

Planning Inspectorate Ref: APP/A2280/W/20/3259868

Medway Council Ref: MC/19/1566

**Land Off Pump Lane, Rainham
APPEAL by A C Goatham & Son**

Evidence of Richard John Lloyd-Hughes

Appendix RLH 01

My advice to Medway Council on the Planning Application, comprising:

- letter dated 15/08/2019
- letter dated 28/10/2019, with documents attached thereto:
 - o Plan of detailed Agricultural Land Classification studies in the locality
 - o Kent Online article regarding the Appellants' orchard planting
 - o Aerial image of the site showing adjoining agricultural land

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Development Control Manager
Medway Council
Gun Wharf
Dock Road
Chatham
Kent ME4 4TR
FAO Hannah Gunner

Your ref: MC/19/1566
Our ref: RLH/AA/MC/19/02
Date: 15 August 2019

Dear Ms Gunner

Land off Pump Lane Rainham

I refer to your letter of 07 August 2019 requesting agricultural advice on the outline planning application submitted on behalf of A C Goatham & Sons for residential and other associated developments at the above location.

The Planning Statement refers to the application site as made up of two farms, Pump Farm (about 23 ha) and Bloors Farm (about 25 ha) mainly cropped as orchards, and including a number of farm buildings. The applicants are large-scale local fruit growers, and packers of their own fruit, and other farmers' fruit, with their operational base at Hoo St Werburgh, where at Flanders Farm they have constructed a large fruit processing and storage facility with associated parking and hardstandings etc, initially permitted in outline in 2011.

The applicants are now understood to own or rent a total of some 29 farms, mainly in the Medway and Swale areas, but also further afield in Kent, farming a total of over 1000 ha overall.

Para 170 of the NPPF (2019) states that Planning policies and decisions should contribute to and enhance the natural and local environment by (inter alia) "*recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland*" (my emphasis).

A footnote (53) adds "*Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality*".

In this case the applicants have submitted a detailed land classification study of the site which shows that the land comprises some 8.6 ha of Grade 1 land (excellent quality), 40.6 ha of Grade 2 land (very good quality), and 2.3 ha Grade 3a (good quality). Thus all the surveyed area is "best and most versatile" (BMV) land. As it is reasonable to conclude that the permanent loss of this relatively large area of BMV land would be "significant", consideration than falls to be given as to whether the development has been demonstrated to be "necessary", and whether there are other sites of lower quality that should be developed in preference.

As you will be aware, there is another current application (MC/19/0765) for housing development on some 50 ha of agricultural land at East Hill, off North Dane Way, Chatham; that site comprises Grade 3a (good quality) and Grade 3b (moderate quality) land and in principle, on this one criterion, it would therefore appear preferable to Pump Lane, where there would be a similar extent of loss of notably higher quality land. That said, many other issues will no doubt arise in the Planning balance, and Rural Planning Limited cannot provide any comprehensive overview as to housing need, or the availability or suitability of other potential sites.

Regarding the particular supporting submissions on behalf of the applicants, considerable reliance is placed on an argument that this land has limited economic agricultural value, notwithstanding its largely Grade 1 and Grade 2 designation. However, looking at some of the main elements behind this argument (my precis being underlined) :

The existing orchard varieties are coming to the end of their useful life and require replacement, at considerable cost, along with that of other necessary associated facilities: Whilst no doubt true, I do not see this as necessarily prohibitive in itself, given the extensive investments in recent years made by the applicants, and by other larger scale fruit growers in the Kent/Medway area, in terms of land purchase, orchard replanting, farm buildings, polytunnels, and camps for seasonal labour.

The management of the Pump Lane orchards is problematic as it involves transportation through heavily populated urban areas to the Flanders Farm hub, some 9 miles away. If so, this must also be the case for the various other orchards farmed by the applicants that are off-lying from Flanders Farm (as can be seen on the location plan at 3.11 of the Lambert and Foster report). In fact, after the first 1.5 miles or so via Lower Rainham Lane, the whole journey from Pump Lane to Flanders Farm is dual-carriageway.

This argument also appears inconsistent with the applicants' transportation submissions, which concludes that the site is well placed in terms of connectivity to the surrounding road network, and that the development would not necessitate any mitigation works for the wider strategic network.

Whilst you will no doubt take specialist Highways advice, I would have thought the argument that existing road users and residents are adversely affected by journeys made by the applicants' farm vehicles would need to be balanced against the likely larger adverse impact of the extra traffic that would be occasioned by the proposed development itself.

Other farming/cropping options are not viable. Lambert and Foster's arguments in this respect make a number of pessimistic observations which might be applied to many tracts of high quality farmland fairly close to residential areas. However there is no suggestion, as far as I am aware, that the planning policies supporting the long-term protection from development of the best quality farmland do not apply to the same extent where such land has urban property nearby. One danger of such a policy could be a domino effect of development on such land that itself becomes urban fringe, thus successively reaching out further into the open countryside.

In any event, I would not have thought this site to be particularly disadvantaged in terms of urban proximity. There is one large adjoining settlement commencing near the south-west boundary, but that is on the other side of a railway line. The other boundaries have no greater amounts of adjoining development than would be found on many comparable farms.

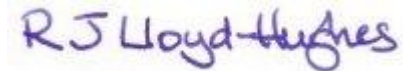
Such speculation about the absence of current alternative uses also lacks evidence by way of any market testing.

Furthermore the protection afforded to BMV land arises from its long-term value as a National resource, which is irreplaceable once developed. Natural England explains that "This is the land which is most flexible, productive and efficient in response to inputs and which can best deliver future crops for food and non food uses such as biomass, fibres and pharmaceuticals". A potential need for more self-sufficiency in UK farming and crop production, in respect of which better quality land makes a valuable contribution, have been brought into the foreground as a result of the uncertainties regarding Brexit.

In summary, I do not consider that this BMV land has been shown to have such limited economic value, now or in the future, that its permanent loss should not amount to a significant consideration, as part of the Council's decision based on the overall Planning balance.

I hope this is of assistance but please let me know if you require any further advice.

Yours sincerely



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FAO Hannah Gunner

Your ref: MC/19/1566
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Date: 28 October 2019

Dear Ms Gunner

Land off Pump Lane Rainham

Further to my letter of 15 August 2019 regarding the loss of agricultural land to the proposed residential and other associated developments at the above location, you have requested comments on the further submissions made in response by Lambert and Foster (L&F).

Policy : The loss of some 50 ha of BMV land is “significant” and therefore under para. 170 of the NPPF and footnote 53, the question arises as to whether the development is “necessary”; if so the LPA should seek to use areas of poorer quality land in preference.

L&F do not dispute that the loss of the land would be “significant” and thus potentially at odds with para. 170 of the NPPF but seek to suggest (para 2.2) that this factor is outweighed here by the development bringing enhanced benefits to ecosystems and natural capital. These latter aspects are not within Rural Planning Limited’s advisory remit.

L&F also seek, in effect, to modify the requirements of para. 170 by adding a test as to the ability of the land concerned “to function as a modern Farming unit”.

However there is no such test in national policy advice. Such a test, I suggest, would tend to place undue emphasis on the shorter-term, and on the particular agricultural background at the time of the application and the circumstances, farming policies and preferences of the agricultural occupants at that time.

As I pointed out on page 3 of my advisory letter, the protection afforded to BMV land arises from its long-term value as a National resource, which is irreplaceable once developed. Natural England explains that “This is the land which is most flexible, productive and efficient in response to inputs and which can best deliver future crops for food and non food uses such as biomass, fibres and pharmaceuticals”.

L&F also argue that the wording of para. 170 does not place a “requirement” on LPAs to use areas of poorer quality land for development. I would agree, however the policy does indicate that it is incumbent on LPAs to at least seek such an alternative to the significant loss of BMV land, (assuming the development is necessary at all).

Alternatives: In this context I note that there is another application for housing on a similar area of land at East Hill where the land is of poorer quality, whilst accepting that there are many other issues within the Planning balance and that Rural Planning Limited cannot provide any comprehensive analysis as to housing need or the availability or suitability of other potential sites.

L&F suggest that in this general area, sites of lower quality farmland are limited to land on the Hoo Peninsular, north of Cliff and Cooling, around Lodge Hill, and west of the Isle of Grain, where there are likely to be other constraints on development such as flood risk and SSSIs.

However this is a fairly generalised argument based on mapping which I would regard as too small scale to make conclusions about individual sites. Indeed it is not clear that even these small scale maps show that all sites on the Hoo peninsular with poorer quality land are subject to flood risk or SSSIs.

The **attached larger scale plan** indicates that where detailed studies have been undertaken, there are various sites elsewhere in the area of poorer land quality than Pump Farm (Grade 3a is dark green, Grade 3a light green). L&F refer to no other specific potential sites (such as East Hill, south of Chatham). Whilst I have already acknowledged, as above, that Rural Planning Limited cannot provide any comprehensive study of alternatives, I would respectfully suggest that L&F have not done so either in this response.

Orchard re-planting: I suggested that the requirement (albeit at considerable cost) to replace the current orchard trees at Pump Farm was not necessarily prohibitive either for the applicants or any other potential grower. L&F appear to rely on some results of DEFRA’s Farm Business Survey for horticultural production in the South-East; I am not sure precisely what this entails, as it is not reproduced/ appended to their report, but it appears unlikely to be so specific a study as to show that the re-planting of orchards such as those at Pump Farm, would be inherently non-viable: if that were the case one wonders why so much orchard planting has been undertaken by the applicants (and other growers) elsewhere in recent years.

Various planning applications made on behalf of the applicants in recent years have been supported by statements emphasising the success of their business and of their more intensive orchard re-planting schemes. The **attached Kent Online article** gives an indication of the extent of orchard planting already undertaken by the applicants, and continuing this autumn.

Transportation, including through urban areas. In response to the claim that orchard management at Pump Lane was problematic as it involves transportation through heavily populated areas to the hub at Flanders Farm, I observed that, if so, this must be the case for other orchards farmed by the applicants. The extent to which other orchards are offlying from Flanders Farm and other hub farms, has now been confirmed by the detailed route plans L&F enclose as Appendix 2.

The issue of transportation to Flanders Farm appears mainly to do with taking harvested fruit there. Hence most of the Appendix 2 routes to/from the many offlying farms are shown as using motorways to connect with the Flanders Farm hub – meaning routes for fruit using HGV transportation rather than the sort of farming machinery that cannot use motorways.

In this regard, whilst properly a Highways matter, I would be surprised if the particular issue of transporting fruit to Flanders Farm via the first 1.5 miles of Lower Rainham Lane (which appears no more urban than many of the routes that other offlying farms have to employ), and then by dual carriageway, is (a) more problematic than transporting fruit from these other farms, or (b) of greater impact than the additional traffic that would be created by the proposed new development.

Just taking one example, from Gore Farm Upchurch, Appendix 2 shows a 3 mile single-carriageway route along the busy A2 through the middle of Newington before reaching the dual-carriageway at Key Street.

The other claimed problem with Pump Farm is the need to transport thence the sort of specialist farming equipment that cannot travel on motorways, as the applicants tend to pool such equipment at one of their 4 hub farms (at Hoo, Bobbing, Bicknor, and Canterbury). Pump Farm is currently serviced with such equipment from Bobbing, (Howt Green Farm), some 7 miles to the east.

In their Appendix 2, showing routes using motorways as indicated above, L&F do not explain how the applicants' many other offlying farms are serviced with such equipment from these hub farms, and the non-motorway routes that necessarily involves. Appendix 2, therefore, is not comparing like-with-like.

Viability of other farming/cropping. Given that the agricultural land concerned here is inherently of very good quality, land which is “most flexible, productive and efficient in response to inputs and which can best deliver future crops for food and non food uses” etc., L&F's pessimistic assumptions as to farming options largely derive from a number of observations as to it suffering from being close to residential areas.

L&F cite a number of instances of vandalism and trespass which of course is unacceptable, as pointed out, however I do not see that this means the land cannot now, or ever, be farmed viably, as appears to be the suggestion.

L&F appear to accept (in their para. 2.21) that planning policies supporting the long-term protection from development of the best quality farmland do not make any exception in principle to such protection where such land has urban property nearby.

However L&F suggest that this site is already so surrounded by urbanisation that the prospect of a “domino” effect, of increasing urbanisation affecting other nearby farmland, would not apply; L&F describe the site as “surrounded on three sides by such densely populated areas (albeit not immediately adjoining), with the fourth side being the sea to the north”.

I do not consider that is an accurate description; the **attached aerial image** of the site shows extensive agricultural land lying to the north-west and south-east, and also to the north-east on the other side of Lower Rainham Road before the sea is reached, whilst to the south-west the railway forms the site boundary, with the residential area lying on the other side of the railway.

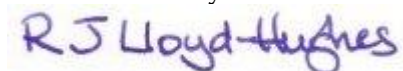
As with the issue of orchard re-planting, L&F have also apparently relied on some results of DEFRA’s Farm Business Survey with regard to other farming options. I would make the same response in this regard as above. In essence, I do not consider generalised national or regional statistics of this sort can be assumed to be determinative of the prospects of viability of any one particular parcel of farmland.

Whilst relative proximity to a large urban area can clearly generate problems of trespass and vandalism, it can also provide a ready market for farmers who can capitalise on the increasingly important need to offer produce that has been locally grown.

Summary. Whatever the differences in professional views as to the agricultural prospects for the site, it remains the case that no clear evidence has been presented that it could not be farmed profitably were it to remain in agricultural use and farmed by the applicant or by another party or parties. My view remains that the permanent loss of this BMV land should be a significant consideration as part of the Council’s decision, based on the overall Planning balance.

I hope this is of assistance but please let me know if you require any further advice.

Yours sincerely



Richard Lloyd-Hughes MRICS
Rural Planning Limited

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National Historic Landscape Characterisation (250m Grid) (England)

National Historic Landscape Characterisation (500m Grid) (England)

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Agricultural Land Classification - Provisional (England)

Post 1988 Agricultural Land Classification (England)

Grade 1

Grade 2

Grade 3a

Grade 3b

Grade 4

Grade 5

Not Surveyed

Other

Dudley Stamp Land Use Inventory (England)

Landscape Typology (England)

Marine

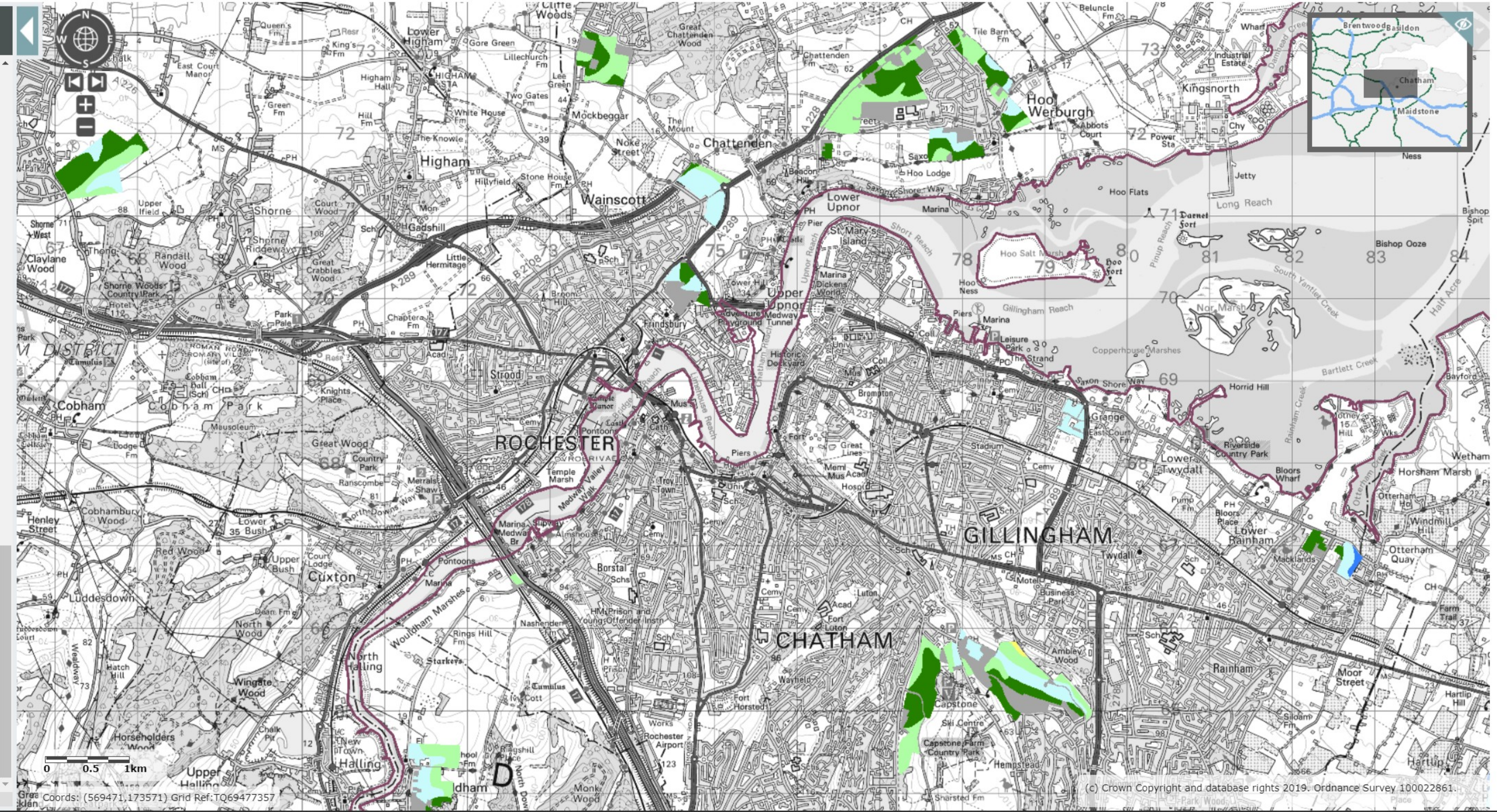
Aerial Photography

Background Mapping

OS Colour Mapping

OS Black and White Mapping

Base Map



New fruit trees to be planted in Kent by AC Goatham & Son in autumn 2019

ByKentOnline reporter
multimediadesk@thekmgroup.co.uk
Published: 09:35, 02 October 2019
Updated: 11:44, 11 October 2019

- As the growing cycle for apples and pears comes to an end with harvest each autumn, the life cycle of a commercial orchard continues and the winter period is one of the most important times.

The darker days and longer nights mean many of us are outside a lot less at this time of year, preferring to stay tucked up inside. The orchard team at AC Goatham & Son, however, are busy outside with much to do.



The largest programme of tree planting by AC Goatham & Son will get underway in the county this autumn.

November is the time to start planting new trees.

This winter, they will be planting around 320,000 new fruit trees in Kent, taking the total planted over the last seven years to well over 1.5 million.

Their 25 farms currently cover an area equal to 11 Bluewater Shopping centres - including all of the car parks - or 1,698 football pitches.

And if you include all the miles of native trees Goatham's plant for hedging around their orchard boundaries and inside for windbreaks each year, then it is little wonder that they are one of the largest tree planters in the UK and the biggest in the county.

The new commercial orchards have the objective to grow as much quality fruit as possible and have a lifespan of around 20 years.



The first signs of spring apples blossom at Turkey Hall Farm.

This means you will see smaller trees around 1.8-2.4m in height which are densely planted in long rows.

This makes it more efficient to move Gotham's modern machinery and equipment around.

The business now grows more fruit per tree and more trees per acre than would have traditionally been grown in the past.

Newer fruit varieties are being grown to meet ever changing consumer demand and these are also more uniform in shape, size and colour.

They also develop at the same rate, making it easier to harvest which is all still done by hand and leaving less waste.



British Royal Gala apples harvested in Kent.

Weather plays a huge role in the life of a commercial orchard.

Trees need a period of dormancy to go to sleep during the winter months and for the leaf and fruit buds to form in the spring, a minimum number of chill hours are needed.

Apples need a minimum of 820 hours and pears 620 hours at temperatures below 7.2C.

Our climate is changing and we have recently seen warmer winters with heavier rain, which can cause waterlogging in the orchards.

An earlier spring or a stop start spring with late frosts can lead to poor fruit setting.



Newer fruit varieties are being grown to meet ever changing consumer demand and these are also more uniform in shape, size and colour.

Prolonged hot summers can cause a variety of issues such as premature fruit drop and root stress, whilst wetter summers can increase problems such as skin scab or cause fruit to rot.

Hail, meanwhile, can devastate a fruit farmer's whole crop in a matter of minutes.

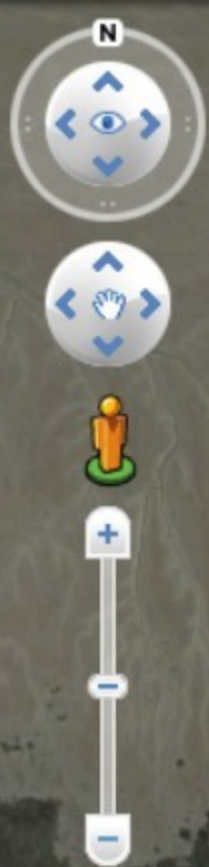
Getting the structure and planting of our new orchards right, in the unique Goatham's way can help overcome some of these climate issues, but that takes a significant and sustained level of investment.

Back in 2007, the sale of some of the company's farmland for much needed local housing in Medway provided the funding to invest back into the business. Goatham's went from farming 45 acres to 2,830 acres, and from growing fruit on 25,000 trees to over 2 million trees. If you put all 2 million new trees side by side they would stretch from London to Glasgow five and a half times!

Goatham's is also bringing to life many new orchards across Kent, such as the once derelict 175 acres at Turkey Hall Farm on the Hoo Peninsular.



The once derelict 175 acres at Turkey Hall Farm have been brought back to life by Gotham's.



Ruler

Line Path Polygon Circle 3D path 3D poly

Measure the distance or area of a geometric shape on the ground

Perimeter: 5,207.65 Meters

Area: 50.49 Hectares

Mouse Navigation Save Clear



Lower Rainham

© 2018 Google

Google Earth

1940

Imagery Date: 5/5/2018 51°22'42.24" N 0°36'58.17" E elev. 0 m eye alt. 2.06 km