



CPRE/7

Town and Country Planning Act 1990

**Appeal by Kent International Gateway Limited
APPU2235/A/09/2006565/NWF**

Kent International Gateway, Land West of Junction 8, M20, Maidstone, Kent

**Statements by Anne Rillie (British Horse Society) and Bill Catlin/Graham Smith
(The Ramblers Association) on behalf of Protect Kent
(the Kent Branch of CPRE)**

FOOTPATHS/BRIDLEWAYS



The Kent Branch of the Campaign to Protect Rural England exists to promote the beauty, tranquillity and diversity of rural England by encouraging the sustainable use of land and other natural resources in town and country.

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1. Statement prepared for the Public Inquiry into the Application by Kent International Gateway Limited for Planning Permission to construct a Freight Interchange facility at Bearsted, near Maidstone, Kent.

- 1.1. I am Mrs Anne Rillie. I live at Anchor Farm, Rochester Road, Aylesford, Kent, ME20 7EA (which is about 5 miles from the proposed development).
- 1.2. I am an Access and Bridleways Officer for the British Horse Society in their administrative county of North and West Kent. I act within the BHS's terms of reference for voluntary Access Officers. The BHS is a statutory consultee with regard to Rights of Way, and one of its aims is "to preserve and maintain existing equestrian Public Rights of Way and increase opportunities for safe off-road riding and carriage driving".
- 1.3. The latest figures (2005) from a survey commissioned by the British Equestrian Trades Association suggest that 7% of the population ride or carriage drive regularly, and that 11% of households contain at least one person who rides.
- 1.4. A study in 2002 by Land Use Consultants on the Land Based Economy of Kent commissioned by KCC and SEEDA estimated that there were 30,000 to 40,000 horses in Kent. This study also showed that equestrian activities contribute £100 million annually to the Kent economy – 13% of the land based value.
- 1.5. I calculate that there are about 6 horses kept per square km in this area, which means that there are at least 500 horses that could use the bridleways within the proposed Development Area almost daily on a 1 hour ride. There are 3 significant livery yard or riding school businesses within 2 km and a number of small yards, plus a growing equestrian holiday business.
- 1.6. At present the bridleways are attractive cross-field routes, and are linked to the surrounding area by reasonably quiet lanes. If the Development were to take place the bridleways (whether realigned or not) would be close to the warehouses and freight transfer yards, with movement of large containers and noise, some probably at considerable height, which would dangerously frighten the horses and make the paths very unattractive for riders.
- 1.7. The surrounding lanes would become busy with large vehicles, service vehicles and workers commuting to the site, so that they too would be unsafe for riders and carriage drivers.
- 1.8. If the Development were to take place, it would be necessary for safe margins to be provided beside all the minor roads in the immediate area "to protect the rights of the public to the use and enjoyment of any highway" (Highways Act 1980, Sections 71 and 130).
- 1.9. Even if these safe margins were provided, it is likely that the few people would wish to keep their horses in this area, resulting in probable closure of

large and small livery yards and loss of business to local ancillary trades (farriers, feed merchants etc).

2. Statement prepared by Bill Catlin and Graham Smith on behalf of the Ramblers Association for the Public Inquiry into the Application by Kent International Gateway Limited for Planning Permission to construct a Freight Interchange facility at Bearsted, near Maidstone, Kent.

- 2.1. The bridleways KM81, KM82 and KH123A and footpath KH131, which are the subjects of this proposal, all currently serve similar purposes. They are situated close to residential developments in a pleasant rural setting currently designated as a Special Landscape Area. They are an attractive recreational amenity for local walkers and riders. The views from these routes are largely rural with open fields and trees in the foreground and the North Downs in the distance.
- 2.2. They also provide pleasant rural through routes, for locals and people from further afield, to gain access from the urban area to the North Downs designated Area of Outstanding Natural Beauty and North Downs Way National Trail.
- 2.3. We believe the proposed diversions will have the following adverse effects:-
- 2.3.1. All routes will be more confined, in contrast to the open fields currently in their immediate vicinity.
- 2.3.2. They will run adjacent to or between large industrial structures, vehicles and machinery with their attendant dirt, noise and air pollution.
- 2.3.3. The near and middle distance views from these routes will be totally dominated by the huge scale of the proposed storage sheds and associated machinery. Although the applicants propose trees to screen their proposed facilities from view, the differences in levels on the site will enable them to be clearly visible from the higher points along the rights of way. For example where bridleway KM81 leaves Thurnham Lane its elevation is approximately 70 metres, which would enable the facilities 15 metres below to be easily seen.
- 2.3.4. The proposed diversion for footpath KH131 creates additional problems. It takes a much longer route than the existing footpath. Although Plan No NATTAN/SE/S247/80, which accompanied the draft stopping up and diversion Order, does not show the position of the diversion in relation to the proposed facilities, we have examined the planning application drawings and these show the diverted footpath sharing a route with the facility's site roads. It even indicates the proposed footpath route crossing the site road adjacent to where the footpath enters a tunnel under the motorway, creating an obviously dangerous situation. It is in direct contravention of the recommendations of DEFRA Rights of Way Circular 1/09 Section 7.8.
- 2.3.5. Footpath KH134 is not to be stopped or diverted but will still be surrounded by the proposed development and therefore suffer similar loss of amenity and exposure to pollution.

- 2.4. In addition to the adverse effects on the footpaths and bridleways within the development, the scheme will have a negative effect on many other routes in the vicinity. It will be widely visible from a number of rights of way over a significant area of the North Downs immediately north of the site, including the North Downs Way National Trail, presenting itself as a huge blot on the landscape. We note that the current application examines the effect of the scheme on several views including those from Thurnham Castle and the grounds of Leeds Castle, but does not present the potential effect on views from the North Downs Way.
- 2.5. For these reasons we wish to register our strong opposition to the Stopping up and Diversion Order for these rights of way.
- 2.6. As the current planning application is in outline only, there is no requirement for the application for the stopping up and diversion to be dealt with at this stage. We note from the proposed programme in the planning submission that the proposed development is to be commenced from the Eastern end. We can see no reason why the Highway Stopping up Order should be proceeded with at this stage. The development of the western section of the site may be some years away and further changes to the plans may be made (some changes have already taken place).
- 2.7. We have taken note of the notice for the Public Inquiry for this Order to be held jointly with the Planning Inquiry into the main scheme. We request that we be given the opportunity to express our views on this order at that inquiry.
- 2.8. As the effect of a development on a public right of way is a material consideration in the determination of planning applications (DEFRA Rights of Way Circular 1/09 Section 7.2), we believe that we should be entitled to a voice at the main planning inquiry to express our views on the inevitable effect that this development will have on all rights of way in the vicinity.