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<b>Trottscliffe Downs</b>	<b>564130 159900</b>	<b>14.03.2006</b>	<b>TM/05/02831/FL</b>
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Proposal:	Formation of new farm access
Location:	Walnut Tree Farm Addington Lane Trottscliffe West Malling Kent ME19 5DW
Applicant:	Walnut Tree Farm Limited

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## **1. Description:**

1.1 The location of the access has been revised so that it would now be taken from Addington Lane, approx. 105m south of its junction with Ford Lane. The entrance to the bell mouth would be situated 4m south east of the first speed bump as you enter Trottscliffe from the south. The bell mouth would measure 15m wide at its widest point, with the access track measuring 5.5m wide. The proposal incorporates gates that would be set back 12m from the public highway. The access would serve only the commercial part of the farm. A new fence would be erected between the existing rear garden boundary of Walnut Tree Farmhouse and the annexe across the existing farm yard. This would prevent farm traffic using the existing vehicular access situated at the junction of Ford Lane and Addington Lane, at the northern end of the site. This access would be used only for vehicle movements related to the existing farmhouse.

1.2 The applicant has submitted a statement with the application explaining the rationale behind the application. It states:

*“The reason for the application for the new access is to enable vehicles, usually 20 ton 8 wheel lorries, to be able to enter and leave the site safely when delivering animal foodstuffs. Health and safety regulations prevent foodstuffs from being stored at the butchery and therefore they need to be stored at the farm itself. Thus, delivery vehicles using the lower entrance and for foodstuffs to be stored at the butchery away from the farm is not possible. Moreover, vehicles of this size cannot physically reach the farm from the lower entrance.*

*In addition, the current access to the farm is very narrow and it does not provide easy access for the general farm implements in use at the farm. Damage to the buildings and walls at the entrance occurs regularly and the new access will prevent these difficulties in the future.”*

1.3 The applicant has also now submitted a statement which expands upon the reason for the proposed access. It states:

*“Having read through the application, objections made and your recommendation, I noted that there seems to be little in the way of explanation as to why the proposed drive is required.*

*The current driveway for the farm is too narrow. We have in the recent past damaged walls, our entrance and the village green with our farm implements. We have had a delivery driver from Travis Perkins demolish a timber building, at the drive entrance, requiring it to be rebuilt.*

*Business wise, refusal of this will be prejudicial to the farm business and the farm diversification businesses. There is a high risk of damage being caused to both vehicles and property at present and the time taken to achieve a simple unloading procedure is not cost effective. We currently expect to have approx. 5 deliveries per week to the farm. All of the large vehicles experience difficulty in entering the farm quite often damaging the green in doing so. This will be avoided by changing the entrance to that proposed.*

*More recently our animal food suppliers have decided that the drive is too narrow and will not bring their delivery vehicles into the farm. This has resulted in the lorry blocking the road completely by our entrance while I unload it using the tractor with attached front loader. It usually takes about 30 minutes to unload and requires much manoeuvring with the tractor, loaded up with a ton of bagged food, down the narrow drive several times per delivery. We now also require animal food in bulk to be blown into a container on the farm but are experiencing a similar problem with the food company refusing to enter the drive as it is too narrow. I understand that if the food is piped over too long a distance it disintegrates and becomes useless.*

*We note from the file that the Parish Council has objected on the grounds that the drive will not be in keeping with the centre of a rural village. Our farm, as with most others, is situated on the edge of the village and not in the centre and has been here for over 100 years. I do not think it unreasonable for a working farm to have suitable access for its business and those living around a farm must accept that there will be farm traffic associated with living in close proximity to a farm. Farm vehicles are generally accepted as part of village life in a rural community. The drive may have been suitable 100 years ago but this is no longer the case and is detrimental to the business as a consequence.*

*I note the narrow road is mentioned several times. When considering the entrance it was very evident that the traffic moving within the 20 mph zone moved a lot slower when approaching the village. The architect chose the site for safety reasons. I note that the proposed entrance has the support of KCC highways therefore I assume the narrow road argument has no validity.*

*Possible problem with lawns and verges being damaged due to siting of the new entrance. This should not be the case as highways and the architect have agreed a suitable entrance area with gates set back 12 meters to allow traffic to pull off the road when entering the farm. As there will not be an increase in current traffic levels at the farm and a wide entrance to allow vehicles to exit the road quickly I do not see why this should happen. I note from the correspondence that Orchard House refers to the grass at the front of the house as part of her property yet I understand from her neighbour that the verge in front of both Orchard House and Blackthorns is owned by the council and is not part of the properties.*

*To clarify some of the points mentioned:*

*- "Trucks deliver turf to the farm". We do not have turf delivered to the farm. Turf is collected from the depot and generally taken straight to the customer*

*"The meat business is commercial". The meat business is part of the farm activity and therefore is part of our legitimate agricultural business.*

*"Gear change noise and fumes". Of what little there is, is currently experienced by 'The White House' and 'George Cottages' both of which are listed. Therefore if this is really a problem then it will only effect one listed property and not two as at present. The deliveries to the current drive are detrimental to the village green, the White House and the George Cottages.*

*Current Government guidelines stipulate that local councils, including planning sections, should support farm diversification and rural enterprise. As a small farm struggling to operate in a modern world I feel that objection of this proposal would be detrimental to the farm diversification businesses and to rural enterprise.*

*I hope that after reading this you feel that you are in a position to alter your recommendation*

## **2. The Site:**

- 2.1 The site is located within the settlement confines of Trottiscliffe, on the south side of Addington Lane. The site lies within the Trottiscliffe Conservation Area (CA), Area of Outstanding Natural Beauty (AONB) and Special Landscape Area (SLA).

## **3. Planning History (most relevant):**

- 3.1 TM/05/01097/AGPN Prior Approval Not Required 25.04.2005  
Agricultural Prior Notification: erection of agricultural building for machinery store, cutting room and chiller.
- 3.2 TM/00/02023/FL Granted 27.10.2000  
Demolition of timber shed, extension to hay barn and relocation of 3 car parking spaces
- 3.3 TM/97/01388/AGPN Prior Approval Not Required 18.09.1997  
Agricultural Prior Notification: Hay barn.
- 3.4 TM/96/00428/FL Granted 13.06.1996  
Conversion of redundant arm workshops into a residential annexe.

## **4. Consultees:**

(regarding the revised proposal)

- 4.1 PC: The PC feels that whilst the amended location is an improvement, the proposed gate is little more than two car lengths from the "village gateway" which

is already cluttered by 2 – 20mph signs, 4 bollards and a lamppost. Visibility towards Addington is poor. We would prefer the entrance further down Addington Lane where visibility is better. Impact upon the entrance to the village would also be less severe.

4.2 KCC (Highways): The amended drawing shows the proposed entrance moved east of the first speed hump. Although just outside the 20 mph speed limit, it is very close and traffic speeds are likely to be similar at this point. Due to the slightly different geometry of the road at the new location, improved forward vision is also likely to be gained from the access.

4.3 DHH: No objections.

4.4 Private reps: 7/0X/0S/2 R. The reasons for objection are:

- The existing access is absent from the proposed plans.
- The proposed access would be close to the speed restriction 'gateway', which is potentially dangerous.
- The proposal would necessitate the removal of a section of hedgerow to provide sight lines. Should such hedgerows be protected?
- Impact upon adjacent residential properties in terms of noise from vehicles using the proposed access.
- The position of the access is such that lorries could mount the verge on the opposite side of the road.

4.4.2 For members' information, the previous location of the access attracted 12 letters of objection from third parties. The reasons for objection were on the grounds of harm to highway safety and the residential amenities of the adjacent residential property (Orchard House). It was also commented that setting the gates back by 12m from the highway would create a screened slot for criminals to hide vehicles whilst crime is being committed.

## **5. Determining Issues:**

5.1 The main issues associated with this proposal are the impact upon the safe and free flow of traffic along Addington Lane, the impact upon the residential amenities of nearby properties and the impact of the proposal upon the rural character of the locality.

5.2 In terms of the highway issues, Kent Highways is satisfied that vehicles using the access would have adequate forward visibility when exiting onto the public highway under this revised proposal. Kent Highways has also commented that as the access would be located close to the position of the speed hump in Addington Lane, and the start/finish of the 20mph speed limit, vehicles using the lane are

likely to be travelling at low speeds adjacent to the siting of the proposed access. The size/design of the access is the same as that previously proposed by the applicant and which was considered to be acceptable. Therefore, notwithstanding the concerns of local residents and the PC, the proposal is considered to be acceptable in terms of highway safety in light of Kent Highways support for it.

- 5.3 With regard to the issue of amenity, the proposed access would not now be located directly opposite the front of the dwelling at Orchard House. It would now be approx. 50m south west of the front elevation of this property. I note the concerns of the occupier of this property that the proposal would still cause detriment to her amenity in terms of noise disturbance arising from vehicles using the new access. Whilst the proposed access would become the main access to Walnut Tree Farm, as it would not now be immediately in front of this dwelling house, I do not consider that the noise arising from vehicles using it would be so great, such as, to significantly detract from the residential amenity of this property. Vehicles would, after all, be decelerating to pass over the speed hump (and between the bollards next to it) when entering the village from the south (and conversely accelerating away from it in the opposite direction). As such, there is likely be noise arising from vehicles braking towards and accelerating away from the existing speed restriction (together with the associated gear changes). Furthermore, as the access would not now be located immediately in front of this dwelling house, during hours of twilight or darkness, headlamps would not splash directly across its front elevation when vehicles are leaving the farm via the proposed access. In light of these factors, I now consider that the revised proposal would not cause detriment to the residential amenity of the neighbouring property. The closure of the existing access adjacent to the green, to farm traffic must also be taken into consideration. At present, delivery vehicles need to manoeuvre around the green to access the farm. The proposal, which would become the main farm access, would result in fewer large vehicles making awkward turning manoeuvres around the green, which would be beneficial to the amenity of other residential properties situated in the locality.
- 5.4 I note the concerns of the local residents that the proposal would require the removal of a significant part of the hedgerow fronting Addington Lane to make way for the proposed access which would detract from the character of the locality. The proposal would necessitate the removal of a 15m long stretch of hedgerow for the access itself, with a further stretch of 35m on either side of the proposed access needing to be reduced to 1m in height in order to provide suitable forward visibility splays. Whilst this could alter the character of the locality, it is possible for this to be mitigated by planting new hedging behind the visibility splays. I consider that providing that an acceptable landscaping scheme is undertaken, the impact of this proposal upon the rural character of the locality would be minimal and would not in my opinion cause detriment to the natural beauty of the AONB and SLA. For similar reasons, the proposal would not, in my opinion, fail to preserve the character of the Trottiscliffe Conservation.

5.5 I note the comments of the neighbour regarding the position of the proposed gates and the creating a safe place for criminals to park their vehicles. However, the driveway in front of the proposed gates would be readily visible from the road and would not, in my opinion, be a hidden area for criminals to park their vehicles.

5.6 In light of the above, I recommend that planning permission be granted.

**6. Recommendation:**

6.1 **Grant Planning Permission** as detailed in plan nos.HH:20:05:114:03, 04 and site location plans date stamped 14.03.2006, 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 pursuance of Section 91 of the Town and Country Planning Act 1990.

2 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping and boundary treatment. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species, unless the Authority gives written consent to any variation.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

3 The access shall not be used until the area of land within the vision splays shown on the approved plans has been reduced in level as necessary and cleared of any obstruction exceeding a height of 1.05 metres above the level of the nearest part of the carriageway. The vision splay so created shall be retained at all times thereafter.

Reason: To ensure the safe and free flow of traffic.

4 The access drive shall be constructed no steeper than 1 in 14.3 for the first 4.5 metres from the edge of the highway and no steeper than 1 in 8 on any other part.

Reason: To ensure the safe and free flow of traffic.

5 Any gateway to the access shall be set back 12.0 metres from the edge of the highway.

Reason: To enable vehicles to stand off the highway whilst any gates are being operated.

- 6 The new fence to be erected adjacent to the existing southern boundary of the residential curtilage of Walnut Tree Farm House as shown on plan no. HH:20:05:114:04 shall be erected within 1 calendar month of the completion of the access hereby approved and shall be retained in place at all times thereafter.

Reason: In the interests of highway safety.

- 7 No development shall take place until details of the proposed gates have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or visual amenity of the locality.

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