
PLANNING WORKING GROUP

MINUTES of the Meeting held at Owens Court Farm, Owens Court Road, Selling, ME13 9QN on Monday, 5 September 2016 from 10.00 - 10.46 am.

PRESENT: Councillors Mike Baldock, Bobbin, Mike Henderson, James Hunt, Ken Ingleton, Nigel Kay, Bryan Mulhern (Chairman), Prescott and Ghlin Whelan.

OFFICERS PRESENT: Matt Bembridge, Kellie MacKenzie, Alun Millard, Andrew Spiers and Graham Thomas.

APOLOGIES: Councillors Cameron Beart, Andy Booth, Roger Clark, Richard Darby, Mike Dendor, James Hall, Samuel Koffie-Williams and Peter Marchington.

850 **DECLARATIONS OF INTEREST**

No interests were declared.

851 **16/504494/FULL OWENS COURT FARM, OWENS COURT ROAD, SELLING**

The Chairman welcomed the applicant's agent, Selling Parish Council representative and the 18 members of the public to the meeting.

The Planning Officer introduced the application which sought permission for the erection of a cold store at Owens Court Farm, Owens Court Road, Selling. The Planning Officer reported that the site was an established fruit farm, situated in a rural area some distance outside any built-up area boundaries and adjacent to, but not within, an Area Of Outstanding Natural Beauty (AONB). The Planning Officer described the site as set out in the officers report which was considered at the Planning Committee meeting on 18 August 2016.

The Planning Officer stated that the proposal was a for a new chilling/cold store building towards the rear of the farmyard site leading from Owens Court Road. The building would take the form of a contemporary modular agricultural building, measuring 20 metres in width, 15 metres in depth, and 6.3 metres to the ridge height.

The Planning Officer reported that that the application was accompanied by a Transport Statement, prepared in May 2016, and he drew attention to reference made to Nickle Farm in Chartham, seven miles from Owens Court, where the packing and storage facilities for the company were based. He read out paragraph 2.05 of the Committee report for Members.

The Planning Officer further reported that forty-three letters and emails of objection had been received from local residents as summarised on page 74, paragraph 6.01 of the Committee report, which the Planning Officer read out for Members. Selling Parish Council raised objections on similar grounds. Kent County Council (KCC) Highways and Transportation raised no objection. The Council's Environmental

Health Team Manager raised no objection, subject to conditions protecting residential amenity. The Kent Downs AONB Management Unit raised no objection. The Council's Rural Planning Consultant considered that the case for the need for the building had been made.

The Planning Officer stated that the key issues to consider were those of visual amenity, residential amenity, the impact on nearby listed buildings and the AONB, highway safety, and whether or not the proposed building had been fully justified. Members would be familiar with the content of the committee report, and the manner in which that report addressed those issues.

The Planning Officer concluded that officers were of the opinion that the proposed building was modest in scale; that its use was justified, and that its effect on visual and residential amenity, and highway safety, would be less than substantial. The recommendation to Members was that the proposal be approved, subject to strict conformity with the planning conditions within the report.

Mr Nicholas Rooke, the applicant's agent, advised that following discussions with officers they had agreed to reduce the size of the store and noted that the footprint was now smaller than a tennis court. He explained that the site was on the 'cusp' of the current farm site and grade 1 agricultural land and was a modest proposal. Mr Rooke stated that the crop would dictate vehicle movements.

The KCC Highways and Transportation Officer agreed with the applicant's Transport Assessment that it was a working farm and the proposal would help to ensure the efficient use of moving fruit away and would help to reduce the amount of vehicle movements from the farm.

Mrs Deborah Cook, representing Selling Parish Council, spoke against the application. She stated that there were already buildings on the site that the applicant could use and queried why they were investing in this large building which they would not need to use all year round. The Parish Council were also concerned that any new owner of the farm would not be constrained by the planning conditions.

Mrs Cook considered there were inaccuracies in the report and drew attention to paragraph 8.07. She explained that this did not accord with KCC Highways and Transportation's comments made in May 2010 in relation to application SW/09/0743 at Owens Court Farm and the reasons outlined by them namely: *1 Owens Court Lane and New House Lane by reason for their restricted width, poor alignment and sub-standard junctions are considered unsuitable to serve as a means of access to the proposed development; 2 The site cannot accommodate, or the proposal does not incorporate, adequate turning facilities to enable all vehicles to enter and leave the highway in forward gear, which is essential to highway safety; and 3 Any increased use made of the existing sub-standard access generated by the proposed development would be prejudicial to road safety.* Mrs Cook stated that the road had not changed since these comments were made, so why were they now raising no objection?

Local residents raised concerns which included: access issues to the site would be exacerbated; access off Selling Road would be better; roads through Selling village

were too narrow; there were already issues with HGVs accessing the Gaskain's site and this proposal would make the issues worse for local residents; would make it unsafe for walkers and horseriders to use Owens Court Road; HGVs would destroy this rural area; the rural road network was not suitable for tractors, let alone HGVs; aware of gridlock in the area for up to 10 hours caused when accidents happened on the main road; the HGVs would cause the road to break-up; there were several stables in the area and this development would have an adverse impact on them; the impact on adjacent properties would be unacceptable; for two months in the summer adjoining properties would not be able to use their gardens due to HGVs and noise from the development; noise from the development would have an unacceptable impact on young children trying to sleep; noise from forklifts and vehicles reversing on the site; the applicant had not discussed alternatives with local residents; this was not the right location for this development; this was a 'trojan horse' development which would industrialise the area; loss of hedge; unacceptable to concrete over Grade 1 agricultural land; the Council's rural consultant suggested use of mobile hydro-cooling system units were an option, but this has not been explored; need to explore whether the access can be via Selling Road; noise from roller shutters; need to consider the impact this would have on the lives of local residents; there was water and electricity on the other side of the site near the Selling Road; supermarkets would dictate the amount of vehicle movements per day not the farmer; HGVs already cause chaos in the area, only a matter of time before someone was killed; highways had advised that if this is allowed they would be obliged to widen the road, consider this would be an avoidable expense; access to the site had already been damaged by large vehicles; the flow analysis of the Transport Report did not add-up; damage to road verges, trees and local ponds caused by HGVs; too close to AONB; and considered Selling Road would also be too narrow.

In response to queries from Members, the KCC Highways and Transportation Officer reported that the application in 2010 was different in nature as they were proposing a non-agricultural use, not associated with the farm. This proposal would reduce vehicle movements to and from the site.

A Ward Member raised concern with the impact on Owens Court Road, particularly for pedestrians.

In response to queries from Members, Mr Rooke stated that it would cost approximately £150,000 to have the store on the other side of the site and it would also be too isolated. Mr Rooke advised that following a request from officers, the applicant had agreed that the hours of use of the building could be restricted to the hours of 5am to 10pm. He stated that with regard to concerns about noise, the manufacturers had advised that the noise generated by the cold store would be similar to that of a washing machine. The store would remain empty for the months it was not being used.

Members then toured the site with officers, the applicant's agent, and Parish Council representative. They also viewed the site from an adjacent property.

Chairman

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All Minutes are draft until agreed at the next meeting of the Committee/Panel