

Planning Statement

**Little Mockbeggar Farm Town Road
Higham Kent ME3 8ES**

**Widening of an existing access to a
Classified Road**



RTPI

Chartered Town Planners



PlanMan

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Project reference: 4314

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GSP

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1 Introduction

- 1.1 This Planning Statement has been submitted in support of an application for the following development at Little Mockbeggar Farm Town Road Higham Kent ME3 8ES (hereafter referred to as 'the Site'):

Widening of an existing access to a Classified Road

- 1.2 The proposed development affects the following Land Registry title(s):

Title Number	Description	Owner
TT19952	Land on the south side of Two Gates Hill, Higham, Rochester.	JOHN CHAMBERS, AUDREY MARIAN CHAMBERS and TIMOTHY WILLIAM CHAMBERS

- 1.3 The application is accompanied by the following plans and documents:

- Covering Letter
- Application Form
- Planning Statement (GSP)
- BNG Metric (GSP)
- Transport Statement (L. Brown Associates)
- Drawing nos.
 - 4314.01 Site Location Plan
 - 4314.02 Existing Block Plan
 - 4314.03 Proposed Block Plan

2 Site Context

- 2.1 The application site is located within Little Mockbeggar Farm to the west of the B2000 Town Road some 170m south of its junction with Two Gates Hill. The land falls generally towards the south.
- 2.2 The site is located at the very eastern boundary of the Metropolitan Green Belt, but has no other designation. The site's boundary with Town Road is also the boundary of Gravesham District with Medway Council's area.
- 2.3 WB Chambers Farms Ltd have leased 28.4ha of land at Mockbeggar, Higham on a 15 year long-lease and in 2014 they purchased some additional 16ha of land on

the west side of Town Road which includes the current application site, giving a total of 44.4ha of land. The applicants have also leased and currently farm, land at Southfleet and land at Sutton at Hone all of which is serviced from this site. In addition, the applicants have significant areas of owned and rented land in the Maidstone area. The applicant's holdings and business are managed from their base at Oakdene Farm in Langley near Maidstone.

- 2.4 The land at Little Mockbeggar Farm and nearby at Mockbeggar, which is located to the north-east of the junction with Town Road/Two Gates Hill/Bunters Hill Road, are farmed intensively for strawberry, raspberry, blackberry and rhubarb production a significant proportion of which is undertaken using polytunnels for cultivation. A Cold Store/Packing building has been

3 Relevant History

- 3.1 The following records are understood to be relevant to the Site:

Ref. No: 20160071 Application Permitted (27 05 2016): Erection of general purposes agricultural storage/cold store building and hard surface yard area.

Ref. No: 20160704 Approval of details (08 09 2016): Application for the approval of condition 4 attached to planning permission reference no. 20160071 relating to the landscaping scheme.

Ref. No: 20181125 Application Withdrawn NO DECISION: Use of the land for the storage of x20 seasonal agricultural workers caravans during the winter months (October-March in any one calendar year).

Ref. No: 20181130 Application Withdrawn NO DECISION: Application for Lawful Development Certificate for the proposed use of land for the stationing of x20 seasonal agricultural workers caravans.

Ref. No: 20191007 Certificate Granted (14 01 2020): Application for Certificate of Lawful Development in respect of retention of polytunnels.

Ref. No: 20200143 Granted Temporary Permission (06 04 2020 to 06 04 2025): Use of the land for the stationing of 4 x caravans for occupation by seasonal agricultural workers all year round; the stationing of 15 x caravans for occupation by seasonal agricultural workers from 01 March to 31 October and the unoccupied storage of the 15 caravans over winter (part retrospective)

Ref. No: 20201290 Granted Temporary Permission (08 03 2021 to 08/03/2026): Use of land for the stationing of x28 caravans for occupation by seasonal agricultural workers, 8 caravans to be occupied all year round with 20 occupied in main season.

Ref. No. 20210645 Application Approved (15 07 2021): Erection of general purpose agricultural storage building.

Ref. No 20211530 Application Approved 16/03/2022): Erection of extension to existing storage/cold store/warehouse building.

Ref. No 20230678 Application Approved (14/09/2023): Use of land for the stationing of 20 caravans for occupation by seasonal agricultural workers.

4 Proposed Development

4.1 The application entails the following elements:

- Widening of the existing access/access bell-mouth from the B2000 Town Road

4.2 The proposed development is to enable safer ingress and egress from the site for larger vehicles with trailers, and particularly for HGVs delivering to and picking up from the site.

4.3 The existing radius and width of the access bell-mouth are such that for an HGV to enter the site it has to cross into the opposite (Wainscott-bound) carriage way of Town Road to be able to line-up with and use the access.

4.4 The proposals will result in a short section of the hedge being removed on the north side of the existing access along with a short section of the existing highway verge. The hedge removed will be replanted on the inside of the widened access and the grass verge will be replaced by new areas of mixed scrub within existing field margins elsewhere in the holding. The existing gated entry barrier will not need to be altered or widened.

5 Planning Policy

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Court of Appeal has

clarified that for a decision maker this means establishing whether a proposal is in accordance with the development plan as a whole. The question of compliance with one policy should not dictate the outcome of a proposal in the absence of considering compliance with all other relevant policies. Decision makers are therefore tasked with identifying and understanding all relevant policies and material considerations in order to reach a properly informed planning judgment on a proposal, and to avoid an irrational or vulnerable decision that may be subject to criticism in a public law challenge.

- 5.2 Paragraph 2 of the National Planning Policy Framework ('the Framework') reiterates what is said in Section 38(6), whilst paragraph 12 of the Framework is clear that the development plan is the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
- 5.3 Paragraph 39 of the Framework encourages local planning authorities to approach decisions on proposed development in a positive and creative way. It also encourages working proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area, adding that decision-makers should seek to approve applications for sustainable development where possible.
- 5.4 Annex 1 of the Framework confirms that for the purposes of decision-taking, the policies in the plan should not be considered out-of-date simply because they were adopted prior to the publication of the Framework. It adds that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, with greater weight being given to those policies that are closer to the policies in the Framework.

Development Plan

- 5.5 It is understood that the Development Plan for the area within which the Site is located comprises the following documents:
- Core Strategy 2014
 - Local Plan First Review 1994 (Saved Policies)
- 5.6 In the Development Plan, the following policies are considered most relevant in the determination of this application:

Core Strategy

CS02 Scale and Distribution of Development

CS07 Economy Employment and Skills

CS11 Transport

CS19 Development and Design Principles

Local Plan First Review 1994 Saved Policies

T1 Impact of Development on the Highway Network

T5 Access to the Identified Highway Network

Other Material Considerations

The Framework NPPF 2024

5.7 In summary, the following paragraphs are considered most relevant as additional material considerations in the determination of this application:

7-8	Achieving sustainable development
11-12	Decision making & presumption in favour
39	Positive and creative decision making
88-89	Supporting a prosperous rural economy
103, 105	Open space and recreation
115-117	Highway safety and capacity
131, 135 & 139	Design
142-143, 153-154	Green Belt
187, 189-190, 192-193	Natural Environment and Biodiversity

6 Planning Assessment

Key Issues

6.1 The following are considered to be the key issues in the assessment of this application:

- Principle of Development
- Impact on Highway Safety
- Impact on character of the surrounding area
- Impact on Ecology and Biodiversity

Principle

- 6.2 The application proposals are intended solely to improve highway safety for larger vehicles using the site and the users and travellers along the B2000 Town Road.
- 6.3 The proposed development is required to support agriculture and the activities that take place on the associated holding and could therefore be regarded as an appropriate form of development that accords with Paragraph 154 a) of the NPPF. The proposals can also be considered as an appropriate engineering operation under 154h)ii of the NPPF, subject to the proviso that openness is preserved and that the purposes of including the land in the Green Belt are not prejudiced.

Highway Safety

- 6.4 The applicant has commissioned L. Brown Associates to provide highways advice and to track the proposed changes. They have provided a separate assessment that should be read in conjunction with the other submitted details.
- 6.5 As the activity at Little Mockbeggar Farm has stepped-up over-time and will continue to do so once the extension to the storage/cold-store/packhouse currently under construction is finished, the frequency of visits to the site by larger articulated HGV vehicles has also increased over-time.
- 6.6 Given the tightness of the existing radius to the farm access, HGV vehicles in particular, find it necessary to swing to the right into the side of the carriageway with on-coming vehicles in order to properly align themselves with the access and gain entry to the farmstead. The need for this manoeuvre is increasing with the uplift in movements and has clear highway safety implications.
- 6.7 Widening the bell-mouth and improving the radius of the access will enable HGVs to turn left and enter the site without needing to cross the centre line of the carriageway. This will improve safety and also reduce currently occurring delays to vehicles on the highway that need to wait whilst the site is accessed.
- 6.8 It is considered that the proposals will improve highway safety and also result in an improvement in highway capacity.

Impact on the character of the area

- 6.9 The most noticeable visual change will be the widened bell-mouth at the access. Any existing trees and hedgerow that need to be removed will be replanted on the inside of the new radii. As these become re-established the current appearance to the highway will be unchanged.

- 6.10 It is not considered that the proposed development would cause unacceptable harm to the character of the surrounding countryside. There would be no impact on residential amenity as a result of the changes.

Ecology and Biodiversity

- 6.10 The application is accompanied by a BNG Metric. This indicates that the replacement hedge will as a result of the increased access radius be longer and that it will more than offset the initial removal. An area of managed scrub will be provided and maintained on a nearby field margin within the holding to offset the loss of other soft landscaping. The area is indicated on a Google Earth image that has been submitted with the application. The land is located at the junction of Two Gates Hill and Lower Rochester Road and has been chosen due to the location and the fact that this area will not be cultivated. The Metric indicates that the development as proposed would result in a 20.83% gain in habitat units and a 19.56% gain in hedgerow units.

7 Conclusions

- 7.1 In consideration of all relevant development plan policies and material considerations, the authority should positively view this application and it is respectfully requested that this submission is approved.