

# Boughton Monchelsea Parish Council

## Minutes of the Boughton Monchelsea Parish Council Planning & Licensing Committee meeting held on 5<sup>th</sup> December 2017 at 7.30pm in the main hall of the village hall

Present: Cllrs D. Smith  
J. Gershon  
B. Brown  
R. Edmans  
D. Redfearn

Clerk

Approximately 30 residents, including representatives from Chart Sutton and Staplehurst Parish Councils.  
Bardsley Farms Representative (BFR)

- 1) Apologies: Cllrs Evans, Martin and Date
- 2) Notification of late items for the agenda: None
- 3) Declaration of Interests: None
- 4) Applications considered (plans were available at the meeting):

**17/503390 River Farm, Chart Hill Road, Staplehurst  
Erection of a controlled atmosphere stores, covered access way,  
dispatch and loading bay extension and fruit processing area  
(ADDITIONAL INFORMATION ONLY)**

Cllr Smith gave a brief overview of the application and advised that the purpose of the meeting was to discuss and agree a response to MBC on the additional information submitted by the applicant. He added that, just prior to the additional report being received, MBC's case officer had advised that she would be recommending refusal of the application, based on a lack of information. The author of the applicant's new report, Mr Payne, was not present at the meeting but a representative of Bardsley Farms was in attendance.

Cllr Smith summarised the applicant's additional information, relating to operations and traffic movements and explained the current set up and proposed plans for picking, transporting to cold storage, pre-sizing and packing. He explained that the report repeatedly states that if the current application is approved then this will make little difference to existing traffic movements. He asked BFR whether this is because the fruit will not need to be sent to remote cold stores elsewhere and then brought back again. BFR confirmed this and explained that there is currently a deficiency in controlled atmosphere storage in Kent, hence the need for fruit to be transported elsewhere and then brought back again for distribution. He added that apple trees are also now smaller and more densely planted, with yields 3 to 4 times that of 20 years ago.

Cllr Smith asked whether the current facilities at River Farm are now able to cope with a high level of throughput because it has pre-sizing plant, cold storage and packaging. BFR confirmed this.

Cllr Smith noted that the report states that River Farm has 12 local farms of its own and 30 additional farms using the pre-sizing facilities. He asked what was meant by the term 'Bardsley

Farms'. BFR stated that these are farms either under contract to Bardsley or have an agreement in place for Bardsley to process their fruit.

Cllr Smith asked why the identities of the additional 30 farms were confidential. He also asked where in the country the 30 farms were. BFR was not able to provide any further information on this however he advised that up to 75% of fruit is grown in Kent and that between 20 and 30% of fruit is imported. He added that, by 2020 / 2021, Bardsley Farms will only process fruit from its own (+12 local) farms.

Cllr Smith spoke regarding planning consent 15/504713 (Erection of a pre-sizer extension) and noted condition 3 which states 'The building hereby permitted shall only be used in association with the farming activities at this farm. Reason : Outside farming use the building would not be acceptable in this countryside location and to comply with policy ENV28 of Maidstone Borough Wide Local Plan 2000'. It appears then that River Farm is currently operating in breach of the conditions of this 2015 planning consent. If this is the case then there is no available baseline from which to consider the traffic impact of this latest proposal.

Cllr Smith expressed concern regarding section 2.15 of the report which states 'with the improving growing techniques and increased orchard acreage, it therefore follows that there will be an increase of 50% in the throughput of the existing facilities at River Farm and hence the vehicles coming in and out, but this increase in traffic will happen regardless of this application'. BFR stated that much of the additional acreage would be achieved by grubbing out old trees and replanting.

Cllr Smith expressed concern that the activities at River Farm seem to have been slowly moving away from fruit picking and processing to an industrial facility which will need a change of use application, from agricultural to industrial.

Residents were invited to speak at this point and there was lengthy discussion amongst Councillors regarding the below issues.

A resident from Chart Hill asked what the intended route would be for HGV traffic. BFR explained that no traffic will use Chart Hill, rather all HGV's will travel via Staplehurst Road and then over the medieval bridge. The weight limit on this bridge was noted to be 40T.

Concern was expressed regarding contingency planning if the medieval bridge were to fail. It was noted that the proposal appears to be wholly reliant on this access route and the recent example of accidental damage to the historic Teston Bridge and resulting months of traffic disruption was discussed.

Concern was expressed regarding the likely role of Bardsley Farm's 'traffic manager'. Residents noted that lorry drivers are often using domestic rather than commercial sat navs.

A resident alerted Councillors to an article in 'South East Farmer' dated 31/10/17. This article states that Bardsley Farms Ltd are progressing a 'five-stage development plan to ensure the business remains profitable, efficient and viable for decades to come' and goes on to say 'Having had stage two and three of the five-stage growth plan officially opened, the project is now a year ahead of schedule'. It was assumed that this latest application relates to stage four of the growth plan. It was not known what stage five involves (a bottling plant perhaps?) but it was felt by residents and Councillors that Bardsley Farms Ltd should be making their long term

intentions clear to Maidstone Borough Council, particularly in view of the apparent move away from local farming activities to industrial use of the site.

Concern was expressed regarding increased noise, light and air pollution that would result from the proposal.

A resident spoke regarding Maidstone Borough Council's newly approved Local Plan, citing policies DM37 and SP22, which relate to expansion of businesses in rural areas and suitable locations for economic development. It was agreed that these policies appear to be in direct conflict with the proposal.

Residents were concerned that there would be an increase in the size and number of tractors and trailers using local roads, causing further traffic problems in the local vicinity.

It was noted that the application mentions new 'juicing' facilities which would undoubtedly mean further lorry movements to and from the site.

Cllr Smith encouraged residents to take photos and record details of traffic movements, to accompany their objections. It was suggested that residents should also start considering how they would respond to any future change of use application.

The following response to MBC was agreed :

Boughton Monchelsea Parish Council would like to see the application **REFUSED** for the following planning reasons and wish to see it reported to MBC's planning committee.

1. The Parish Council's original response to the application still stands and we would like to reiterate all the points we have previously raised. A copy of our original response is attached.
2. We fully support and concur with all the comments made in the report dated 29/11/17 by Rural Planning Limited. This report should be fully considered and responded to by KCC Highways prior to the application being decided. We are particularly concerned that the applicant's additional report appears to include false baseline information. In accordance with condition 3 of 15/504713 it seems that much of the fruit processing activity that is currently occurring on site is being carried out without the necessary planning consent
3. Residents who attended our recent planning meeting have alerted us to an article in 'South East Farmer' dated 31/10/17. This article states that Bardsley Farms Ltd are progressing a 'five-stage development plan to ensure the business remains profitable, efficient and viable for decades to come.' It goes on to say 'Having had stage two and three of the five-stage growth plan officially opened, the project is now a year ahead of schedule'. It can be assumed then that this latest application relates to stage four of the growth plan. It is not known what stage five involves but we feel that Bardsley Farms Ltd should be making their long term intentions clear to Maidstone Borough Council, particularly in view of the apparent move away from local farming activities to industrial use of the site. The full article from 'South East Farmer' is available to view online using the following link <http://www.southeastfarmer.net/section/fruit/pioneering-a-pack-house-for-the-future>
4. Maidstone Borough Council's Local Plan was adopted in October 2017 and includes several policies which are directly relevant to this application. Policy DM37 'Expansion of existing businesses in rural areas' states :  
*'1. Planning permission will be granted for the sustainable growth and expansion of rural businesses in the rural area where:*

*i. New buildings are small in scale and provided the resultant development as a whole is appropriate in scale for the location and can be satisfactorily integrated into the local landscape;*

*ii. The increase in floorspace would not result in unacceptable traffic levels on nearby roads or a significant increase in use of an existing substandard access;*

*iii. The new development, together with the existing facilities, will not result in an unacceptable loss in the amenity of the area. In particular the impact on nearby properties and the appearance of the development from public roads will be of importance; and*

*iv. No open storage of materials will be permitted unless adequately screened from public view throughout the year.*

*2. Where significant adverse impacts on the rural environment and amenity would result from expansion, rural businesses requiring expanded premises should look to relocate to one of the Economic Development Areas identified in policy SP22 or to a site within Maidstone urban area or one of the rural service centres.'*

The application appears to contradict every part of this policy.

5. Policy SP22 of Maidstone Borough Council's Local Plan is also relevant to this application and defines locations which are designated Economic Development Areas for use classes B1, B2 and B8. River Farm is not included on this list.

In summary, the Parish Council wish to see the application refused. The proposal represents an industrial facility in an unsuitable, rural location.

Parish Council's original response to application :

1. Access to the site is via a country lane and is reliant on a long, narrow medieval bridge. We question what would happen if the bridge failed or required significant maintenance. The transport statement makes reference to the high quality of the junction between Chart Hill Road and the A229 but fails to mention that the road immediately narrows to a single track with a blind bend. We understand that HGVs have great difficulty negotiating this bend and, as such, it poses a huge danger to vehicles approaching from the other direction
2. We note and concur with the comments made by KCC's highway officer, Terry Drury, in his letter to MBC dated 28<sup>th</sup> July 2017. Mr Drury notes that the information received is insufficient and that a full Transport Impact Assessment needs to be undertaken. He has also requested further information as follows :
  - A formal review of recorded injury crash records in the area
  - The effects on transport movements locally (to / from River Farm) from the increase in storage bins from 10,840 to 28,000 ( a factor of 2.5 + times)
  - Whether there are any seasonal variations to processing, storage and thereby transport movements
  - The number of staff to be employed and the car parking requirements of the site
3. We question whether the traffic assessment has been carried out based on an assumption that all traffic will enter and leave the site via the bridge. If this is the case we would like to know what measures would be put in place to prevent traffic entering and leaving the site from the other direction
4. A significant number of pedestrians use this section of Chart Hill Road, including school children and workers from River Farm, going to and from the bus stops on the A229. The road is extremely narrow with no footpath (there is no room for one). The transport statement notes that 'this road system is safe and commodious to serve the existing and proposed development'. This is simply not the case. We believe that any increased HGV use of this road would compromise safety for both pedestrians and drivers

5. Loss of amenity to neighbouring properties from an unacceptable level of light pollution that would result from the proposal. In addition, we understand that there is already a problem with lights from the loading bays confusing drivers at night and leaving them unsure whether it is safe to cross the single lane bridge
6. Loss of amenity to neighbouring properties from an unacceptable level of noise pollution that would be generated by the proposal, including noise from lorries parking overnight with cooling systems running
7. The site is an industrial, rather than agricultural facility and is wholly inappropriate and unnecessary in this rural location.
8. The Borough Council should satisfy themselves of the integrity of the flood risk assessment that has been submitted by the applicant. Anecdotal evidence from residents is that flood water reached levels of 17.09m in 2000 and 16.56m in 2013. We note that the flood risk assessment states that 'The 1.0% AEP predicted fluvial flood level including climate change at the site is considered to be 16.902m AOD.
9. There appears to have been a complete lack of public consultation on the application. The Parish Council's planning meeting was attended by 23 residents, all of whom spoke out against the proposal. None of these residents has been informed of the application by MBC

5) Any other Business: None

6) Date of Next Meeting: To be determined according to need.

Meeting closed at 8.25pm