
Planning, Design and Access Statement

Hall Road, St Mary Hoo, Rochester

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1. Introduction

1.1. This Planning Statement has been prepared by Savills UK Ltd. on behalf of our client The Church Commissioners for England (“the Applicant”) to support a full planning application submitted to Medway Council for the installation of a new field gate access off Hall Road, St Mary Hoo.

1.2. The ‘proposed development’, as set out on the accompanying application form, is as follows:

“Full planning application for the installation of a new field access and gate”

1.3. The Site comprises an agricultural field west of Hall Road. The field is used for agricultural purposes all-year round. Currently, access is taken via the farmyard to the north via Hall Road that runs west to east through the residential built up area of the village. However, this route between existing farm steadings in our clients ownership requires the use of the adopted road that runs past existing dwellings in the village that are sited on the road frontage. The current access route causes implications for residents and therefore a new agricultural route is sought to avoid conflict on the road network.

1.4. It is considered necessary to install a new access to the south of the village to prevent agricultural vehicular movements running between Ross Farm (to the west), St Mary’s Hall Farm (to the south) and Moat Farm (to the east of the village). A more detailed site description is provided at Section 2 of this Statement.

1.5. This Statement draws upon the findings of various technical information and should be read in conjunction with the accompanying application material to provide a comprehensive understanding of the proposal and its associated benefits. In addition to this Statement, the following documentation is submitted with the planning application:

Document	Prepared By
1. Application Forms and Certificates	Savills (UK) Ltd
2. Planning, Design and Access Statement	Savills (UK) Ltd
3. Location Plan	TPS
4. St Mary’s Hall Farm – Highways Technical Note	TPS
5. Site Plan identifying Proposed Vehicular Access Layout (Reference D-1003)	TPS

1.6. The remainder of this Statement is set out as follows:

- Section 2 describes the Site and its surroundings;
- Section 3 summarises the proposal;
- Section 4 outlines the relevant planning policy;
- Section 5 sets out the planning balance and assesses the proposal against the Development Plan, having regard to other relevant material considerations; and
- Section 6 concludes the case for granting planning permission.

2. Site Context

The Site and its Surroundings

- 2.1. The Site is located to the south of St Mary Hoo, immediately west of Hall Road which runs through the centre the village. The Site totals 2,627m² and comprises agricultural land used year-round.
- 2.2. The Site is bounded:
- To the north by Ross Farm and the built up area of St Mary Hoo;
 - To the south and west by agricultural land; and
 - To the east by St Mary's Hall Farm, St Mary Hoo, Hall Road and agricultural land beyond.
- 2.3. The Site is currently accessed via the northern boundary via a shared access to the three farm steadings in the vicinity and residential cottages (with the cottages not being within our clients ownership). This access is therefore subject to significant farm vehicle movements as well as domestic vehicular movements by the residents of the village.
- 2.4. As such, access to the Site through the farmyard via Hall Road is not the most appropriate in terms of overall vehicular use. In order to ensure a suitable continued use of the Site from a farming perspective, a new access is therefore required. This would significantly reduce the number of agricultural vehicles utilising Hall Road running west to east throughout St Mary Hoo.

Statutory and Non-Statutory Designations

- 2.5. The Site is designated as being within the North Kent Marshes Special Landscape Area (Policy BNE 33) and partially within the existing Conservation Area for St Mary's Hoo (Policies BN12, BNE13, and BNE14) by the development plan. It is not subject to any other statutory landscape or ecology designations.
- 2.6. In terms of flood risk the Site lies wholly within Flood Zone 1 and is considered to have a low probability of flooding.
- 2.7. There are no listed buildings or structures within the Site however, Grade II St Mary's Hall Farmhouse is located on the eastern boundary and the Grade II* listed Church of St Mary is located to the north east in the centre of the village. These are approximately 100 and 25 metres from the site boundary, where the new access is proposed, respectively. There are no other notable heritage assets in close proximity to the Site.

Planning history

- 2.8. According to the Medway Council planning portal the Site has not been subject to any previous planning applications.

3. The Proposed Development

3.1. The description of development proposed, as set out on the accompanying planning application form, is as follows:

“Full planning application for the installation of a new field access and gate”

3.2. The application proposes the installation of a new field gate access on the eastern boundary of the Site, west off Hall Road. As mentioned above the current access from the north is not considered suitable when considering the agricultural vehicular movements alongside the existing residential properties and domestic vehicular movements associated with them.

3.3. As the new access is off a classified road it requires an application for full planning permission in accordance with Schedule 2, Part 2, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

3.4. In order to enable appropriate access, including access and egress of large agricultural vehicles to the field, it is proposed that an 11m wide 17m long new hard standing is created. The 17m length is to allow a maximum legal articulated vehicle (16.5m) to pull off the highway before entering through the gates. The remainder of the access after the initial section of the access is to be 6.5m wide to allow for two HGVs to pass along the access road.

3.5. The initial 17m length of the access will be formed of a bound material, to ensure, as far as practically possible, that loose material will not be deposited on the adopted highway.

3.6. A new gate would also be installed to ensure that the access is used for agricultural vehicles only as a private access. The gate would be 7.5m wide and at a standard height of 1.22m. The gates have been widened to 7.5m to accommodate two HGVs passing each other. The gate will replace a section of existing vegetation on the eastern boundary.

3.7. Details of the design and appearance of the proposed gates, hardstanding and hedging are anticipated to be as follows:

- Gates: these will be metal galvanised gates and gate post.
- Hedging: mixed native species planted in a double row.
- Entrance way: either type 1 MOT/tarmac chippings

4. Planning Policy Context

The Development Plan

- 4.1. As reaffirmed by the Framework (the NPPF), Section 38(6) of the Planning and Compulsory Purchase Act 2004 directs Local Planning Authorities (LPA's) to determine planning applications in line with the policies of the Development Plan unless material considerations indicate otherwise. Section 38(3) of the Act provides that the Development Plan includes the "*development plan documents (taken as a whole) which have been adopted or approved in relation to that area*".
- 4.2. Section 70(2) of the Town and Country Planning Act 1990 directs LPA's to "*have regard to the provisions of the Development Plan, so far as material to the planning application and any other material considerations*".
- 4.3. The adopted statutory Development Plan for the application Site is the Medway Local Plan 2003 (adopted and launched on 14 May 2003), replacing the Medway Towns Local Plan 1992 and the Medway Local Plan Deposit Version 1999.
- 4.4. Policy BNE25 of the Local Plan seeks to restrict new development for the protection of the countryside. Development will only be permitted if it maintains, and wherever possible enhances, the character, amenity and functioning of the countryside and is development essentially demanding a countryside location (such as agriculture, forestry, outdoor or informal recreation).
- 4.5. With regard to accessibility and transport Policy T1 requires development proposals to contribute to an efficient and safe transport network. This includes being able to demonstrate adequate visibility splays.
- 4.6. Policy T2 sets out that proposals which involve the formation of a new access, or an intensification in the use of an existing access, will only be permitted where (i) the access is not detrimental to the safety of vehicle occupants, cyclists and pedestrians; or (ii) can, alternatively, be improved to a standard acceptable to the council as Highway Authority.
- 4.7. Policy BNE 33 designates the Site as being within the North Kent Marshes Special Landscape Area and partially within the existing Conservation Area for St Mary's Hoo (Policies BNE12 and BNE14).
- 4.8. Policy BNE 33 states that development within the North Downs and the North Kent Marshes special landscape areas, as defined on the proposals map, will only be permitted if it conserves and enhances the natural beauty of the area's landscape or the economic or social benefits are so important that they outweigh the county priority to conserve the natural beauty of the area's landscape.
- 4.9. Policies BN12, and BNE14 concern the historic environment. Special attention will be paid to the preservation and enhancement of the character and appearance of Conservation Areas as per Policy BNE12 and BNE14.

- 4.10. With regard to listed buildings, of which there are two within 200m of the Site, BNE18 states that development which would adversely affect the setting of a listed building will not be permitted.
- 4.11. Policy BNE39 requires all development to minimise impacts on biodiversity and geodiversity.
- 4.12. All development is required to be of a high quality design that contributes positively to local character, townscape and landscape. Policy S4 sets out a number of design criteria which proposals should demonstrate. A high quality of built environment will be sought from new development, with landscape mitigation where appropriate. Development should respond appropriately to its context, reflecting a distinct local character.

Other Material Considerations

- 4.13. The following material considerations are relevant to this planning application and are considered in turn below:
- Local Plan Review
 - Neighbourhood Plan
 - National policy contained within the National Planning Policy Framework ('the Framework') (February 2021) and the supporting national Planning Practice Guidance ('the PPG') (March 2014, as amended).

Emerging Local Plan

- 4.14. In response to significant changes to national policy, a review of the current Local Plan is being undertaken to ensure it remains up to date.
- 4.15. The new local plan will cover the period 2021-2037. The Local Plan will cover the whole of Medway and will be prepared in conformity with national planning legislation, specifically the National Planning Policy Framework, 2021. On adoption it will replace the saved policies from the Medway Local Plan 2003. The Local Plan is a Development Plan Document (DPD). However, this document is not due for adoption until Spring 2023. As such, the draft policies cannot carry any significant weight at this time.

Neighbourhood Plan

- 4.16. The Site is not subject to any made Neighbourhood Plan.

The Framework

- 4.17. The Framework sets out the Government's policies for the planning system and is clear that these should be applied positively and proactively to deliver sustainable development. Indeed, the Local Plan was adopted in advance of the publication of the Framework and as such, the amount of weight that should be applied to

development plan policies depends upon their degree of consistency with national policy. The Framework makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development (economic, social and environmental).

4.18. The Framework makes clear that *“sustainable development should be pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development”* (para. 10, the Framework).

4.19. Importantly, for decision-taking, paragraph 11 confirms that this means:

- *“approving development proposals that accord with an up-to-date development plan without delay; or*
- Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - The application of policies in this framework that protect areas or assets of particular importance provides a clear reason for refusing development proposed; or
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole”.

4.20. Paragraph 11 of the Framework is known as the tilted balance as where local plans are out of date, there is, in most circumstances, a firm presumption that applications should be approved.

4.21. The Framework applies these principles to various topics which are considered in further detail below.

Supporting a prosperous rural economy

4.22. The Framework, at paragraph 84, recognises the need to support the sustainable growth and expansion of all types of business in rural areas through the conversion of existing buildings and well-designed new buildings and the development and diversification of agricultural and other land-based rural businesses.

Promoting sustainable transport

4.23. Paragraph 110 requires that applications for new development ensure that safe and suitable access to the site can be achieved for all users and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

4.24. Paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Achieving well-designed places

- 4.25. The Framework at Chapter 12 recognises that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.
- 4.26. Paragraph 130 sets out the core principles of good design which should ensure that developments:
- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

“Decision Making”

- 4.27. The Framework, at paragraphs 38, it states that *“Local planning authorities should approach decisions on proposed development in a positive and creative way...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of an area...decision-makers at every level should seek to approve applications for sustainable development where possible”*.
- 4.28. Paragraphs 47 requires applications to be made as quickly as possible and within the statutory timescales.
- 4.29. Paragraph 48 sets out the level of weight to be attributed to the relevant policies within emerging plans according to the stage of preparation of the emerging plan; the extent of unresolved objections and the degree of consistency between the relevant emerging policies and the those contained within the Framework.

5. Assessment against Planning Policy

- 5.1. Section 38 (6) of the 2004 Act provides that all decisions must be determined in accordance with the Development Plan, when taken as a whole, unless other material considerations indicate otherwise. Section 39 of the Act requires decision makers to exercise their functions with the objective of contributing to the achievement of sustainable development.
- 5.2. The Development Plan is described at Section 4 of this Statement. Further material considerations exist in the form of the Framework also described at Section 4. No weight can be applied to the emerging Local Plan at this stage and currently the area remains a designated area for the purposes of producing a neighbourhood plan but currently does not have an adopted plan in place.
- 5.3. This Section of the Statement identifies those key issues that are material to the planning balance required in respect of this scheme, and presents the case in its favour under the following headings:
- Compliance with the Development Plan
 - Other material considerations – the NPPF.
 - The overall planning balance

Compliance with the Development Plan

- 5.4. The proposals seek to provide a new agricultural access off Hall Road. The proposed new access is required as the existing farm access route is through St Mary Hoo directly past residential properties which front directly on to the highway.
- 5.5. The proposed access will serve surrounding farmland and ensure that it can remain in operation for agricultural purposes without impacting on the community of the village.
- 5.6. Policy BNE25 of the Local Plan recognises that some new development is required in the countryside. Development will be permitted if it maintains the character, amenity and functioning of the countryside and is development essentially demanding a countryside location (such as agriculture, forestry, outdoor or informal recreation). As the proposal is for an agricultural access associated with farming the surrounding agricultural land it is considered that this complies with the countryside location.

- 5.7. As demonstrated by drawing D - 1001 set out in the supporting access technical note (page 9), the proposed access meet the required visibility splays set out in the Design Manual for Roads and Bridges. It is proposed that the gate is set back from the existing boundary to enable a n agricultural vehicle to pull off from the highway. This will prevent vehicles waiting/blocking the highway while opening or closing the gate. This will ensure that the new access will not have an adverse impact on highway safety in accordance with Policy T1 or T2.
- 5.8. In terms of design the proposal will respect the surroundings including the listed buildings to the east. The accompanying drawings demonstrate that the gate has been designed to have an agricultural appearance and style to fit with the proposed use and minimise the visual impact including views into and out of the Site in accordance with Policy S4, BNE18, BNE12, BNE14 and BNE33. The gate will be of an appropriate size to accommodate a maximum legal articulated vehicle and has been designed to be integrated into the existing hedging.
- 5.9. While a small area of hedging will be lost where the gate is installed this will be mitigated through providing new hedging between the existing hedge and the gate which will be set back as discussed above. This seeks to ensure minimal impact on biodiversity in line with Policy BNE39.
- 5.10. The assessment above demonstrates that the principle of the proposed development accords with the relevant policies of the Development Plan and as such the remaining assessment relates to the sustainability of the proposals and consideration of the proposals against the relevant environmental policies is set out below:

Landscaping details

- 5.11. In order to enable appropriate access, including access and egress of maximum legal articulated vehicles to the field, it is proposed that the gate would be 11m wide with a 17m long new hard standing created. The proposal will remove a section of vegetation along Hall Road which runs along the eastern boundary of the agricultural field. The loss of the vegetation is highly unlikely to have a significant harmful visual impact on the street scene providing an appropriate gate is installed along with new hedgerows.
- 5.12. A mix of fencing and hedging will be used to connect either side of the proposed gate to fully enclose the agricultural field.
- 5.13. Given that the gate would need to be set back into the site, details of hedging or fencing will need to be submitted to connect the hedging either side of the gate to the final position of the gate to fully enclose the important open space. Please see plan D-1001 of the Technical note for further details.

Heritage Details

- 5.14. Policy BNE 33 designates the Site as being within the North Kent Marshes Special Landscape Area and partially within the existing Conservation Area for St Mary's Hoo (Policies BNE12 and BNE14).
- 5.15. The nearest listed buildings to the north of the proposed access gate are within 200m of the Site. As such, the proposal has been designed to not impact on the listed farmhouse or church.

Highways

- 5.16. The proposed development will need to, demonstrate adequate visibility splays as detailed within the Design Manual for Roads and Bridges. Given the existing speed limit of the road, visibility splays should be provided in line with guidance provided within the Design Manual for Roads and Bridges. Based on the results of the survey, there is a visibility splay requirement from the new access of 2.4m x 70m in both directions. This is demonstrated on the drawing attached at Appendix B of the supporting Technical Note prepared by TPS.
- 5.17. Additionally, the proposal will need to ensure that the field gate is set back into the field to allow agricultural vehicles to pull off from the highway, this is to prevent vehicles waiting/blocking the highway while opening the gate. Again, the supporting plans demonstrate this is has been incorporated into the proposal.
- 5.18. The proposal includes a bound material within the extents of the public highway and 17m into the private field. This is to stop any stone/gravel entering the highway.
- 5.19. The above demonstrates that the proposed new field access will highly unlikely have a harmful impact on highway safety.

Biodiversity

- 5.20. The removal of the current vegetation will be a modest biodiversity loss. The proposal includes some mitigation for this in the form of providing appropriate hedging between the hedge and the position of the gate slightly set back into the site.

Other material considerations- the NPPF

- 5.21. It is demonstrated above that the application proposals accord with the Policies of the Development Plan. The principle of development is also in broad accordance the following national policy objectives:
- Supporting a prosperous rural economy- The proposal will support the continued agricultural practices of the surrounding farmland on the Site through the installation of an independent access.
 - Promoting sustainable transport- The proposal will provide a safe and appropriate access to the Site capable of accommodating farm vehicles of varying sizes. As demonstrated from the accompanying plan this achieves the correct visibility splays and will not have adverse impacts on the existing highway.
 - Achieving well designed places- The new gate will be designed of materials appropriate to the village setting and to ensure it preserves existing views and the setting of the listed buildings to the north and surrounding Conservation Area and landscape.

The overall planning balance

- 5.22. The proposals seek to create an independent access for the Site due to the existing access through St Mary Hoo not being the most appropriate due to the current highway network past existing residential properties which front on to the highway. This Statement has demonstrated that the proposals for the new gate access are in accordance with the Development Plan Policies and the principles of sustainable development set out in the NPPF. As such, in accordance with paragraph 11 of the Framework, we respectfully request that planning consent be granted at the earliest opportunity.

6. Conclusions

- 6.1. This Planning Statement supports a full planning application submitted to Medway Council on behalf of The Church Commissioners for England. The application seeks to install a new agricultural field gate access to facilitate access to the farmland surrounding St Mary Hoo which is used all year round.
- 6.2. The description of development proposed is as follows:
- “Full planning application for the installation of a new field access and gate”*
- 6.3. As this Statement has demonstrated the current access to the Site is not the most suitable and a new access is therefore required to ensure the continued use of the Site whilst working harmoniously with the residents of the village.
- 6.4. The proposals accord with the Development Plan and there are no technical reasons to suggest that the adverse effects of granting planning consent would significantly and demonstrably outweigh the benefits. As such, we respectfully request that planning permission be granted at the earliest opportunity.