

Planning Statement

Giles Farm, Church Street, Higham - June 2024



1. Introduction

- 1.1 This Planning, Design & Access and Heritage Statement accompanies a full planning application submission for the conversion of an existing farm office building, store and stables to provide a two bed dwelling, ancillary home office/games room and garden storage and re-purposed stable.
- 1.2 These buildings are part of a larger farm holding and this Statement reviews the previous decision of the Council to refuse planning permission in 2021 to convert these building, and explains how the current application has addressed the previous reasons for refusal. The Statement also reviews the proposal in this application under current the planning policies and provides a summary of the findings of the technical and environmental review of the site and proposed development.
- 1.3 In addition to reviewing the planning policy considerations of the proposed development, this Statement includes a section about Design & Access and Heritage, taking into account the site is located within a Conservation Area. The Statement also provides a section that review the Sequential Test as the site is located within Flood Zone 3.
- 1.3 Included with this application submission are the following supporting documents:
 - Accompanying letter
 - Planning application forms including ownership certificate
 - Location plan
 - Existing and proposed layout
 - Existing floor plans and elevations
 - Proposed buildings floor plans and elevations
 - Planning, Design & Access and Heritage Statement
 - Structural Visual Inspector Report
 - Flood Risk Assessment
 - Updated Ecological Appraisal
 - Biodiversity Net Gain Assessment, Baseline Habitat Condition Assessment and BNG Metric Calculations

2. Site Context and Proposed Development

- 2.1 The application site is located on the edge of, but within, the Church Street, within a former farm yard to the south/west of Church Street. It has a small road frontage to the highway, and comprises an existing brick built office building that was used for the farm, storage building and some stables. To the west of the application site is a residential property. To the east and south of the application site are the other agricultural buildings forming a traditional farmyard arrangement.

- 2.2 The existing building (Building 4) proposed to be converted to a residential dwelling is a modern office building, which is surplus to the needs of the farmstead. It is constructed of a slate roof and black stained timber weather boarding. The proposed conversion of this building to a dwelling involves changes to the exterior of the building, including dormer windows at first floor level. All other window and door opening remain the same as existing. Internally, the building will be altered to provide kitchen/dining area, lounge, study, downstairs bathroom and utility room at ground floor and two bedrooms and a separate bathroom within the roof space. There will not be any external changes to the existing store (Building 3), but internally it will be converted to an ancillary home office/games room to be used by the occupiers of the proposed dwelling. Similarly, the stable building (Building 7) will remain as existing providing additional garden storage and potential stables for the owners.
- 2.3 The proposed layout plan shows the curtilage delineation of the new property, which will have a good sized private garden and also three parking spaces will be provided as you approach the property along the driveway. The plans also show how vehicles will be able turn and manoeuvre within the site.
- 2.4 The site is located within the Church Street, Higham Conservation Area and also there is a Grade II listed building to the north of the site, almost opposite the entrance to the site known as Clerks Cottage.

3. Relevant Planning History

- 3.1 Whilst the storage building and stables (Buildings 3 and 7) are older buildings, the farm office (Building 4) was granted planning permission in September 2017 (LPA reference 20170165).
- 3.2 A more recent planning application was submitted in 2021 to change the use of all of the buildings at Giles Farm, including the buildings subject of this application to 3 no. two bedroomed dwellings, 2 no. three bedroom dwellings and a home office (LPA reference 20210858). The 2021 application was refused planning permission on the following grounds:
- Inappropriate development in the Green Belt.
 - The introduction of formal parking areas, boundary treatments and other residential paraphernalia negatively impacting on the openness of the Green Belt.
 - Loss of agricultural buildings with no justification for this loss.
 - Proposed conversions are not supported by a structural report.

- The site is not within a sustainable location therefore resulting in an isolated dwelling in the countryside.
- The conversions do not involve buildings of historic or architectural interest and will not diversify the rural economy. The proposed conversions, located in Church Street Conservation Area, will dramatically alter the character and appearance of this small and sensitive Conservation Area.
- The proposed residential use will bring residential paraphernalia such as sheds, washing lines and play equipment and light spill detrimental to the Higham Arable Farmlands Landscape Character Area.
- Plots 1, 3 and 4 would have awkward and unusable outside private amenity space.
- The proposal fails to make provision for affordable housing or contribution to local infrastructure.
- The proposal fails to secure a contribution towards strategic mitigation measures within Special Protection Areas.

- 3.3 The officer's report for the refused application 20210858 refers to consideration of the development under Green Belt policies. Of particular note is the re-use of buildings that are of permanent and substantial construction, which are considered not to be inappropriate development within the Green Belt by definition under paragraph 155 d) of the NPPF 2023. This national policy establishes an in principle acceptance of this form of development, provided that it can be demonstrated the buildings are of permanent and substantial construction, and that the alterations proposed preserve its openness.
- 3.4 Included with this application is a Structural Visual Inspection Report prepared by Considine Civil and Structural Engineers, dated March 2024. This report confirms that the existing office building and store (Buildings 3 & 4) are suitable for conversion to residential use. The stable building was not surveyed as it is proposed to use this building for either garden storage or stables. The proposed buildings therefore meet the initial test of permanence and substantial construction.
- 3.5 The second element of paragraph 155 is whether the alterations proposed preserve the Green Belts openness.
- 3.6 In the case of this application, the application site boundary is drawn tightly around the proposed curtilage of the proposed new property, and its rear garden will not front onto open countryside, but instead adjoining neighbouring residential properties.

- 3.7 There are no extensions proposed to the buildings. There are dormer windows proposed within the office building (Building 4) to be converted into a dwelling, but it is considered that these alterations in themselves do not impact on “openness”. They are sit comfortably within the roof they are proposed to be installed and will not appear unduly prominent. The size, design and materials to be used in the construction of the dormer windows will also be sympathetic to the traditional appearance of the building and also to views from Church Street and surrounding area.
- 3.8 The parking spaces proposed are located discreetly to the north of the dwelling. It is also notable that the proposed works around the parking spaces will create more soft landscape areas rather than the current state, which is hardstanding.
- 3.9 It is noted that previously the Council were previously concerned in 2021 about residential paraphernalia negatively impacting on the openness of the Green Belt and Higham Arable Farmlands Landscape Character Area. However, in this particular application for one dwelling in the location proposed, the private garden location will not outwardly impact on the surrounding area reducing the impact on the Green Belt, and it is not considered the development proposed will be harmful to the Landscape Character Area.
- 3.10 The Council previously objected on the basis that there was no justification for the loss of the agricultural buildings. In this particular application, it is the farm office building (Building 4) that is surplus to what is required for the farm small holding, which provides the justification requested by the Council.
- 3.11 It should also be noted that the Council refer to a 1994 saved Local Plan policy in terms of having to justify the loss of an agricultural building. It is the applicant’s contention that this policy stance is out of date and that the current national policy for development in the Green Belt, as set out by the 2023 NPPF, is a material consideration in determining this application. As such, if the development proposed meets the requirements of paragraph 155 d), it is considered to be appropriate development in the Green Belt. Furthermore, there is not a need to demonstrate Very Special Circumstances as the principle has been established under paragraph 155 d). It is the applicant’s position that this allowed form of development in the Green Belt is applicable to this case, and that on that basis the saved 1994 policy C10 should not be given weight in the determination of this application.
- 3.12 It is acknowledged that the permitted development rights to convert agricultural buildings to residential under Class Q of the General Permitted Development Order are not applicable to this site as it lies within a Conservation Area. However, it is worth noting that through the introduction of this permitted development class in 2014 and which has been recently broadened by the Government, this in itself clearly indicates a national drive towards allow this form a change of use to provide housing within rural locations. This national policy and legislative approach runs contrary to the Council 1994 saved policy C11, and again highlighting the saved policy is out of date and should not be given weight in determining this application.

- 3.13 The Council also raised an objection to the 2021 application to what they believed to be an isolated dwelling contrary to the guidance contained within the NPPF. The relevant paragraph the Council refer to is now paragraph 84 of the NPPF 2023. It is the applicant's view that the Council have applied this national policy incorrectly and that in relation to this particular application the scheme does not result in an isolated dwelling. The proposed dwelling will adjoin an existing row of 8 no. dwellings. There are other residential dwellings located to the north of the application, all of which form part of the hamlet of Church Street. It is therefore considered that the proposed development in this application should not be considered under paragraph 84 of the NPPF 2023, as it does not represent an "isolated" home.
- 3.14 Another objection was raised to the impact of the proposed development on the character and appearance of the Conservation Area. This issue is address later in this Statement under the Heritage section.
- 3.15 The other relevant objections raised to the 2021 application relate to the provision of affordable housing and financial contributions towards infrastructure. In relation to the provision of affordable housing, the proposed development is below the 3 dwelling threshold and the site area is 0.11 hectares. As such, there is not a requirement under Policy CS16 to provide an affordable housing contribution. In terms of other potential contributions towards infrastructure improvements this will be reviewed on receipt of the consultation responses to the application.

4. Planning Policies

- 4.1 The Development Plan for Gravesham currently consists of:
- Gravesham Local Plan Core Strategy and Local Plan Policies Map (2014)
 - Gravesham Local Plan First Review (1994) - saved Policies
 - Kent County Council Minerals and Waste Local Plan 2013-30 (2020)
- 4.2 In relation to this application, the following sets out the relevant policies contained within the 2014 Local Plan Core Strategy and 1994 Local Plan First Review saved Policies.
- Gravehsam Local Plan Core Strategy and Local Plan Policies Map (2014)***
- 4.3 The 2014 Local Plan Policies Map for Higham shows the application site as falling within the Green Belt and also the Church Street, Higham Conservation Area.
- 4.4 *Policy CS01 - Sustainable Development:* This policy highlights that the Council will take a positive approach to considering proposals that reflect the presumption in favour of sustainable development contained in the NPPF and the Core Strategy. It is particularly noted that the policy states:

“It (the Council) will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”

- 4.5 Policy CS01 also states that where relevant policies are out of date at the time of making the decision, then the Council will grant permission unless material considerations indicate otherwise, taking into account any adverse impacts of granting planning would *“significantly and demonstrably”* outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or specific policies in the Framework that indicate that development should be restricted.
- 4.6 This form of policy assessment is particularly relevant to the consideration of the development under the Saved Policy C11, which relates to the conversion of agricultural buildings and was referred to in the second reason for refusing the 2021 planning application at the site. The consideration of the development of this application under Save Policy C11 is set out in paragraph 4.17 and 4.18 of this Statement.
- 4.7 *Policy CS02 - Scale & Distribution of Development:* This policy sets out the development strategy for the Borough to improve its stock of housing and suitable employment land, and to make provision for its housing need. In relation to the Green Belt, Policy CS02 states:
- “Development outside those settlements, including affordable housing and proposals to maintain and diversify the rural economy, will be supported where it is compatible with national policies for protecting the Green Belt and policies in this plan.”*
- 4.8 Whilst the application site is located within a settlement, it is not one of the settlements that identified as being inset from the Green Belt. The above policy consideration is therefore applied to this scheme and reference should be made to guidance contained within the NPPF, which is reviewed later in this Statement. It should be noted that if the proposed development complies with the national policies for protecting the Green Belt then it complies with Policy CS02.
- 4.9 *Policy CS10 - Physical and Social Infrastructure:* This policy requires that where new development leads to the need for new or improved physical or social infrastructure, developers will be required to contribute towards this infrastructure, subject to viability considerations. Such provision should be provided either through planning conditions or S106 planning obligations. This matter will be further considered through the consultation process and responses to this planning application.
- 4.10 *Policy CS11 - Transport:* This policy seeks to mitigate the impact of new development on the highway and to ensure sufficient parking in new development will be provided in accordance with the adopted parking standards. Within the application site, three parking spaces are proposed for the dwelling and sufficient room is provided for vehicles to manoeuvre, so that they access and exit the site in a forward gear. It is considered that this will provide adequate parking for the

development in accordance with the parking standards. The Kent County Council vehicle parking standards require a minimum of 1.5 parking spaces for two bed properties, which applies to this application. The proposal to provide 3 parking spaces complies with this minimum standard and will provide enough parking for the occupiers of the dwelling and visitors to the property. It is also the applicant's intention to provide a vehicle charging point (7kW or above continuous supply) and there is ample space within the stable building to provide a secure storage for bicycles, in compliance with the standards. The entrance to the site has also been moved slightly to the west to allow for a 2.4m x 25m visibility splay to the east of the access along Church Street. Taking into account that entrance is towards the end of the road, a lower speed (20mph) visibility splay has been provided looking eastwards.

- 4.11 *Policy CS12 - Green Infrastructure:* This policy seeks to protect sites designated for their biodiversity, with the highest level of protection given to internationally designated Special Protection, Special Areas of Conservation and Ramsar sites, followed by nationally designated SSSI, followed by LWS and then by other areas of more local importance. The policy also requires that there will be no net loss of biodiversity in the Borough, and opportunities to enhance, restore, re-create and maintain habitats will be sought. In the case of this application, an updated Ecological Appraisal has been included with the application that sets out how the development impacts on nearby protected sites and also enhances the biodiversity of the site, along with a Biodiversity Net Gain Assessment, Baseline Habitat Condition Assessment and BNG Metric Calculations.
- 4.12 *Policy CS14 - Housing Type and Size:* This policy set out the Council's expectation to provide a range of dwelling types and sizes, taking into account the existing character of the area and evidence of local need to create sustainable and balanced communities. The proposed conversion will result in a two bed dwelling, and will thus will contribute to the range of smaller dwellings, with a good range of facilities and accommodation.
- 4.13 *Policy CS15 - Housing Density:* This policy requires sites to be developed at a variety of densities, depending on their location and accessibility to public transport. The proposal in this application will provide the new dwelling with a good size garden and ample room for storage and also proposes a home office, thus supporting the opportunity to work from home and promoting a sustainable form of development. It is therefore considered the development proposed complies with the requirements of Policy CS15.
- 4.11 *Policy CS18 - Climate Change:* This policy provides guidance in relation to flood risk, water quality, sustainable drainage and surface water run-off, water demand management, and carbon reduction. As the application site falls within Flood Zone 3, this Statement sets out the Sequential Test for the development proposed and a FRA has been submitted setting out how it complies with the Exception Test. In relation to the other matters referred to in this policy, they could be addressed through the imposition of planning conditions requiring further details to be submitted for approval.

4.12 *Policy CS19 - Design & Development Principles:* This policy requires new development to be visually attractive, fit for purpose and locally distinctive, whilst conserving and enhancing the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anti-crime standards. There is a list of criteria set out by this policy, which development should adhere to. Relevant criteria applicable to this scheme are set out as follows:

Account will be taken of the scale, height, building lines, layout, materials and other architectural features of adjoining buildings.

Account will also be taken of the wider site context, including strategic views, site topography, the significance of heritage assets and features of townscape and landscape value which contribute to local character and sense of place.

New development will be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land.

The design and layout of new residential development, including conversions, will accord with the adopted Residential Layout Guidelines.

New development will be designed in an inclusive way to be accessible to all members of the community.

New development will provide appropriate levels of private and public amenity space.

New development will include details of appropriate hard and soft landscaping.

Car parking will be well related to the development it serves.

New development will protect and, where opportunities arise, enhance biodiversity and the Borough's Green Infrastructure network.

New development will be fit for purpose and adaptable to allow changes to be made to meet the needs of users.

The design and layout of new development will take advantage of opportunities to build in resilience to the effects of climate change, including flood risk.

New development will incorporate appropriate facilities for the storage and recycling of waste.

The layout of new development will create a safe and secure environment and provide surveillance to minimise opportunities for crime and vandalism.

4.13 As part of this Statement a section has been provided to cover the Design & Access Statement requirements of this form of application that lies within a Conservation Area. It sets out how the proposed development complies with the relevant parts of CS19 set out above.

4.14 *Policy CS20 - Heritage and the Historic Environment:* This policy emphasises the high priority towards the preservation and enhancement of the Borough's heritage and historic environment. The policy also defines between the consideration on the impact on designated and non-designated assets, stating:

"When considering the impact of a proposed development on a designated heritage asset, the weight that will be given to the asset's conservation value will be commensurate with the importance and significance of the asset. For non-designated assets, decisions will have regard to the scale of any harm or loss and the significance of the heritage asset."

4.15 As part of this Statement a section titled Heritage Statement has been including assessing the development under Policy CS20.

Gravesham Local Plan First Review (1994) - saved Policies

4.14 *Policy H5 - Increasing the Housing Stock by Conversion:* This saved policy requires the conversion of buildings should have regard to the Council's residential layout guidelines and also vehicle parking standards.

4.15 *Policy TC2 - Listed Buildings:* Part (ii) of this policy states that in the case of an application for development affecting the setting of a listed building, the primary consideration by the council will be the maintenance of the integrity of the original buildings, and that the proposals will need to be sympathetic to the list building in terms of massing, scale, appearance and materials.

4.16 *Policy TC3 - Development Affecting Conservation Areas:* This policy requires developments to be carefully judged for its impact and will be expected to make a positive contribution to the Conservation Area.

4.17 *Policy C11 - Change of Use of Redundant Buildings in the Countryside:* This policy sets out a list of criteria for considering the conversion of farm buildings to other uses, including:

(i) It can be demonstrated that the building was originally erected as an agricultural building but is no longer needed for farming.

(ii) The building is a substantial one, of permanent construction and is in an appropriate location in relation to roads and services.

(iii) The building is attractive, in having some architectural, historic or landscape interest or being of a type representative of the Kent Countryside and the proposed alterations preserve that interest.

(iv) The proposed use will diversify the rural economy and not result in the longer term dilution of farm viability.*

(v) The curtilage is confined to the minimum necessary to operate the use.

(vi) The nature and intensity of the proposed use is not detrimental to amenity or traffic safety.

Footnote:

** This will often rule out residential conversion*

4.18 It is applicant's contention that this 1994 policy is out of date, taking into account the consideration of the conversion of buildings within the Green Belt under national planning policy contained within the NPPF 2023 and also supported by the Policy CS02 of the adopted 2014 Core Strategy Local Plan.

4.19 If, however, the Council still consider that this policy is a material consideration that has weight in determining this application, it is considered the proposed development complies with the criteria of Policy C11, as follows:

The buildings were erected as an office, store and stables for the farmstead.

The buildings are no longer required for the farm holding because surplus to requirement.

The structural report submitted with this application demonstrates that that the office and store building to be converted are of permanent construction.

The buildings to be converted are attractive traditional in appearance, reflective of their rustic setting.

The proposed alterations to the buildings are minimal and will be sympathetic to their character and appearance within the Conservation Area.

In relation to the longer term dilution of farm viability, as the buildings are surplus to requirements their conversion to residential will not impact on the farm viability.

The curtilage of the proposed new property is drawn tightly around the new property, that backs onto an existing residential dwelling and will not project into open countryside.

The scale and size of development proposed, which includes one new dwelling, will not result in an intensity or nature of development that would be detrimental to amenity or highway safety.

- 4.20 *Policy P3 - Vehicle Parking Standards:* This policy requires developments to make provision for vehicle parking in accordance with the Kent County Council Vehicle Parking Standards, which this proposed development will comply with.
- 4.21 *Policy T1 - Impact of Development on Highway Network:* This policy requires the Local Planning and Highway Authorities to consider the impact on the transport system and on the environment of traffic generated by the new development. Taking into account the proposal is for one dwelling, it is not considered this form of development will generate an unacceptable level of traffic.

National Planning Policy Framework 2023

- 4.22 Since 2021 and the refusal of planning permission reference 20210858, the NPPF has been updated on 20th December 2023. This national planning guidance document is a material consideration for this planning application.
- 4.23 The paragraphs of the NPPF 2023 are of particular relevance to the consideration of this current planning application, include the following:
- 4.24 Paragraph 7 of the NPPF highlights that the purpose of the planning system is too “*contribute to the achievement of sustainable development*”. Paragraph 8 highlights that sustainable development is defined as meaning that there are three overarching objectives which are interdependent and need to be pursued in mutually supportive ways: economic, social and environmental. Paragraph 9 goes on to state though that these objectives should be delivered through the preparation of plans and the application of policies in the NPPF, and not criteria against which every decision can or should be judged.
- 4.25 To ensure that this positive approach to sustainable development is pursued, paragraph 10 of the NPPF emphasis that at the heart of the Framework is a “*presumption in favour of sustainable development*”, which paragraph 11 defines as:

For decision-taking this means

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (footnote 8), granting permission unless:

i) the application of policies in this Framework that protects areas or assets of particular importance provides a clear reason for refusing the development proposed (footnote 7); or

ii) 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.

- 4.26 In this particular application, it has been highlighted that it is considered that the 1994 saved Local Plan Policy C11, which relates to the conversion of redundant buildings in the countryside is out of date and does not reflect the allowed Green Belt exception d) under paragraph 155 of the NPPF. As such, it is considered that paragraph 11 d) is engaged supporting the principle of the development proposed in this application.
- 4.27 The Council's second reason for refusing planning permission in 2021 was based on the then paragraph 80 (now paragraph 84), which seeks to avoid isolated homes in the countryside. It is the applicant's contention that the reference to this NPPF paragraph was incorrectly applied by the Council in the 2021 decision, in that it refers to "isolated homes". In the case of Giles Farm, the buildings proposed to be converted in this application are located adjoining the settlement of Church Street, Higham. It is therefore a matter of fact that the conversion of this building to residential dwelling will not create an "isolated home", and as such the now paragraph 84 within the NPPF 2023 is not applicable to this application.
- 4.28 The conversion of the building to a dwelling is therefore considered under paragraph 155 of the NPPF, which identifies the re-use of buildings and not inappropriate in the Green Belt provided that the buildings are of permanent and substantial construction and provided the proposed conversion works preserves the Green Belt openness.
- 4.29 It is therefore the impact on the openness on the Green Belt, which is a material consideration of this application. It is considered that the proposal in this application will not impact on openness, taking into account its infill nature adjoining a settlement and that the changes proposed to the buildings will be minimal. On this basis, it is considered the proposed development is compliant with paragraph 155 of the NPPF.
- 4.30 The application site is located within a Conservation Area and there is a nearby listed building to the north of the entrance into Giles Farm and the application site. Previously, the Council refused planning permission in 2021 on the basis of applying the then paragraph 197 (now paragraph 203), which relates to the consideration of impact of development on heritage assets. The wording of this paragraph has not changed between the 2021 and 2023 versions of the NPPF, which state that in determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*

c) the desirability of new development making a positive contribution to local character and distinctiveness.

- 4.31 The concerns raised by the Council in 2021 to the previous application related to the proposed change of use of all of the buildings within the farm would dramatically alter the character of what was considered a small and sensitive conservation area. It was considered that the loss of the agriculture use would fundamentally harm the conservation areas rural character. It was also highlighted by the Council that the traffic generation and type, as well as the paraphernalia associated with the domestic land use would adversely impact on the appearance of the conservation area. The size and scale of change proposed in the 2021 application was considered to be harmful to the character and appearance of the heritage assets contrary to the guidance contained within the above mentioned NPPF paragraph. In this current application the amount of change proposed is significantly less, and the proposed garden area is hidden behind the converted dwelling, the amount of traffic generated will be much reduced. As such, it is considered the proposed development in this current application complies with the criteria set out in paragraph 203 of the NPPF 2023.

5. Supporting documents

Structural Visual Inspection Report

- 5.1 A Structural Visual Inspection Report has been prepared by Considine Civil and Structural Engineers dated March 2024.
- 5.2 The visual inspection focussed on the store (Building 3) and office (Building 4) as these buildings are proposed to be converted to habitable accommodation. The stable building (Building 7) was not included in the inspection, as it is intended to convert this building to garden storage or potentially continue to use it for stables by the occupant of the property.
- 5.3 The purpose of the structural visual inspection and subsequent report is to communicate the current condition of the buildings, and their suitability for conversion to residential use.
- 5.4 The store (Building 3) is a single storey timber frame structure. The roof is formed of raised collar timber trusses supporting purlins, with sarking boards and profiled metal sheeting. The floor is concrete slab/raft.
- 5.5 The office (Building 4) is also a timber frame structure. The roof is formed of cut timber rafters and ties, with the roof space constructed as an attic space. The floor is concrete slab/raft.

5.6 The findings of the survey are that generally the load bearing elements of the two buildings are in a reasonable state of repair, although some local repairs will be required to the roof trusses of Building 3, together with re-levelling of the ridge.

5.7 The report concludes:

“With the necessary repairs/strengthening, they are consider suitable for their current purposes. On this basis, the existing buildings are suitable for conversion to residential use, subject to architectural and planning requirements.”

Flood Risk Assessment

5.8 A Flood Risk Assessment (FRA) has been prepared by Herrington Consulting dated February 2024.

5.9 The FRA notes that the proposed development in this application is located within Flood Zone 3, and therefore the Sequential Test and Exception Test should be applied. The Sequential Test is addressed in Section 6 of this Statement. The main focus of the FRA is therefore in relation to demonstrating that Part B of the Exception Test can be passed.

5.10 In respect of the Exception Test the FRA makes the following conclusions:

“The analysis has demonstrated that the risk of flooding to the development is low from all sources, with the exception of flooding from the sea. The site is protected from sea flooding by existing defence infrastructure, even when an appropriate allowance for climate change is considered, and therefore the actual risk is low. It is only in the event that the Thames defences to the northwest of the site were to breach that the site could flood.”

5.11 To mitigate against the potential flooding of the site, to ensure the development is safe for its life time, and, the risk of flooding off site does not increase as a result of development, the following measures are recommend by the FRA and proposed by the applicant:

A 1200mm flood wall is proposed around the site.

Flood resistance and resilience measures to be included on the ground floor of the existing building.

The residents of the dwelling should sign up to the EA’s Flood Warning Service.

Options to include SuDS should be further explored.

5.12 These measures can be implemented and addressed by way of an appropriately worded planning condition.

Updated Ecological Appraisal and Biodiversity Net Gain Assessment, Baseline Habitat Condition Assessment and BNG Metric Calculations

- 5.13 The Updated Ecological Appraisal has been prepared by Native Ecology dated March 2024.
- 5.14 It was noted by this report that the application site comprises predominately of hardstanding and buildings, with small areas of sparsely vegetated land.
- 5.15 It was also noted that the site lies directly adjacent to the Thames Estuary and Marshes Ramsar, SPA and SSSI, and therefore could result in direct and indirect impacts to the designated site. The Appraisal highlights that as part of the planning process, a Habitat Regulations Assessment (HRA) will be required to formally assess whether the proposals will impact the protected nature conservation sites. Consideration should also be made by the Local Authority to ensuring that the proposals adhere to the agreed approach within the North Kent Strategic Access Management and Monitoring Strategy (SAMMS) to mitigate for additional recreational impacts and that suitable measures are in place to ensure appropriate mitigation.
- 5.16 Under the 2021 planning application, bat surveys and a GLL survey was undertaken. The findings of these surveys required mitigation in relation to bats and roosts that were found and that no further action was required in relation to great crested newts.
- 5.17 Initial surveys have been undertaken again to assess the current situation in relation to bats on site and great crested newts.
- 5.18 In relation to bats the buildings the ecologist has provided the following comment:

The buildings within Phase 1 were assessed as low (B3) and high (B4) suitability for roosting bats. To date, one bat survey has been carried out (09/05/2024). Weather conditions were optimal. This survey included the use of infrared cameras, which concluded no bat roosts present at the time of the survey. During the survey moderate bat foraging and commuting activity was recorded, with predominantly Nathusius pipistrelle and common pipistrelle activity. Other species included brown long eared bat and Myotis species.

The single survey recommended for B3, low value building, has been completed and concluded that no bats are roosting within the building. B4, high value building, is yet to be complete, with two additional surveys which are scheduled....."

- 5.19 The results of the final surveys to be undertaken will be submitted shortly to inform the decision of this application.
- 5.20 A Biodiversity Net Gain Assessment has been undertaken, which highlighted a -78.38% loss in biodiversity value of the area habitats, based on the property have a larger garden size. The BNG

Assessment recommended the planting of 10 no. small trees outside of the new property's garden area within a communal piece of land. This has been shown towards the rear of the property outside of the private garden area, but within the red line of the application site. This will allow the final details of the trees and their planting to be controlled by condition. This planting would reduce the BNG loss to -28.13%.

- 5.21 The BNG Assessment also proposes options for off-site habitat enhancement/creation or compensation payment. The applicant will be willing to discuss this with the Council to ensure that 10% net gain is achieved within this project and can be controlled by either planning condition and/or a S106 planning obligation.

6. Other considerations

Design & Access Statement

Existing Features

- 6.1. The application site is set within a farm yard setting surrounded by agricultural barns to the west and south. To the east of the site are a row of detached properties. Existing buildings within the site comprise a timber framed storage building, a farm office and concrete built stable and storage building. It is these buildings that are proposed to be converted to a residential dwelling, home office and stables/storage.

Details of access

- 6.2 The access to the site will be from the north of the site onto Church Street. The position of the existing farmyard entrance will be relocated slightly further west to allow for a 2.4m x 25m visibility splay to be achieved looking eastwards from the entrance. This length of visibility splay to the east will allow for the lower vehicle speeds along this section of the highway which is at the end of Church Street. To the west of the site is private land and end of the road, as such it is not considered a visibility splay in this direction is not required. A new traditional timber gate is proposed at the entrance with a 1.2m high flint faced boundary wall with brick detailing either side of the entrance along Church Street.

Details of layout

- 6.3 The orientation and frontage of the converted dwelling will face onto the courtyard ensuring the farm yard layout is maintained through the conversion. The private garden area for the new property will be hidden away to the rear of the proposed house and home office building. Parking is proposed for the dwelling just to the north within easy reach of the dwelling and also proximity to the entrance to the site.

Details of scale and appearance

- 6.4 The amount of changes to the buildings have been kept to minimum, working with existing window and door openings where possible. The only additional elements are to the office building (Building 4) to be converted to the dwelling where 3 dormer windows are proposed on the southern side of the dwelling and 2 dormer windows on the northern side of the dwelling. The dormers have been reduced in size to that proposed in the refused 2021 application, so that they are subordinate in size and scale to the roof that they are located in, and the design and materials to be used will be more traditional and sympathetic to the appearance of the building. It is proposed to use the existing cladding for the buildings but replaced where necessary and to be stained black. All windows will be timber framed and black stained to match existing. Rainwater goods will be black painted aluminium, which will be sympathetic to the character and appearance of the area.

Amenity for Future Occupiers

- 6.5 The proposed dwelling, is a two bedroom, 4 person dwelling with an internal floor area of 125.2 sq m, which meets the Nationally Prescribed Housing Standards. Each habitable room has sufficient outlook and daylight. The outside amenity space greatly exceeds the standards.

Details of landscaping

- 6.6 The proposed conversion within the application site will result in the removal of a large area of hardsurfacing to provide the private garden area for the property. At the entrance to the site, the existing entrance gates will be replaced with more sympathetic looking gates, and the entrance has been moved slightly to the west to allow for improved visibility to the east of the entrance along Church Street. The wall proposed around the new dwelling, which will act as a flood defence will be 1.2m high with flint panels to reflect boundary walls of existing properties opposite the entrance to the application site and to be sympathetic to the character and appearance of the Conservation Area..

Heritage Statement

- 6.7 The site is located on the edge of, but within, the Church Street, Higham Conservation Area. The site is a farm yard situation to the south/west of Church Street with a small road frontage, and backs onto the residential gardens of properties to the south/west side of Church Street.
- 6.8 There is a Grade II listed building to the north of the site almost opposite the entrance to the site known as Clerks Cottage. This listed building consists of a circa 16th century timber-framed 2-storey cottage.
- 6.9 The existing buildings at Giles Farm are listed as Buildings 1 to 7 on the submitted layout plan, and are described as follows:

Building 1 - single storey brick building with tile pitch roof.

Building 2 - a modern (2015) timber framed barn previously used for tractor and/machinery storage and general storage, profiled steel roof sheet, black stained timber weatherboarding and black stained timber doors.

Building 3 - timber frames storage building, slate roof, and wall clad in black stained timber weatherboarding.

Building 5 and 6 - a modern (2015) timber/steel framed open fronted barn for storage, profiled steel roof sheet, black stained timber weatherboarding.

Building 7 - concrete block built stable and small storage building.

- 6.10 A Conservation Area Appraisal for the Church Street Conservation Area was been prepared by the Council as SPD in 2017, and states:

“Located at the road’s end, Church Street, Higham, to the east of Gravesend, is sited at the limit of raised land at the edge of the reclaimed marshes that fringe the Thames estuary in this part of Kent. It is an old established and today very small settlement with its known roots in Saxon times. Its later development centred around medieval Higham Priory, now largely disappeared but with a few remnants still visible above ground. It clusters to east, south and west of its church whose north flank faces the marshes. The church is its dominating building with a spire and roofs visible from the surrounding countryside. The conservation area is of particular significance for its collection of historic buildings, its local character and its archaeological interest and potential.

Church Street, Higham, Conservation Area was designated on the 5th April 1979. A conservation area statement, including proposals to extend the conservation area boundary, was approved by stakeholders on the 14th of October 1999 and was subsequently adopted by the Council.”

- 6.11 The site was once a cattle yard and recently (in the last four to five years) re-modelled with new buildings to operate as a sheep yard when additional buildings were constructed to house machinery storage and wintering shelter for sheep. Within the officer’s report for the 2021 application it was concluded that only Buildings 1 and 3 have limited historic interest, all others are modern. It was also noted that the modern palisade gates at the entrance to the site detract from the Conservation Area.
- 6.12 The officers 2021 report also noted that the site is located within an area of high archaeological potential for Roman and medieval archaeology, which is applicable again to this application. It was noted previously by the case officer in 2021, that a suitably worded condition could be used to ensure the necessary archaeological investigation is undertaken. It is recommended that such a condition be imposed if planning permission is granted for this application.
- 6.13 The proposed changes in this planning application focus only on the conversion of Buildings 3, 4 and 7. The other buildings surrounding the farmyard are not part of this planning application.

- 6.14 In terms of changes to the setting of the listed building opposite the front of the entrance to the site, this will be limited to the provision of landscaping to the side of the driveway into the site and provision of three parking spaces. Building 3 is proposed to be converted to a home office, but with only the installation of new entrance doors and windows to the side elevation, where there are existing opening. The architectural integrity of this building will therefore not be altered, and the change to the setting of listed building will not be affected. The affect on both the setting of the listed building and Conservation Area as seen from Church Street could be said to be a marginal improvement.
- 6.15 The external alterations to Building 4 again are kept to a minimum at ground floor and do not introduce any additional openings or additions to the building. Dormer windows have been provided within the roof for additional accommodation for the property. These structures are not considered to be unduly prominent from views from Church Street and taking into account the building is a more modern construction, it is considered the level of harm to the setting of the Conservation Area and setting of the listed building will be negligible.
- 6.16 There are no changes proposed to Building 7 other than repair work and repurposing them for storage and potential re-use as a stables for the property. It is therefore considered these works will not impact on the setting of the Conservation Area and setting of the listed building.
- 6.17 In terms of the submission of the plot and provision a 1.2m wall around the west and southern side of the property, to provide flood risk mitigation for the property, it is considered that due to the location of the site set back from the entrance onto Church Street, the impact of these elements of the scheme will again have a negligible impact on the heritage assets. The design of the wall will include flint panelling to be reflective of the existing boundary walls of the properties to the north of the entrance to the site. The new entrance gate and new flint and brick boundary wall either side of the entrance will be seen has an improvement and enhancement to the current appearance of the entrance to the site viewed from Church Street.
- 6.18 Overall, through assessing each elements of the scheme and their impact on the identified heritage assets, it is considered there will be a negligible impact/marginal positive improvement to the setting the Conservation Area and setting of the listed building through landscape improvements to the entrance to the site and renovation works to the buildings, particularly Building 3 which is most noticeable viewed from Church Street.
- 6.19 Taking into account this negligible impact/marginal improvement to the setting of the Conservation Area and listed building, it is considered that the proposed development complies with Policy CS20 of the Adopted Core Strategy Local Plan 2021, saved Policies TC2 and TC3 of the 1994 Local Plan, and paragraph 203 of the NPPF 2023.

Sequential Test

- 6.20 The site is situated within Flood Zone 3, which is considered to be 'High Risk'. It was however noted within the officer's 2021 report that the site is currently defended by the Thames Tidal defences and therefore any possibility of flooding is considered residual. The FRA submitted with the planning application addresses the Exception test in respects of flood impact and mitigation.

In relation to the Sequential Test, it should be noted that the majority of Church Street, Higham, falls within Flood Zone 3. It is also noted that due to the Green Belt designation that falls over the whole settlement, that the re-use of buildings, in the case of this application as a residential dwelling, is potentially the only opportunity to provide housing that falls within policy exception.

- 6.21 As such, from a sequential test perspective, within the settlement of Church Street, Higham, this application site and proposal is the preferred site for development. It is also noted that the 2021 application was not refused on flood risk grounds and was considered as such considered to meet both the Sequential and Exception Tests.

7. Conclusions

- 7.1 This Statement has set out a planning case to support the proposed conversion of the existing farm office building to a new two bed dwelling.
- 7.2 It has been demonstrated how the proposed development overcomes the reasons for refusal to the 2021 planning application to convert all of the buildings at Giles Farm to residential use.
- 7.3 Through reviewing the scheme against Local Plan policies and the current 2023 NPPF, it has also been established that the proposed development falls under the allowed exception d) in paragraph 155 of the NPPF, and as such is not considered to be inappropriate development in the Green Belt. This is taking into account through a structural report including with the application the building is of permanent construction, and it is not considered the proposed change of use and conversion works will impact on openness.
- 7.4 It is also the applicants contention that this allowed 2023 NPPF exception supersedes the saved 1994 Local Plan policy C11, and, that the scheme should not be consider an isolated dwelling under paragraph 84 of the NPPF. On this basis , the proposed change of use and conversion of the building to a dwellings is establish.
- 7.5 Although the applicant contends the policy C11 should not be given weight in determining the application, it has been demonstrated in this Statement how the proposed works comply with the criteria set out by this policy.
- 7.5 The Statement summarises the findings of a Structural Visual Inspection Report, FRA and Updated Ecological Appraisal, and also, provides a review of the scheme through a Design & Access Statement, Heritage Statement and Sequential. The findings of these reports and reviews are that the proposed scheme is compliant with Local Plan policies and guidance contained within the NPPF 2023.
- 7.7 On this basis, the Council is respectfully requested to grant planning permission for the proposed development.



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