

**Stansted**                                      **562518 161213**                      **12 November 2007**      **TM/07/04079/FL**  
Downs

Proposal:                                      Part demolition and change of use of four chicken sheds and barn to B1(c) light industrial  
Location:                                      Oakwood Poultry Farm, Land At Oakwood And Oakwood Farm Cottage Vigo Road Fairseat Sevenoaks Kent TN15 7LT  
Applicant:                                      Mr P, K + R Durrant

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**1. Description:**

- 1.1 This proposal seeks permission to change the use of four chicken sheds (nos. 3-6) and a packing shed within the farm to B1(c) (Light Industrial) use. Another shed (labelled egg packing shed) would be demolished to make way for parking/access to some of the proposed business units.
- 1.2 A total of 15 small business units would be created under this proposal varying in size from 72 sq m to 423 sq m in size. A total of 1817 sq m of light industrial floor space would be created under this proposal. This is a speculative development as the occupiers of each unit are not known.
- 1.3 Members may recall that planning permission was granted under ref. TM/06/00818/FL to change the use of shed nos. 1 and 2 within this site to B1 (c) and B8 (warehouse and distribution). This development, which has not yet been implemented, would create 609 sq m of floor space (409 for B1 (c) and 200 sq m for B8). The current proposal does not seek to alter the approved use of these buildings, but would be in addition to it.
- 1.4 The site would be accessed via the existing access serving this site, although it is proposed to widen this to a minimum of 5.5m. A total of 44 car parking spaces would be provided around the site on a communal basis and 4 lorry parking spaces would be provided at the southern end of the site behind the chicken sheds.
- 1.5 In total, the proposed development when combined with the existing permission for change of use of sheds 1 and 2, would create a total of 2226 sq m of business (B1 (c)) floor space within this site.

**2. The Site:**

- 2.1 The site lies within the settlement of Fairseat, which is washed over by the Green Belt. The site lies on the south side of Vigo Road, to the rear of a row of residential properties. The vehicular access to the site lies approx 580 metres west of the junction of Vigo Road and the A227 Gravesend Road. Residential properties also adjoin the application site to the west and these front onto Platt House Lane.

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

TM/06/00818/FL      Grant With Conditions      24 August 2006

Part demolition and change of use of chicken sheds to B1 (light industrial) and B8 (storage and distribution) uses

**4. Consultees:**

4.1 PC: Objection to the proposal on the following grounds:

4.1.1 (a) Traffic impact – provision of misleading data

The figures produced by the applicant have caused a great deal of local concern. In the previous submission, the applicant assessed that the 609 sq m of floor space for B1 (c) and B8 uses would generate 39 movements per day. In the Traffic Assessment submitted with the current application the same amount of B1/B8 floor space is said to generate 21 movements per day a significantly lower amount that previously asserted.

The TRICS figures submitted by the applicant do not conform to TRICS best practice in terms of choice of location type, size of building, definition of land use, survey dates and lack of criteria showing why the examples of other B1/B8 units were selected for the TRICS data.

As we believe that the TRICS data is fundamentally flawed, we have to use common sense to see whether the applicant's figures are realistic. This application is for 21 B1 light industrial and B8 units. If each use had a minimum of two employees per unit and they visited the site on a daily basis this would give 84 daily movements. As a significant percentage of staff will arrive and leave at peak times it is unrealistic to suggest that at peak times only 13 movements would take place.

Our common sense scenario does not take into account visitors to each unit, deliveries, refuse collection or other movements that are likely to take place (such as postal deliveries).

We therefore have to conclude that the true traffic figure is significantly higher than the applicant is indicating. As common sense suggests there will be significantly higher traffic generated by the scale of the application. We are concerned as to how this will affect the Vigo Road and in particular the dangerous junction of this road with the A227.

The applicant states that without footways on Vigo road it is accepted that journeys on foot are unlikely to be undertaken from Vigo Road and further away. This is not accepted by the residents of Fairseat as the road is regularly travelled

by children adults, horse riders and cyclists. Increased traffic generation from this proposal will create more danger to existing road users.

Furthermore, if the report states that journeys by foot are unlikely, why does the submission also say that employees will use the local bus stop positioned and walk from there to the proposed business units.

Vigo Road is already narrow and it will be difficult to take significantly more traffic than it already does without creating tailbacks and potential gridlock within the village during peak hours.

#### 4.1.2 (b) Insufficient and contradictory landscaping statement

the planning statement says that substantial boundary planting exists that screens the site, but a photo directly beneath this statement shows the buildings not to be screened from the south.

For a site of this scale we believe that there should be a proper landscaping and design statement and it is insufficient to state that landscaping can be dealt with by condition.

#### 4.1.3 (c) No provision of a lighting statement

There is no mention as to how external lighting for the site is to be provided. As the site lies within a quiet village there are significant concerns about the impact of a lighting scheme that would be needed for the users of the site. Such a scheme should form part of the main submission and not be dealt with by a condition.

#### 4.1.4 (d) lack of a suitable business case

Whilst a case has been made, we do not feel that it is either sufficient or comprehensive to explain why the application needs to be of the scale requested. The scheme is contrary to policy P6/14 of the TMBLP as it would create a non viable agricultural unit.

The Parish Council also considers that the proposal is not in the spirit of PPS 7 which states that developments should be based on sustainable development principles ensuring an integrated approach to the consideration of social inclusion, recognising the needs of everyone and the effective protection and enhancement of the environment.

#### 4.2 KCC (Highways): Oakwood Farm is accessed from Vigo Road approximately 500 metres from the junction with A227 Gravesend Road. Vigo Road is a rural lane serving as the main highway for Fairseat and Stansted residents to access and egress the main road. It does not benefit from footway or street lighting though this is the route to the only available bus service. The data base of recorded injury

crashes has been interrogated and there is no evidence of significant accident related issues at the A227 junction despite the junction being of poor geometry. The applicant has assumed that given the proximity of the site to the A227 that most traffic shall access and egress via that route. Historically as a single user of the application site being able to direct all movements, this was likely to be the case. However in multiple occupation use, the direction of access is uncontrolled and with the introduction of satellite navigation systems it is likely that vehicles could access and egress from the site as directed by such systems.

- 4.2.1 The applicant has submitted details of the access and the proposal for widening the access road to 5.5 metres. Having acknowledged that a wider access is required to accommodate two passing vehicles, there is no evidence of how two vehicles can pass within the entrance especially if one were to be turning right from the site. This could require vehicles to stop on Vigo Road (if noticed in time), reverse on Vigo Road to provide additional turning room for the emerging vehicle, or even reverse onto Vigo Road, all are potential additional hazards to traffic.
- 4.2.2 It should also be noted that Vigo Road is derestricted and whilst the applicant has stated in the transport assessment (5.2) that average speeds are approximately 30mph, recent data would suggest that vehicle speeds are of the order of an 85<sup>th</sup> percentile of 37mph\* with more than 50% of vehicles travelling in excess of 30mph.

*\* This means that 15% of motorists travel at speeds in excess of 37mph along Vigo Road. The 85<sup>th</sup> percentile speed is a nationally recognised means of setting speed limits along public highways. When speed limits are imposed on a particular road, setting the limit to a speed that 85% of the population uses ensures that the majority of the road users would not break the speed limit. In this instance Vigo Road is derestricted, so the use of the 85 percentile speed indicates that a significant proportion of vehicles using Vigo Road travel at more than the 30mph average referred to by the applicant).*

- 4.2.3 The submitted traffic statement has no evidence of the peak traffic generation for the existing use but has relied on what appears to be an arbitrary figure of 500 movements per week previously agreed in association with a previous application. There is no breakdown of that figure into private, light goods or heavy goods vehicles. Indeed local anecdotal evidence would seek to challenge this figure and there is limited information specifically associated with egg production. The traffic statement has employed the use of TRICS (Trip Rate Information Computer System) to seek to establish likely traffic generation by the proposed use, however most of the sites do not represent the remote rural location of the proposal. As a result there are likely to be additional movements associated with staff movements given that there are no nearby facilities to cater for normal lunchtime activities. Even if an average of two members of staff per unit was to be applied (21 units x 6

staff movements per day x 5 days per week = 630 movements per week) 630 movements represents an increase in traffic generation that does not include deliveries or pickups of materials or goods.

4.2.4 Turning to internal details the application has made provision for a turning circle for large goods and articulated lorries at the end of the access road, but has made no provision for a loading/unloading area clear of this area. Lorry parking bays are provided to the rear of the site but access to those is restricted by the internal 90° bends.

4.2.5 Parking provision within the site is also questionable. Whilst communal parking provision can reduce parking places, a clear strategy and enforcement needs to be employed. Whilst a single operator may be able to control parking, if there are to be multiple occupiers, clear dedicated parking for each unit should be provided. If accepted that the lorry parking bays were accessible, it would not be unreasonable for each unit be provided with one space of sufficient size to accommodate a light goods vehicle 7.5m x 3.5m and 1 car space per unit for communal/visitor use. Two of the communal/visitor spaces should be available for mobility vehicles. The applicant has addressed the requirements for cycle parking that could also accommodate motorcycle parking though further discussions will be required. The parking layout does not appear to meet the size requirements and the ability to access some of the spaces appears to be restricted. The applicant must demonstrate that there is sufficient room for all of the parking/loading/unloading areas to be used without interfering with the circulation/access road within the site and that parking controls can be enforced. The applicant should be asked to provide details of surface water drainage and lighting commensurate with a shared pedestrian/vehicle environment.

4.2.6 In summary

The applicant has failed to demonstrate that this site is a sustainable location. The traffic generation from the development is likely to have a detrimental impact on the highway network and is likely to be detrimental to highway safety. The parking provision within the site is unsuitable in terms of layout, inadequate for the purpose of light industrial and accessibility to the spaces, with the internal layout not appearing to permit circulation for all vehicles likely to visit the site.

4.3 DHH: In order to avoid disturbance at unsocial hours, I would request that all HGV movements be limited to the proposed hours of working specified in the application.

4.4 Private reps (including responses to public notices): 44/2X/0S/25R. The reasons for objection are:

- The proposal will harm the quiet rural amenity of the locality
- The local roads are inadequate for the increased volume of traffic that will arise for this proposal. There is no room within the local narrow lanes for lorries to pass each other.
- The data submitted in the Transport Assessment is inaccurate and the proposal will generate more traffic within the locality.
- Children walk along the Vigo Road to reach the local bus stop, which has no footpaths. The increase in traffic, particularly HGVs will cause danger to pedestrians using Vigo Road.
- The proposal is not for farm diversification, but a completely new use.
- The application form is incorrect as it states that no alterations will take place to the existing access, when the plans quite clearly show that this will happen.
- A response on behalf of the Fairseat Society voices the same concerns as those already referred to in this section. It also contains information regarding potential traffic movements generated by the proposed development that have been obtained through the use of TRICS. Using data from different types and sizes of developments, the Fairseat Society considers that the proposed use, when considered with the existing planning permission for change of use of two of the existing chicken sheds, could generate in excess of 2000 movements per week.

## **5. Determining Issues:**

5.1 The main determining issues with this proposal are the principle of the proposed development, its impact upon highway/pedestrian safety and the character/amenity of the village.

5.2 Concerning the principle of the development several policies need to be considered. Policy SS8 of the KMSP states that within rural areas development will be restricted to *inter alia* the re-use, of an existing rural building where the change is acceptable on environmental, traffic and other planning grounds. EP7 of the KMSP states

*“provision of small scale business development should be made within the built up areas of Rural Service Centres or of larger villages that can provide a sustainable form of development. Development should be appropriate to the scale of the settlement and without detriment to its amenity, character or setting. No provision for business development will be made elsewhere in rural Kent except where:*

*(i) it involves the re-use, adaptation or redevelopment of an existing building as covered by policy SS8 (ii) ...and good access can be provided to the primary road network and bus or rail services”*

This policy goes on to state:

*“All development supported within the terms of this policy should have no unacceptably adverse impact on the local transport network, the environment or the Green Belt...”*

- 5.3 Policy CP13 of the TMBCS states that new development within certain rural settlements including Fairseat will be restricted to minor development appropriate to the scale and character of the settlement. In the case of redevelopment and the change of use of existing buildings, development will only be permitted if the overall trip generation is projected to be lower than that associated with the former use; or if there is some significant improvements to the appearance, character and functioning of the settlement. This policy goes on to state that with specific regard to Fairseat which is washed over by the Green Belt any development within it must be limited to infill subject to no adverse effect on the character of the settlement.
- 5.4 The issue of the principle of the development is, therefore, closely linked to issues of sustainability, highway safety and its impact upon the character of the settlement.
- 5.5 Saved policy P6/14 of the TMBLP is also a material consideration and whilst it accepts the broad principle of converting rural buildings to alternative business uses, development proposals still need to comply with a number of detailed requirements, which will be discussed later in this report.
- 5.6 Much criticism has been voiced by the local highway authority, the PC and local residents concerning the Transport Assessment submitted as part of this application. Starting from the number of trips generated by the existing use of the site, when dealing with the previous application in 2006, the Council did accept that, at its height of production, the farm did generate 500 trips per 7 day week, as it had no data to dispute this figure put forward by the applicant. There is still no data to refute this figure, but it has also to be noted that the existing farm does not generate this amount of movements as some of the buildings are no longer used for egg production. This is made clear within the planning statement submitted by the applicant. Indeed the supporting statement states at paragraph 1.7 that whilst the site previously had up to 47,500 birds, it currently has 19,000 birds. Effectively, the farm appears to be currently operating at less than half of its former level of production. It also has to be taken into account that due to the laws governing the use of caged birds in egg production, it is not likely that the site would be returned to its full capacity before it has to cease using caged birds by 2011. No figures have been provided within this submission as to the current number of trips

generated by the existing use of this site. In light of this, the fact that the application is for a complete change of use of the whole site, and the requirements of policy CP 13 regarding traffic levels, I believe it is now reasonable to question the use of the 500 trip per week figure as the bench mark for assessing this comprehensive redevelopment of the site.

- 5.7 No details have been provided as to how many staff are currently employed on site either. However, if egg production has reduced by half from its peak, then as a rough guideline vehicle movements may also have halved. The absence of up to date data concerning the existing use does not help to establish the starting point for assessing whether the proposed development is acceptable under the terms of policy CP 13 and the other relevant planning policies. Indeed it has to be noted that the applicant's very detailed planning statement makes no reference to policy CP 13 at all.
- 5.8 Turning to the issue of traffic generated by the proposed development, the information submitted by Scott Wilson is questionable for a number of reasons already highlighted by the local highway authority, the PC and numerous local residents. The data used by TRICS to demonstrate the potential number of vehicle movements to and from this site is compiled from monitoring vehicle movements to and from other existing developments. In this case, the Scott Wilson report has used data that relates to (in respect of B8 uses) developments of up to 55,000 sqm and only one unit has less than 1000 sq m of floor space. Concerning B1 (c) developments, the comparison sites range in size from 1000 sq up to 34,000 sq m with only two of the nine comparison sites being of less than 2000 sqm in size. It is best practice when using TRICS data to use comparison sites with gross floor areas as close as possible to that of the development site. The reason for this is that varying degrees of accuracy are obtained when extrapolating data that relates to areas that differ in size.
- 5.9 The comparison sites also appear to be located within suburban, edge of town centre, edge of town or out of town sites within established industrial estates. No comparison sites have been used that concern developments within rural areas, several miles away from the nearest towns or large rural settlements that contain a range of local shops/services. It may be that this is because such data simply does not exist. However, this is not clear. It is reasonable to conclude that where sites are located within urban/suburban areas, there are likely to be more shops and services/public transport readily available to workers than with sites such as these application sites which are located miles away from the nearest service centre. It would appear likely that sites located away from settlements with shops/services are likely to generate more traffic movements than those in urban/suburban locations, which are also likely to be better served by the local highway network.



- 5.10 Some of the TRICS data submitted with this application is also quite old dating back to 1990. It is best practice to use as up to date information as possible when attempting to compare the characteristics of one site/use to another.
- 5.11 In light of the above, I consider that the transport data submitted on behalf of the applicant is questionable and should not be wholly relied upon to make a decision concerning the transport related aspects of this application.
- 5.12 The applicant's Transport Statement states at paragraph 4.8 that for a 5.5 day week as is currently proposed, the number of trips generated by the proposed development would be 385 per week. This equates to 3 vehicle movements per day for each of the proposed 21 units. On this basis, each unit would have to have no more than two workers arriving on site separately by car/van; the workers would not leave the site during the working day at all (either for a lunch break or to make a site visit/delivery) before leaving the site in the evening. This appears to be a very limited (and, in my opinion) unrealistic account of what could occur within this site of 21 separate industrial units. This model does not appear to take into account deliveries/visitors to the site.
- 5.13 An alternative model of traffic movements has been put forward on behalf of the Fairseat Society that indicates that the proposed (and approved) commercial units within this site would generate over 2000 traffic movements per week. The Fairseat Society states that it has used more appropriate sites for comparison than those used within the applicant's Transport Assessment, such as the use of industrial estate data rather than data relating to individual industrial units.
- 5.14 In light of the extremely varied levels of traffic generation put forward by the applicant and by third parties, an alternative approach could be looked at. If each of the 21 units contained just two workers, who arrived separately, did not leave the site at all during the working day before leaving for home, this would generate 504 movements for a 6 day week. (The applicant has referred to half day working on Saturday, but members of staff would still come to work on that day and leave for home). If we now factor in a situation where one worker per unit makes one extra journey per day (e.g. for lunch or to make a delivery for example), this would generate 42 additional movements per day, which (even if calculated to only occur during the 5 full days of operation) would add a further 210 vehicle movements to and from the site during the week, a total of 714. This equates to a 42% increase in vehicle movements above that which occurred during the peak of egg production at this farm (and is likely to be an even greater increase when compared to the existing number of movements to and from this site).
- 5.15 There are many permutations that could be contemplated as to how many vehicles movements may be generated by this proposal and my example is just one example of what could happen with the proposal. However, with question marks hanging over the submitted TRICS data, other methods of assessing the potential impact of this development have to be considered. Whilst my example

was simplistic, it does demonstrate that with an average of just two people working in each of the 21 proposed units and with only one additional movement to and from the site during the working day per unit, the likely level of vehicle movements generated by this proposal will be significantly higher than those generated by the farm at the height of its production and even more than currently occurs. My example also does not factor in the possibility of deliveries being made to the site or the movements generated by visitors to the proposed units, or indeed the fact that each unit would have to arrange for refuse to be collected on a regular basis. It is my opinion that the proposed development will generate a considerably higher number of vehicle movements than the current use of this site. As such, the proposal would be contrary to policy CP13 of the TMBCS.

- 5.16 Access to the site is via narrow unmarked country lanes, where cars often struggle to pass each other safely. Even if all vehicles were to access this site via the junction of the Vigo Road and the A227, a 580m long section of narrow lane would still have to be negotiated. There is also no guarantee that all vehicles would use this route. The local highway authority considers, as do the PC and local residents, that the local highway network is not appropriate to accommodate safely the increased levels and type of traffic that would be associated with this development. Furthermore, due to the width/geometry of the site access and the narrow width of Vigo Road, the local highway authority is also concerned that there is not enough room for vehicles to pass each other at the entrance to the site. With the likelihood of a higher frequency of movements to and from the site, it will be more likely that conflict will arise at the junction of the access road with Vigo Road. Vehicles that would need to stop temporarily on Vigo Road to let others out of the site would cause detriment to the safe and free flow of traffic along the public highway.
- 5.17 Much concern has been expressed by local residents regarding the potential for accidents to occur at the junction of Vigo Road and the A227. However, despite poor geometry which restricts views of oncoming traffic when pulling out of Vigo Road, the local highway authority has interrogated the data base of recorded injury crashes and there is no evidence of significant accidents (those where injuries are recorded) at this junction. However I am concerned that due to the increased levels of traffic generated by this proposal and given the poor geometry of this junction, the proposed development could increase the potential for accidents to occur.
- 5.18 Turning to the issue of sustainability, this was carefully considered when determining the previously approved application for the change of use of two units within this site (TM/06/00818/FL). At that time, it was considered that whilst the site is not located within a particularly sustainable location, this had to be balanced against the economic benefits that would be derived from the diversification of the farm.

5.19 With the current proposal, whilst the applicant has referred to policies supporting farm diversification, this is not so much diversification as a total abandonment of the agricultural use. Indeed policy CP 14 of the TMBCS states quite clearly that in the countryside development will be restricted to *inter alia*

*"development that secures the viability of a farm, provided it forms part of a comprehensive farm diversification scheme supported by a business case"*

This supports the requirements of policy EP8 of the KMSP.

Furthermore, it is stated in PPS 7 (Sustainable development within the Countryside) at paragraph 30

*"Recognising that diversification into non-agricultural activities is vital to the continuing viability of many farm enterprise, local planning authorities should:...*

*be supportive of well-conceived farm diversification schemes for business purposes that contribute to sustainable development objectives and help sustain the agricultural enterprise, and are consistent in their scale with their rural location".*

5.20 In this case the proposal will not secure the viability of the farm as all of the existing agricultural activity will cease as a result of this proposal and no alternative agricultural activity is being put forward as part of this development. Therefore the argument of diversification does not apply to this particular development proposal in my opinion and as such is contrary to policy CP14 of the TMBCS.

5.21 Whilst the proposal would reuse existing buildings, which is more acceptable than erecting new buildings within the countryside, this is a remote location in the sense that it is not readily accessible by means other than the private motor car and is not located close to local shops/services. The proposed development is likely to generate a large number of vehicle movements by virtue of the site location and the nature/size of the proposed uses. Whilst a bus stop is located on the A227 close to the junction with Vigo Road, it is considered that workers within these units and any visitors to them are more likely to access it by private motor vehicles than by bus due to the very nature of the proposed light industrial uses. The lack of local shops/services close by would, as has been stated above, mean that workers will have to travel to local service centres again by private vehicles to make use of their facilities. In light of all of these factors and that, unlike the last application, there is no argument advanced to support this proposal based on diversification to help the existing agricultural use, I do not consider that this development would meet the sustainability objectives of PPS 7, or policies SS8 and EP7 & 8 of the KMSP.

- 5.22 Policy CP 13 states that development will only be permitted in this location if the overall trip generation is lower than that associated with its former use or if there is some significant improvement to the appearance, character and functioning of the settlement. As consideration has already been given to the first of these caveats, I shall now deal with the second one. In terms of the fabric of the buildings themselves, these will not be significantly altered in terms of their character under this proposal. The site is not visually intrusive when viewed from Vigo Road due to the presence of the existing houses to the north of the application site. The southern end of the site, again, is not visually intrusive in the landscape from public vantage points. Whilst there will be additional car and lorry parking associated with this proposal, this by itself is unlikely to be readily visible from public vantage points.
- 5.23 As has been stated earlier in this report, I consider that the proposal would generate significantly more traffic than is currently associated with the existing use of this site and would also be of a different character/nature in terms of vehicle types/size, frequency of visits. All of the extra traffic movements associated with the proposed use would almost certainly impact upon the character and amenity of the locality. Fairseat is a very quiet hamlet. Vigo Road, Platt House Lane and Stansted Hill are narrow country lanes flanked by mature hedges and grass verges where two cars struggle to pass each other. Introducing increased levels of traffic including more HGV movements and smaller goods vans will impact upon the amenity and character of the settlement to its detriment. As such, I do not consider that the proposal would make a significant improvement to the appearance, character or functioning of the settlement and, as such, is contrary to policy CP 13 of the Tonbridge and Malling Core Strategy.
- 5.24 Turning to other matters, there are other highway related concerns with the proposed development.
- 5.25 As many of the local residents have stated, villagers (including school children) regularly walk to the local bus stop that is located on the A227 close to its junction with Vigo Road. The route requires people to walk within the carriageway of the Vigo Road past the entrance to the application site due to the absence of footpaths. The generation of significantly more vehicle movements than as currently occur would create the potential for additional conflict between motor vehicles and pedestrians/other road users.
- 5.26 44 car/van parking spaces are proposed. Whilst the local highway authority has not objected to this level of provision it is noted that many of the spaces are substandard in size for car parking in terms of length and/or width. The standard size for a light goods vehicle parking space is larger than that for a car parking space (7.5m x 3.5m compared to 5m x 2.5m). The submitted plans do not show where light goods vehicles would be able to park. The local highway authority

considers that 1 space per unit would be considered reasonable in terms of provision for light goods vehicles. The proposed lorry parking bays are also 0.5m narrower than the standard specified within the Kent Vehicle Parking standards

- 5.27 The service/delivery points for units 1, 2, 5, 7, 15 and 20 are located where vehicles pulling up to deliver goods will impede access around the internal access road.
- 5.28 It is not apparent whether there would be room within the site to redesign the size & position of car parking bays, provide spaces for light goods vehicles and alter the delivery/service points of some of the units so they would not conflict with the circulation area within the site. A submitted scheme should show that sufficient parking and access arrangements would be put in place in order to avoid conflicts between vehicles being parked within the site and those seeking to use the circulation/access road. An absence of adequate practicable parking provision or access arrangements can often lead to vehicles parking on the public highway, which would cause significant harm to the safe and free flow of traffic were this to occur within Vigo Road. I am not satisfied that the proposed parking and access arrangements associated with this scheme are acceptable as they currently stand.
- 5.29 Reference has been made to saved policy P6/14 of the Tonbridge and Malling Borough Local Plan 1998 earlier in this report. This relates to the conversion of rural buildings to business uses and requires proposals to meet a number of criteria. The buildings the subject of this application are chicken sheds which are of a design that befits their agricultural function and are of a form and design that are in keeping with their surroundings. They are of concrete block construction, clad externally with timber boarding. They appear to be of sound construction and do not appear to require complete or major reconstruction to accommodate the proposed light industrial use.
- 5.30 As has been referred to above, the proposed alterations to the buildings are considered to be sympathetic to their character and appearance.
- 5.31 This policy requires proposal to be acceptable in terms of residential and rural amenity, highways impact and the use of land around the building. Whilst B1 uses are by their very nature ones that can exist amongst residential properties without causing harm to their amenity in terms of noise, dust smell etc, as has been stated in paragraph 5.22 of this report, due to the scale and nature of the proposed development it is considered to cause detriment to the rural amenity in the wider locality and for reasons already stated this report, will also harm highway and pedestrian safety.
- 5.32 The proposal would result in the severance of an agricultural holding creating a non viable agricultural unit. Of course consideration needs to be given to the fact that the caged birds system of egg production has to cease in 2011 in any case, which would result in the agricultural use of this site ceasing at that time.

5.33 In light of my concerns regarding the impact of this development upon the wider rural amenity, I consider that the proposal is also contrary to policy P6/14.

5.34 In light of my concerns regarding the location, scale, nature of the development and the impact it would have upon the character/amenity of the settlement and highway/pedestrian safety, I consider that the scheme should be refused permission.

**6. Recommendation:**

6.1 **Refuse Planning Permission** for the following reasons:

1. The proposed development by virtue of its scale, nature, and the location of the site away from rural service centres or larger villages, is not considered to be sustainable development and is contrary to current Government guidance contained within PPS 7 and policies EP 7 and SS8 of the Kent and Medway Structure Plan 2006.
2. The proposed development, by virtue of the number and type of additional vehicle movements that would be generated by it, would cause detriment to the character and functioning of the settlement contrary to policies SS8 and EP7 of the Kent and Medway Structure Plan 2006 and policy CP 13 of the Tonbridge and Malling Borough Core Strategy 2007.
3. The proposed development would be likely to generate significantly more vehicle movements to and from the site than are generated by the current use of the site and, as such, would cause detriment to the safe and free flow of traffic and to pedestrian safety in the locality. Due to this the proposal is contrary to policies SS8 and EP 7 of the Kent and Medway Structure Plan 2006 and policy CP 13 of the Tonbridge and Malling Borough Core Strategy 2007.
4. The proposed development would not secure the viability of the farm and does not form part of a comprehensive farm diversification scheme. As such the development is contrary to policy CP 14 of the Tonbridge and Malling Borough Core Strategy 2007.
5. The proposed developments includes the provision of car and HGV parking bays that are substandard in terms of their size and makes no provision for the parking of light goods vehicles. In addition, the service/delivery points for units 1, 2, 5, 7 and 15 are placed in such locations that when deliveries are made to these units, this would obstruct vehicles using the internal access road within the site. The Local Planning Authority therefore considers that the proposed development, without adequate parking and delivery provision is likely to lead to on road parking that would be detrimental to the safe and free flow of traffic along the public highway. The proposal is, therefore, contrary to policies SS8 and EP 7 of the Kent and Medway Structure Plan 2006.

6. The configuration of the access to the site and the width of the public highway are such that two vehicles would experience difficulty passing each other within the entrance to the site. This would lead to vehicles either standing on or manoeuvring within the highway to the detriment of the safe and free flow of traffic along Vigo Road. The development is, therefore contrary to policies SS8 and EP7 of the Kent ad Medway Structure Plan 2008.

Contact: Matthew Broome