



MINUTES FOR THE MEETING OF MARDEN PARISH COUNCIL PLANNING COMMITTEE ON 5TH NOVEMBER 2024 HELD IN THE JOHN BANKS HALL, MARDEN MEMORIAL HALL, GOUDHURST ROAD, MARDEN COMMENCING AT 7.30PM

112/24 PRESENT:

Cllrs Adam, Boswell, Gibson, Newton, Tippen and Turner (in the Chair) were present. Cllrs Dobinson and Summersgill, the Clerk and two members of the public were also in attendance.

113/24 APOLOGIES:

Cllr Rabot gave his apologies.

114/24 APPROVAL OF PREVIOUS MINUTES:

Cllrs received and agreed the minutes of the meeting held on 15th October 2024. The Chairman duly signed them as a true copy.

115/24 CLLR INFORMATION

Declarations of Interest

There were no declarations of interest.

Granting of Dispensation

There were no requests for dispensation.

116/24 IDENTIFICATION OF ITEMS INVOLVING PUBLIC SPEAKING

Members of the public were in attendance for Reed Court Farm and Solar Farm applications. The Chairman proposed, and Cllrs agreed, to move these two applications to be discussed as the next items on the agenda.

118/24 PLANNING APPLICATIONS WITHIN MARDEN PARISH

OTHER

20/505751/EIFUL – Reed Court Farm, Hunton Road, Marden

Erection of a new free range egg farm consisting of 2 hen houses with extensive outdoor ranges and fencing, formal vehicle access from Hunton Road and associated parking, landscaping, woodland and tree planting, drainage and other associated works.

Additional information received.

The resident reported to the meeting that new documents had been uploaded which included the Flood Risk Assessment Addendum. However, it was noted that the applicant's survey of the site entrance is within Flood Zone 3B but applicant felt that this was still the location for the entrance. The impact in regard to the environmental impact was above the threshold set by Natural England and the report detailing the impact on ammonia had been updated as the previous one submitted was out of date.

The residents are currently reviewing these documents and will submit their comments to MBC within the given timescales and copy Marden PC in.

Cllrs had looked at the new documents and noted that Table 1 in the Flood Risk Assessment Addendum (summary of EA flood levels) was incorrect as the column headings do not match the quoted values.

Cllrs noted that the definition of Flood Zone 3B is 1:30 as a minimum, not as stated in the documents as 1:20, and depths in excess of 10cm should not be walked or driven through. Therefore, if Hunton Road flooded the edge of the carriageway could not be seen and the

locations of ditches could not be judged, even a tractor which could deal with that depth of water could not see edge of carriageway.

Cllrs wished their previous comments on this application to be resubmitted with the above information. Cllrs also agreed there was no changes to the comments made on Marden Neighbourhood Plan policies, Surface Water, biodiversity and habitat, pollution and traffic management. Additional comments were made on flood risk (see above) and Cllrs saw no reason why the Public Right of Way needed to be diverted within the site now that the third chicken shed had been removed.

See full response at Appendix A.

Cllrs continue to refuse this application and ask that it goes to Committee.

24/504342/ENVSCR – Land West of Pattenden Lane, Marden

EIA Screening Opinion in relation to the installation and operation of ground mounted solar PV energy generation (export capacity of up to 20MW) with all associated works, equipment and infrastructure.

Resident spoken on this application and raised concerns that the whole village should be made aware of the proposal. She was also concerned over the flooding issues as site is within Flood Zones 2 and 3, noises implications on residential areas and consideration of ecological aspects.

Cllrs informed the resident that this application was for a screening opinion at this stage and would be noted by Cllrs. However, her concerns would be raised when the full planning application is received.

Cllrs noted application but did not wish to make further comment.

20.15: *Resident left meeting.*

117/24 ELECTION OF VICE-CHAIRMAN

Cllrs agreed to defer this item to the next Planning Committee meeting.

**118/24 PLANNING APPLICATIONS WITHIN MARDEN PARISH
FULL APPLICATIONS**

24/504374/FULL – Unit 2, Wheelbarrow Park Estate, Pattenden Lane, Marden

Erection of a single storey rear extension to existing industrial unit (Use Class B2).

Noted

24/504510/FULL – Turkey Farm House, Goudhurst Road, Marden

Construction of single storey extension with annexe, removal/replacement of porch, removal and infill of external door on South elevation. Erection of car barn.

The site was situated within the flood zone but there had been no flood risk assessment provided especially as the bedroom in the annex is on the ground floor.

As the site has barns which had not already been converted to residential Cllrs questioned why the applicant was adding a new structure rather than using one of the existing barns.

Following discussion Cllrs found this application to be contrary to Maidstone Local Plan Review policies LPRSP9 / LPRSP15 / LPRENV1 / LPRHOU11 and Marden Neighbourhood Plan policy BE1: Local Character – it was an overwhelming proposal in the setting of the original farm buildings in the open countryside and was an incongruous arrangement. The proposal was clearly visible from the public right of way and similarly has a significant impact on the listed building setting.

Cllrs noted that there were trees around the area of the car barn and one smaller tree by the extension and these seem to have been omitted from the plans.

Cllrs therefore recommended refusal but did not wish to see it go to Committee.

LISTED BUILDING CONSENT24/504428/LBC – Turkey Farm House, Goudhurst Road, Marden

Listed building consent for construction of single storey extension with annexe, removal/replacement of porch, removal and infill of external door on South elevation. See above.

Cllrs recommended refusal subject to Conservation Officer's comments.

119/24 PLANNING APPLICATIONS OUTSIDE MARDEN PARISH:

No planning applications outside of Marden Parish.

120/24 MBC DECISIONS & APPEALS**Decisions**

Cllrs to receive MBC Decisions on Marden planning applications.

24/501196/FULL: Land to the South of Sheephurst Lane, Marden

Creation of switching station with associated apparatus, plant room, 2(no) substations, and access road from Sheephurst Lane.

Withdrawn

24/501824/LBC: Johns Hairdressers, 5 High Street, Marden

Listed Building Consent for internal alterations and repairs including raising floor height in dining area/lobby and toilet and relocation of bathroom.

MPC: Noted

MBC: Granted

24/501826/FULL: Johns Hairdressers, 5 High Street, Marden

Part demolition of single storey rear flat roofed extension and replacement with the erection of a single storey rear pitched roof extension and a garden shed (Revised scheme 23/504895/FULL).

MPC: Noted

MBC: Granted

24/501827/LBC: Johns Hairdressers, 5 High Street, Marden

Listed Building Consent for the part demolition of single storey rear flat roofed extension and replacement with the erection of a single storey pitched roof extension (Revised scheme 23/504896/LBC).

MPC: Noted

MBC: Granted

24/502777/FULL: Great Thorn Farm, Marden Thorn, Marden

Creation of vehicle access to serve The Round House; erection of replacement stables and sand school for use in connection with Great Thorn Farm; and replacement wildflower meadow.

MPC: No objection.

MBC: Refused

24/502882/FULL: 2 Spring Grove Cottages, Goudhurst Road, Marden

Erection of a single storey rear/side extension, front porch and demolition of existing outbuilding.

MPC: No objection

MBC: Granted

24/502993/LBC: Tanner Oast, Goudhurst Road, Marden

Listed Building Consent for internal alterations including in-filling of existing doorway, forming a new doorway and repairs of surrounding wall.

MPC: No objection

MBC: Granted

24/503157/PNQCLA: The Barn, Staplehurst Road, Marden

Prior notification for the change of use of a building and any land within its curtilage from agricultural to one residential dwellinghouse and associated operation development. For its prior approval to: - Transport and Highways impacts of the development. - Noise impacts

of the development. - Contamination risks on the site. - Flooding risks on the site. - Whether the location or siting of the building makes it otherwise impractical or undesirable for the use of the building to change from agricultural use to C3 (dwellinghouses). - Design and external appearance impacts on the building. - Provision of adequate natural light in all habitable rooms of the dwellinghouses.

MPC: Noted

MBC: Granted

24/503362/FULL: 30 Seymour Drive, Marden

Erection of a single storey side pitched roof extension.

MPC: No objection

MBC: Granted

24/503382/FULL: 5 Primrose Close, Marden

Erection of garden pergola with louvered rear and side panels on raised composite decking in rear garden.

MPC: No objection

MBC: Granted

24/503569/FULL: Bogden House, Staplehurst Road, Marden

Erection of a single storey rear extension, refurbishment of existing dwelling including replacement windows, insertion of roof lights and changes to fenestration. Erection of a detached garage with home office above.

MPC: No objection but comment made on size of footprint.

MBC: Granted

24/503587/FULL: The Caravan, Reed Court Farm, Hunton Road, Marden

Temporary planning permission for the retrospective change of use and siting of an agricultural worker's mobile home.

MPC: Refused

MBC: Refused

24/503709/FULL: Orchard View, Pattenden Lane, Marden

Proposed rear single storey extension to replace existing

MPC: No objection

MBC: Granted

Decisions outside Marden Parish

There were no decisions received outside of Marden Parish.

Appeals

APP/U2235/W/20/3259300: Monk Lakes, Staplehurst Road, Marden

Part retrospective planning application for the retention of two lakes known as Bridges and Puma and works to create 3 additional lakes all for recreational fishing, erection of clubhouse building and associated works and landscaping (MBC Planning Ref: 11/1948).

Noted

APP/U2235/W/24/3346817 – Land East of Albion Road and North of Copper Lane, Marden

Outline application with some matters reserved (access only sought) for the removal of 2 former agricultural sheds and erection of up to 117 dwellings and associated infrastructure including partial footways on Albion Road (MBC Planning Ref: 23/504068/OUT)

Cllr Adam agreed to attend on 12th November and would circulate the statement for comments by Thursday. This would be sent to the Planning Inspectorate by the end of the week.

121/24 OTHER PLANNING ISSUES:

MBC Planning Committee

Cllrs to note the next MBC Planning Committee meeting on 14th November 2024.

Maidstone Borough Gypsy, Traveller and Traveling Showpeople Development Plan Document – Preferred Approaches (Regulation 18b) Consultation

Closing date 12th December 2024: Cllrs deferred until the next meeting.

122/24 MARDEN NEIGHBOURHOOD PLAN

Cllrs to meet on 11th January to discuss Regulation 14 consultation.

123/24 INVOICES FOR PAYMENT:

The following invoices were submitted for payment:

Graham Carey – grounds maintenance - £450.00

The Clerk – Miscellaneous - £26.00

Stall holder – Refund of Xmas stall fee due to cancellation - £10.00

Cloudy IT – Monthly IT support - £225.60

Cllr Tippen – Travel to Headcorn (HR Training) - £9.00

Employees/HMRC – November salaries, backpay, NIC and PAYE - £11,250.95

Stanleys – fuel and miscellaneous - £83.99

KCC – Street Lights (Xmas) application - £134.00

Total: £12,189.54

Cllrs agreed payments and Cllrs and would authorise on Unity.

124/24 ENFORCEMENT

There were no enforcement issues to be discussed so meeting did not go into confidential items.

There being no further business the meeting closed at

Signed:

Date: 19th November 2024

Cllr Turner, Chairman, Marden Planning Committee
Marden Parish Council, Parish Office, Goudhurst Road, Marden
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APPENDIX A

118/24 PLANNING APPLICATIONS WITHIN MARDEN PARISH

OTHER

20/505751/EIFUL – Reed Court Farm, Hunton Road, Marden

Erection of a new free range egg farm consisting of 2 hen houses with extensive outdoor ranges and fencing, formal vehicle access from Hunton Road and associated parking, landscaping, woodland and tree planting, drainage and other associated works.

Additional information from meeting on 5th November 2024 in red

Cllrs discussed the new documents uploaded to the Planning Portal along with their previous comments submitted since January 2021 and agreed for the following to be submitted:

1. Marden Neighbourhood Plan Policies

a. Policy BE5 New Farm Buildings - The size of the proposed hen houses does not minimise any adverse effect on residential amenity and are large-scale buildings of an industrial scale – c250m in length. Hen house 3 is sited very close to Chainhurst Farmhouse a Grade II* and two other Grade II listed barns. The size and scale of the proposed buildings do not minimise adverse effects on the wider countryside, and they are not sympathetic to the local surroundings. They do not respect the historic nature of the site given the ancient woodland, uninterrupted views especially from the Greensand Ridge, and proximity to listed heritage assets.

b. Policy BE1 Local Character – the proximity of hen house 3 to listed heritage assets as defined above in a, do not protect the setting of these designated assets, neither do they enhance the existing character of the village – in this case the hamlet of Chainhurst.

c. Policy BE2 Residential Amenity –no significant attempt has been made to mitigate the impacts on residential amenity by the creation of new pedestrian routes, cycleways or bridleways within the development to link with existing routes in the vicinity of the site (eg by making use of the maintenance path around the southern periphery of the site to link the centre of Chainhurst with Public Right of Way KM229).

d. Policy NE1 Surface Water Management and NE2 Water Quality– the water contamination concerns have not been addressed and therefore the application is not in conformity with these policies. Neither does the plan appear to be in conformity with the Water Framework Directive since it not only fails to offer any improvement to help the Beult operational catchment reach good ecological and chemical status/potential, but the risk of pollution caused by runoff from the outdoor chicken ranges risk further deterioration in several WFD measures. *Cllrs note that 2 of the 3 concluding points on page 5 of the Considine technical note reinforce MPC's previous comments about water quality.* It is unclear how waste excreted on the open areas of the site is prevented from entering the water course, particularly as some parts of the free-range areas are within Flood Plain 3A and 3B.

e. Policy NE3 Landscape integration – Cllrs note that hen house 1 has been removed but the size and scale of the remaining buildings do not integrate into their surroundings in the landscape and do not contribute positively to the conservation and enhancement of the landscape. It is noted that no lighting plan has been submitted and therefore we are unable to determine if the lighting will 'reduce visual intrusion and have negative impacts on wildlife'.

The visual impact on users of the surrounding public rights of way and landscape is tangible and no effort has been made to mitigate this impact through additional tree planting or

hedgerow planting. The reduction in tree planting as part of the proposal when measured against the previous is notable, reducing any landscape benefits (tree planting within the chicken ranging areas is negligible and of low amenity value to landscape users).

f. Policy NE4 Biodiversity and habitats –

Biodiversity - The applicant has not demonstrated that it supports the aims of the Kent Biodiversity Strategy or that there is biodiversity net gain so that any habitat or species loss is replaced elsewhere on site in excess of the amount lost. Whilst it is noted that the Biodiversity Net Gain calculator calculates a biodiversity net gain, this relies heavily on an increase in grassland, but fails to improve habitats for species identified as being harmed through the proposal. The proposal will result in a loss of habitat and species connectivity across the site – in particular, but not limited to, badgers. The badger survey demonstrates that there is evidence of badgers throughout the site but due to the proposed fencing there will be a significant reduction in ability for badgers, and other species, to move across the site.

Clrs are concerned on the loss of Priority habitat but the biodiversity net gain strategy does not seem to address the loss of this habitat. Further concern is that the application does not show how the loss of Priority habitat areas are addressed.

The baseline survey used for the biodiversity net gain is well out of date, having been undertaken in 2020; the Parish are of the view that the grassland in the area has substantially improved in quality since the surveys were undertaken, reducing the value of further management and the subsequent BNG calculated output.

Further, various ecological surveys across the site have been updated by ‘walk-over’; however, as the original surveys were undertaken more than three years ago (many undertaken in a reduced capacity due to Covid-restrictions), the baseline should, in accordance with best practice, be considered out of date, and further surveys undertaken. (No off-site GCN surveys were undertaken due to Covid-restrictions, and have yet to be undertaken).

Pollution - The proposal fails to recognise the environmental standards of the River Beult (which has SSSI status) and the Environment Agency has confirmed the chemical status of the river is fail. An Appropriate Assessment should be requested to determine the likely significant effects of the scheme on the SSSI including the projected levels of ammonia, phosphorus and nitrogen emissions.

Ammonia produced by poultry reacts with nitrogen oxides and sulphur dioxide to form secondary particulate matter which significantly impacts on human health. Non-methane volatile organic compounds (NMVOCs) are a collection of organic compounds that differ widely in their chemical composition but display similar behaviour in the atmosphere.

Methane and NMVOCs contribute to the formation of ground level (tropospheric) ozone, which can cause harm to human health and to key agricultural crops and flowering plants. An assessment would be required to determine the ongoing health impacts, air contamination and soil contamination.

It is unclear how much damage chickens can do to the ground/vegetation with a likelihood that management proposed for the woodlands/rotational grassland within the free-range areas cannot be implemented. Despite the proposal to increase the buffer area between the River Beult SSSI to mitigate the impact due to Ammonia Emissions it will result in the increased loss of Neutral Grassland within the north of the site.

Councillors remain unclear on how waste from the chickens deposited within the free-roaming areas will be prevented from entering the watercourse, particularly given that some

of the free-ranging area is within Flood Zone 3. This uncontrolled pollution into a SSSI is unacceptable.

MPC acknowledge that Marden Wildlife is a group with very specialist knowledge and their comments should also be taken seriously and given substantial weight; precedence for which exists in the determination to Refuse the recent application at Copper Lane (23/504068/OUT).

g. Policy IN3 Traffic Generation – although we welcome the recommendations from KCC Highways we note there is no consideration of the impact of HGVs in Chainhurst, which sits within the 7.5 tonne weight limit and where there are blind corners, no pedestrian footway and no safe cycle route in the narrower sections. This weight limit was ordered to “prevent danger to persons especially pedestrians, prevent damage to roads and buildings and preserving the amenities of the area” and to permit a development that would introduce additional HGVs would be directly contradictory to these purposes.

2. Flood risk

The principle of developing the site has not been established due to the absence of a Sequential Test which has not been submitted despite a large percentage of the site being in flood Zone 3b. Neither has an exception test as the poultry business is classified as land and buildings used for agriculture and forestry and is therefore classified as less vulnerable. Government guidelines state that less vulnerable uses should not be permitted in flood zone 3b. The proposed access road and its junction with Hunton Road are also prone to flooding and often underwater, thus resulting in the strong probability that the site may not be able to be accessed safely to transport waste produced off site to the treatment facility in Knoxbridge.

Additional information added 05112024:

Cllrs noted that the definition of Flood Zone 3b is 1:30 as a minimum, not as stated in the documents as 1:20, and depths in excess of 10cm should not be walked or driven through. Therefore, if Hunton Road flooded the edge of the carriageway could not be seen and the locations of ditches could not be judged, even a tractor which could deal with that depth of water, could not see edge of carriageway.

3. Existing Public Rights of Way

The suggested move of KM229 to run along the River Beult would increase the risk of it being impassable due to river and surface water flooding and is unacceptable and in any case now appears no longer required due to the removal of hen house 1.

The retention of KM144 on its existing line is an improvement of the original proposal but Cllrs remain concerned of the visual impact on PROW users.

Additional information added 05112024:

Cllrs asked the question as to why the PROW KM144 needed to be diverted within the site now that the third chicken shed had been removed.

Cllrs continue to recommend REFUSAL and would want this to go to Committee.