidstone Road.

### **Proposal**

The proposal is to erect a new packhouse, coldstore, and storage area that would be centrally placed between the two existing large farm buildings. The proposal would be wider to the front than to the rear (due to the positioning of the existing farm buildings), with a width of 28.5metres at the southern end, and a width of 38metres at the northern end. The proposal would have an eaves height of 6.4metres, with a height to eaves of 10metres. This height is stated to be dictated by the need to achieve a clear and uninterrupted internal working height of 4.4metres to provide the space for double stacked pallets or crates (each being 2.2metres in height).

The proposed building would be constructed of metal cladding, which is commonplace with such structures within the countryside.

It is also proposed that a new concrete apron be constructed to the front of the proposed building, in order that vehicles collecting from the store have adequate turning space.

There are no alterations proposed to the existing buildings (aside from where this proposal adjoins these buildings).

## **Principle of Development**

The application site is an agricultural premises located within the open countryside, and as such, policies ENV28 and ENV43 of the Maidstone Borough-Wide Local Plan, and EN1 and EN3 of the Kent and Medway Structure Plan are relevant to this application. Policy ENV43 relates directly to the erection of new agricultural buildings on land for agricultural trade or business. This policy states that such development will be permitted provided that:

1. The proposals are reasonably necessary for the purposes of agriculture;
2. The building is located within or adjacent to an existing group of buildings, unless it can be demonstrated that a more isolated location is essential to meet the needs of the holding;
3. The proposal is accompanied by an integral landscaping scheme, reflecting the landscape character of the area;
4. The building is of a design which is sympathetic to its surroundings in terms of scale, materials, colour and detail;
5. The proposal will not have an adverse impact upon the character or setting of local settlements or the amenity of existing residents;
6. The proposal is compatible with the landscape policies of the plan;
7. The proposal will not have an adverse impact upon the local highway network.

Should these criteria be met, it is considered that the principle of this development is acceptable.

## **Justification**

Looking at criterion 1 above, the extension to this existing farmstead is proposed in order that the applicants can continue to operate the farm in a viable manner. At present the farm contains two large buildings, which are used as a packhouse, coldstore and office. In order that this existing soft fruit farm may continue to expand, it is proposed that a new goods inward and outward, controlled atmosphere and cold storage facilities be created.

The existing buildings do not have capacity to now deal with all the fruit being produced upon the farm holding. The farm is continuing to expand, and now has a total of 165 hectares of land which is either owned, or rented by the applicant. Much of this land is within other farms which do not have any suitable facilities for packing, storage and distribution, with the aim for this to be consolidated at Oakdene Farm. This would then produce the most effective and cost effective manner for the applicant to carry out this work, and would also reduce the need to erect buildings in perhaps less well screened locations within the Borough.

Clearly the proposal is solely for agricultural purposes, and would enable the existing farm to continue its production and expansion, and as such, it is considered that there is suitable justification for this extension within the site, as confirmed by the Council's agricultural advisors.

## **Design**

Turning to criteria 2, 3, 4 and 6, the proposed building is not located in an area designated for its landscape quality. It would be well grouped with others. It would have a functional appearance, as one would expect to see with an agricultural holding. Whilst this building would have a greater height than those already within the site, due to its central location, this would not appear at odds with the existing development. Existing landscaping is to be retained with additional silver birch and holly tree planting on the south side of the new building.

## **Highways**

On criterion 7, as stated above, no objections have been received from the Highways Authority as an existing access is to be utilised. The proposal may generate additional vehicular movements, however, the access, and track into the site are considered to be of sufficient quality to cope with any further movements, and as such no objection is raised.

No comments have been received with regards to the new proposed turning area within the site, however, having assessed the plans of the turning circle within the site, I am of the opinion that the area given over for hardstanding is sufficient for this purpose.

There are to be no additional employees generated by this proposal, and as such no additional car parking spaces are required.

Looking at the comments of the Parish Councils, they clearly believe that the local road network is not suitable to accommodate any additional traffic generated by the development. I note that the applicant predicts only a small increase in van and HGV movements as currently vehicles do not operate at full capacity. In any event, I have some difficulty understanding the Parish Councils' concerns given that this site is served by a purpose built access onto the B2163, which leads directly onto the A274, whereas many farms in the Borough are served only by narrow currently lanes.

It is therefore considered that this application, in respect of the highways matters, is in accordance with the Development Plan.

## **Impact upon Residential Amenity**

Finally, on criterion 5, the proposal would not have a significant impact upon the residential amenity of the nearest neighbouring properties, principally due to the significant distance involved. As stated earlier, Oakdene Bungalow (located closest to the development) is an agricultural dwelling associated with the farm.

## **Conclusion**

It is therefore considered that this proposal would allow for the agricultural holding to further enhance its business, without compromising the character and appearance of the rural area, and as such, is in accordance with the policies within the Development Plan. It is recommended that Members give this application favourable consideration and grant planning permission, subject to the imposition of the conditions as set out below.

## **RECOMMENDATION**

GRANT PLANNING PERMISSION subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Before works commence written details of the external materials to be used in the construction of the building shall be submitted to and approved in writing by the Local Planning Authority;

Reason: In the interests of visual amenity. This in accordance with Policy ENV28 of the Maidstone Borough-Wide Local Plan 2000.

3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and a programme for the approved scheme's implementation and long term management. The scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines;

Reason: No such details have been submitted. This in accordance with Policy ENV28 of the Maidstone Borough-Wide Local Plan 2000.



4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or 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 similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a satisfactory setting and external appearance to the development. This in accordance with Policy ENV28 of the Maidstone Borough-Wide Local Plan 2000.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and Kent and Medway Structure Plan 2006) and there are no overriding material considerations to indicate a refusal of planning consent.