



Delegated Report

Full Planning Application

Planning Application No: 20241054

Location: Walnut Hill Nursery, Walnut Hill Road, Gravesend, Kent

Description: Retrospective erection of a front porch.

Applicant: Mr C Lawson

Site Visit Date: 7 January 2025

Submitted Documents/Plans

Application form
Planning, Design and Access Statement
Drawing no. 201 (Site Location Plan)
Drawing no. 202 (Pre Existing Block Plan)
Drawing no. 203 (Existing Block Plan)
Drawing no. 204 (Pre Existing GF Plan)
Drawing no. 205 (Pre Existing FF Plan)
Drawing no. 206 (Pre Existing Elevations (1 of 2))
Drawing no. 207 (Pre Existing Elevations 2 of 2))
Drawing no. 208 (Existing GF Plan)
Drawing no. 209 (Existing FF Plan)
Drawing no. 210 (Existing Elevations (1 of 2))
Drawing no. 211 (Existing Elevations (2 of 2))

Relevant Planning History

Reference	Description	Decision	Decision Date
20240607	Application to determine if prior approval is required for a proposed; conversion of a building to a commercial use Class E, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class R.	Refused	29.08.2024
20000600	Removal of existing portacabins and sheds and erection of a barn to provide equipment/materials storage, propagation area, potting and packing and loading areas at ground floor level and staff facilities, drying room, office and storage at mezzanine floor level and an external fire escape staircase at the side.	Permitted	18.05.2001
19970030	Removal of existing portakabins and sheds and erection of replacement building for gardening storage, machinery room, packing room and potting-up room at ground floor, incorporating sheltered walkway and refuse and chemical store, with office accommodation and storage at first floor level.	Refused	03.07.1997

19900708	Retention of portacabin and continue use as office/cloakroom/store room/rest room.	Permitted	16.01.1991
19870728	Retention and continued use of caravan as a canteen rest room and office	Refused	04.11.1987
19840450	Retention of caravan for use as a canteen rest room	Permitted	27.07.1984
19770525	Outline application for use of site for riding school comprising stables loose boxes haystore and tackroom	Refused	01.09.1977

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development and Design Principles
- CS20 – Heritage and the Historic Environment

Paragraph 34 of the NPPF (2024) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving sustainable development
- Section 9 – Promoting sustainable transport
- Section 12 – Achieving well-designed places
- Section 13 – Protecting Green Belt land
- Section 15 – Conserving and enhancing the natural environment
- Section 15 – Conserving and enhancing the built environment

Supplementary Planning Guidance

- Gravesham Landscape Character Assessment (2009)
- Design for Gravesham – Design Code (2024)

Consultations, Publicity and Representations

Neighbouring properties

The application has been advertised by individual neighbour letters to 7 properties. The overall consultation period expired on 18 December 2024.

Five letters of representation have been received from neighbouring properties, objecting on the following grounds:

- Application 20000600 was approved on the grounds that all existing portacabins and sheds were removed to justify the size of the proposed barn. The porch is therefore an overdevelopment of the site

in the Green Belt.

- The porch is in front of the original building line and is predominantly glazing; the street scene has changed completely.
- The shrubs and planting that used to be in front of the building have been removed to enable the porch to be built and additional parking spaces to be added. These details have not been included in the application.
- The new frontage is totally different to the discreet building permitted under the 20000600 application.
- Tarmac and type 1 have been applied on parts of the site for HGV parking in connection with a commercial operating centre and no change of use application has been submitted.
- The site is operated in unsocial hours and there is noise and light pollution from its operation, which impacts on residential amenity and wildlife.
- The works are retrospective. The developer has chosen to divide their overall development of the site into small elements to hide the true impact of their development.
- Allowing this and any further built development would be facilitating the development of the site into a 24/7 depo and maintenance yard for HGVs and vans, which is an illegal unauthorised use of the site.
- There has been no lighting impact assessment in terms of wildlife and residential amenity.
- The use of the site incurs constant noise and restricted access.

Local Ward Councillors were also consulted but no responses were received.

Officer's Analysis

Proposal

This application seeks retrospective permission for the erection of a front porch.

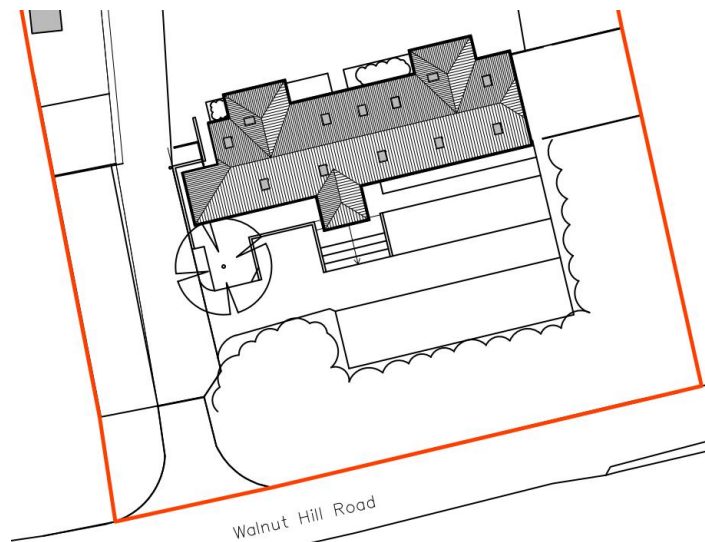
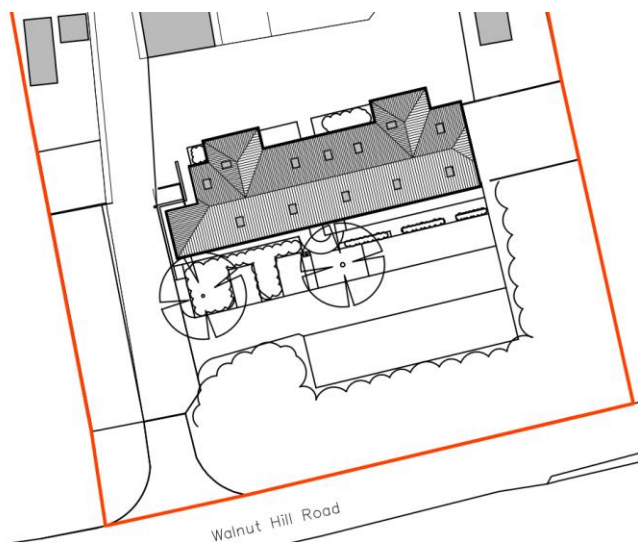
The existing building was granted planning permission under application 20000600 (see Planning History above) and was used in connection with the site as a plant and flower nursery:

Current Google Earth Image:



Pre-Existing Block Plan:

Current Block Plan:



A new owner has now taken over the site (First4Drains) and as part of various works to the site for its new occupancy, has carried out a front porch extension to the existing main at the front of the site building.

The porch projects 3.1m from the main front wall of the building, and is 3.5m wide. The eaves height matches that of the main building (3m) and the hipped roof has a maximum ridge height of 5.1m. The porch is fully glazed on all sides, including the double doors to the front elevation. The materials match those used in the existing building.

There is no external lighting on the porch, though there is some bollard lighting to the parking area. The area to the front of the building has been relandscaped, and this includes steps down to the porch entrance.

Principle Issues

The site lies outside the nearest settlement boundary of Istead Rise, and has a number of constraints, including being within the Green Belt, in the Istead Arable Farmlands Landscape Character Area and in an Archaeological Notification Area. Considering these designations, and the neighbour objections raised, the main issues for consideration in the determination of this application are as follows:

- Principle of development in the Green Belt
- Impact on Landscape Character
- Residential amenity

Principle of development in the Green Belt

Policy CS02 of the Core Strategy 2014 prioritises development in the urban area as a sustainable location for development. In the rural area it states that development will be supported within rural settlements that are inset from the Green Belt and defined on the Policies Map. Development outside those settlements (which is the case here), will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the Core Strategy 2014.

Green Belts are of great importance. The fundamental aim of Green Belt policy is to prevent urban sprawl by preserving the open and permanent characteristics of Green Belts (paragraph 142 of the NPPF 2024). Paragraph 153 of the NPPF 2024 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Local Planning Authorities should regard development as inappropriate in the Green Belt, unless certain exceptions apply (paragraph 154 of the NPPF 2024). In the case of this proposal, the following exceptions are applicable:

(c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

The existing building has been extended with the addition of the front porch. Scaling off from the submitted plans, the existing footprint of the building was approximately 237m². The porch footprint is approximately 11m². This amounts to a 4.6% increase in the size of the existing original building. As the size of the extension to the original building is so small, it has not resulted in a disproportionate addition. The proposal would therefore not be deemed inappropriate under exception (c).

The proposal has not been assessed against paragraph 155 of the NPPF 2024 (which considers other circumstances where commercial and other development in the Green Belt should also not be regarded as inappropriate) due to the above judgements about the appropriateness of the proposal under paragraph 154.

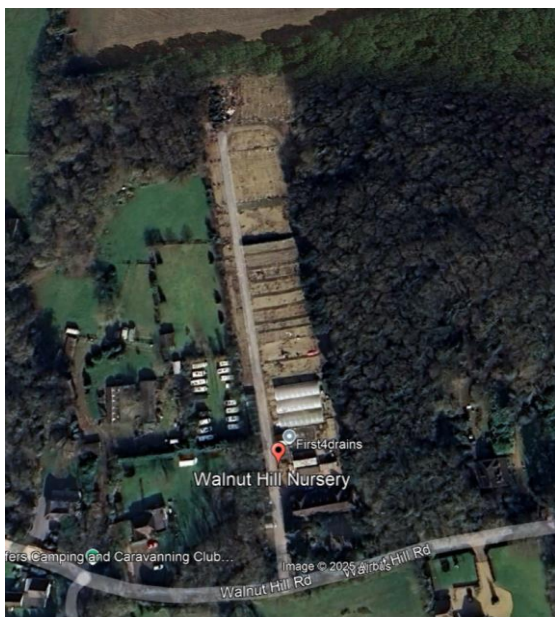
In summary, the porch extension is not inappropriate development in the Green Belt and would comply with the requirements of Section 13 of the NPPF 2024 relating to the protection of Green Belt land and Policy CS02 of the Core Strategy 2024.

Landscape Impacts

Paragraph 187 of the NPPF 2024 aims for development to contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside.

The application site is also located in the Istead Arable Farmlands Landscape Character Area within the Gravesham Landscape Character Assessment (GLCA) 2009 and as such, Policy CS12 of the Core Strategy 2014 is also relevant. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the GLCA will be taken into account in determining applications. The GLCA states that the character area is defined by gently undulating topography with open arable fields divided by roads, tracks and occasional hedgerows, with orchards to the east and minor native woodland clumps. The overall condition of the landscape is poor and has moderate sensitivity. It is recommended that distinctive features and patterns of the landscape should be restored, while landscape elements that support landscape character should be created.

The Walnut Hill former nursery site is set back from the road behind metal entrance gates, within a treed setting. Due to the narrow and winding nature of the tree/hedge-lined Walnut Hill Road where the site is accessed from, public views into the site are restricted until directly in front of the entrance.



Visually, the porch has resulted in a change to the appearance of the existing building within the site itself, but it is considered that this does not represent a significant change in the character and appearance of the wider rural landscape. On this basis, the proposal would not result in an adverse visual impact on the landscape character of the area.

Overall, it is considered that the proposal conserves the rural landscape context of this site within the Istead Arable Farmlands Landscape Character Area. As such, the proposal complies with the relevant requirements of Policies CS02 and CS12 of the Core Strategy 2014, and paragraphs 187 and 189 of the NPPF 2024.

Design

Section 12 of the NPPF 2024 relates to achieving well-designed and beautiful places and sets out the Government's requirements in relation to design issues. Paragraph 131 emphasises the importance of achieving high quality, beautiful and sustainable buildings and places. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 of the NPPF 2024 also seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 of the Core Strategy 2014 reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.

The existing building is fairly non-descript with no features of particular merit. The materials for the porch are in keeping with the existing building and the size and scale of the extension are considered to be proportionate and appropriate for this building on this site. The glazed walls are a more modern feature but do not appear out of place, particularly as the extension is not large. In design terms, the proposal is considered to be acceptable.

Existing building frontage:



Building frontage from OnTheMarket.com sales particulars:



Concerns have been raised about the removal of planting to the front of the site for additional parking. However, there are no protected trees to the front and much of the frontage was surfaced and used for parking previously; there have been no significant alterations in this regard. The change in surface to tarmac is less soft in appearance, which is unfortunate but not something that significantly affects the character and appearance of the site, particularly as views of the site frontage are screened by established soft boundary treatments.

In design terms, the proposal is considered to be acceptable, and complies with the requirements of Policy CS19 of the Core Strategy 2014, and the relevant paragraphs in Section 12 of the NPPF 2024.

Residential Amenity

The NPPF 2024 states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 135f). Paragraph 198 of the NPPF 2024 seeks to ensure that new development takes into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. The impact on amenity is also considered with regard to the criteria within Policy CS19 of the Core Strategy 2014, which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those of neighbouring properties and land and avoid adverse impacts from pollution.

Neighbouring Properties

The application building is existing and as previously used includes office accommodation. No change of use of the building is being sought with this application, which relates solely to the retrospective porch extension. The extension is over 50m from the nearest residential properties, and would therefore not cause any sense of enclosure, loss of light, outlook or privacy to those neighbouring properties, or result in any change in activity that would cause additional noise and disturbances.

There are neighbour concerns about light pollution, but there is no external lighting on the porch, and given the distance between it and the nearest residential properties, there is no adverse impact in this regard.

The proposal would comply with Policy CS19 of the Core Strategy 2014, as it would not adversely affect neighbouring amenity.

Any Other Material Planning Considerations

Parking and Highways

There are no significant changes to the access or parking provision at the front of the site in relation to this proposal. There are therefore no resulting parking or highway issues.

Biodiversity Net Gain (BNG)

Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

In this case, the proposed development is covered by an exemption; as the proposal involves a retrospective proposal, it does not impact a priority habitat and impacts less than 25 square metres of on-site habitat or 5 metres of on-site linear habitats. BNG is therefore not required in this case.

Archaeology

The site lies within an area of archaeological potential. However, the proposal is retrospective and it is considered unlikely that the proposal would have had a significant below-ground archaeological impact. The proposal therefore complies with Policy CS20 of the Core Strategy 2014 and paragraph 210 of the NPPF 2024.

Conclusion

Subject to conditions, the proposal is considered not to be inappropriate development in the Green Belt, plus is acceptable in terms of the design and impact on the application site itself and on the character and appearance of the surrounding rural landscape, and with regards to residential amenity matters.

The proposal would therefore comply with the requirements of Policies CS02, CS12, CS19 and CS20 of the Core Strategy 2014 and paragraphs 131, 135, 142, 143, 153, 154, 187, 189 and 210 of the NPPF 2024.

Recommendation

The application is recommended for permission subject to conditions.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Katherine Parkin	Team Leader:	Richard Hart
Signed:	<i>K. Parkin</i>	Signed:	<i>R Hart</i>
Dated:	22 January 2024	Dated:	22nd January 2025