



Delegated Report

Planning Application

Planning Application No: 20221241

Location: Priesthood Priestwood Road Meopham Gravesend

Description: Conversion of existing outbuilding to a new 2 bedroom dwelling

Applicant: Mr Mark Davey Brown

Site Visit Date: July 2022

Submitted Documents/Plans

Application form

Drawing no. 003 rev A (proposed plans and elevations)

Drawing no. 002 rev A (existing plans and elevations)

Drawing no. 001 rev A (location and block plan)

Relevant Planning History

20220967	Retrospective application to retain privacy fence over 1m to front of property, and erection of new gates, pillars and wall over 1m.	Pending consideration	
20220654	Application for determination as to whether prior approval is required for the proposed change of use of the existing agricultural building to a single residential dwellinghouse with associated building operations under Class Q (a) and (b) of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.	Prior approval is required and refused	25.08.2022
20180832	Erection of a barn at land rear of Priesthood Bungalow.	Refused	09.04.2020
20170915	Application for the approval of condition 3 attached to planning permission reference no. 20170545 relating to details of materials.	Approval of details	24.10.2017
20170545	Construction of new enlarged roof with rooms in the roofspace incorporating erection of rear and side extensions to provide a five	Permitted	18.07.2017

	bedroom chalet bungalow and erection of new detached double garage at the front.		
20130892	**REVISED PLANS** Construction of new enlarged roof with rooms in the roofspace incorporating erection of rear and side extensions to provide a five bedroom chalet bungalow and erection of new detached double garage at the front.	Permitted	08.04.2014
19830035	Erection of single storey extension on the south side to form kitchen dining room and utility room	Permitted	23.02.1983
19820633	Erection of single storey extension on the north side to form bedroom and garage erection of front porch and single storey extension on the south side to form kitchen dining room and utility room	Refused	18.10.1982
19770461	Erection of detached treble garage	Permitted	22.07.1977
19680165	erection of detached bungalow for agricultural worker	Permitted	30.09.1968
19500019	Erection of agricultural bungalow	Permitted	03.03.1950

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

Gravesham Local Plan: First Review (1994)

- Policy C11: Policy for Change of Use of Redundant Buildings in the Countryside
- Policy C18: Incorporation of Additional Land into Residential Gardens
- Policy T1: Impact of Development on the Highway Network
- Policy T2: Channelling of Traffic on the Highway Network
- Policy T4: Development outside the Built-Up Area
- Policy P3: Policy for Vehicle Parking Standards

Paragraph 33 of the NPPF (2021) 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 (2021), the Council will also seek to replace these.

National Planning Policy Framework (2021)

- 2 – Achieving Sustainable Development
- 4 – Decision Making
- 5 - Delivering a sufficient supply of homes
- 9 – Promoting Sustainable Transport
- 12 – Achieving sustainable development and well-designed places
- 13 – Protecting Green Belt land
- 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
- 15 – Conserving and Enhancing the Natural Environment
- 16 – Conserving and Enhancing the Historic Environment

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- SPG 4 - KCC Parking Standards (2006);
- Householder Extensions/Alterations Design Guide (2021); and
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

GBC Highways

I have no objections, there is adequate space for visitors to park on the access road given its width should the need arise. With two bedrooms there should be secure and weatherproof cycle parking for two cycles to comply with the requirements of SPG4.

Note; Vehicle parking guidance currently requires an average of 1.5 spaces per dwelling, but this increase to two spaces in emerging guidance in rural areas.

GBC Environmental Protection

Noise Control

In order to protect the amenity of future occupiers we recommend that prior to LPA approval that a suitable Noise Impact Assessment is carried out and provided for review. The existing outbuilding is unlikely to have been built to a sufficient level to protect occupiers from noise therefore acoustic mitigation measures in the conversion are likely to be needed. The report must show the proposed development meets the following criteria;

1. The internal ambient noise levels in all habitable rooms of the residential dwelling shall not exceed the guideline LAeq values found in Table 4 of BS8233:2014.
2. The maximum internal noise levels in all habitable rooms should not exceed 45dB L_{Amax} more than 10 times per night in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise.

Lighting

Artificial lighting can cause a statutory nuisance under the Environmental Protection Act 1990. It is important that the applicants are not permitted to install external lighting that illuminates anything other than the ground within the curtilage of the new properties in order to assist in preventing a nuisance from occurring.

Drainage

The local mains sewer network is easily accessible to the development therefore foul sewage should be removed by means of the mains drainage system only and not by the use of non-mains sewerage systems. However if this cannot be conditioned then a sewage treatment plant or septic tank system will be considered in preference to a cesspool. Such a system may require the prior consent of the Environment Agency under the terms of the Water Resources Act 1991 as well as Building Control approval. Applicants are therefore advised to discuss their requirements with the Environment Agency and STG Building Control at the earliest opportunity if they are not intending to use mains drainage. It should be ensured that the septic tank or cesspool is of adequate capacity to serve the proposed development and suitable access and hardstanding area shall be maintained to it on site.

Contaminated Land

The applicant shall undertake a watching brief during construction in case any contamination issues are encountered. If during development any contamination is found, the local planning authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the LPA as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Code of Practice for Demolition and Construction

Please apply.

Environment Agency

Thank you for consulting us on the above application. We require further information on the proposal.

It is unclear from provided documents what the foul drainage strategy will be. Both mains and cess pit boxes are ticked on the application form. Please confirm the relevant details.

Drainage may be restricted in a source protection zone or over an aquifer where groundwater is at shallow depths. Foul drainage should be discharged to mains sewers where possible. Developers should check the gov.uk website for Binding Rules information for small scale non-mains discharges. Please see the link below.

Submissions to the LPA should include all relevant information on foul drainage proposals using the following form:

<https://www.gov.uk/government/publications/foul-drainage-assessment-form-fda1>

Treated discharges to ground may require an environmental permit.

Only clean uncontaminated surface water may be discharged to ground via approved Sustainable Drainage Systems designs.

After confirmation that the property would be connected to the public sewer the EA responded with the following:

As it's a non-major development in a Source Protection Zone 3 then the following applies.

In April 2015, the Development Management Procedure Order (DMPO) Schedule 4 was changed so the Environment Agency is no longer a statutory consultee for non-major development proposing non-mains drainage. This change means it is the LPA's responsibility to ensure proposals for non-mains drainage for non-major development comply with the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG). We are still supporting LPAs by providing advice on non major development in Source Protection Zones 1 or 2. For more advice please review [Advice for local authorities on non-mains drainage from non-major development - Advice for local authorities on non-mains drainage from non-major development - Planning Portal](#)

Meopham Parish Council

Meopham Parish Council objects to this planning application on the basis that the proposed development of the site would amount to inappropriate development in the Green Belt.

Dickens' Country Protection Society

The Society would wish to raise an objection on the grounds that the site is in an area within which Green Belt Policies apply and the North Downs Area of Outstanding Natural Beauty. New dwellings are only permitted in the Green Belt in very special circumstances, and no special circumstances have been put forward that would warrant overriding Green Belt Policy.

KCC Biodiversity

No ecological information has been submitted with this application. As a result of reviewing the data we have available to us (including aerial photos and biological records), and the information submitted with the planning application, we advise that further information is sought from the applicant with regards to the potential for ecological impacts to arise.

Habitats and features (including mature trees) are present on and around the site, indicating ecological value and the potential for protected species presence that must be taken account of in the planning decision. As such, an ecological impact assessment (EclA) must be undertaken by a suitably qualified, CIEEM-registered ecologist, in accordance with good practice guidelines. The EclA will assess the habitats and features within and around the site and identify if there is a need for further ecological surveys to assess ecological value and/or confirm protected species presence/likely absence.

To ensure that the planning determination is adequately informed in respect of all potential ecological impacts, an EclA must be sought prior to determination of the planning application. The submission must provide appropriate and achievable mitigation measures for any identified ecological impacts. This is in accordance with paragraph 99 of ODPM 06/2005 which states "it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision". An EclA is a process of identifying, quantifying and evaluating the potential effects of development on habitats, species and ecosystems, so providing all ecological survey information alongside any necessary avoidance, mitigation and compensation proposals within one document.

Under section 40 of the NERC Act (2006) and paragraph 174 of the NPPF (2021), biodiversity must be maintained and enhanced through the planning system. Additionally, in alignment with paragraph 180 of the NPPF 2021, the implementation of enhancements for biodiversity should be encouraged. As such, it must be demonstrated the development can achieve a biodiversity net-gain.

Southern Water

There are no public foul and surface water sewers in the area to serve this development. The applicant is advised to examine alternative means of foul and surface water disposal.

The Environment Agency should be consulted directly regarding the use of a private wastewater treatment works or septic tank drainage which disposes of effluent to sub-soil irrigation. The owner of the premises will need to empty and maintain the works or septic tank to ensure its long-term effectiveness.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Neighbouring properties

The application has been advertised by site notice and individual letters to 8 properties.

14 letters of representation have been received.

Three letters of support (two from the same address):

- does not impact on the area
- has its own driveway
- would hardly be visible
- rebuilding for vulnerable family would make sense
- in keeping with building work already done
- the building is in a poor state of repair
- there is a shortage of affordable properties that cater for older people

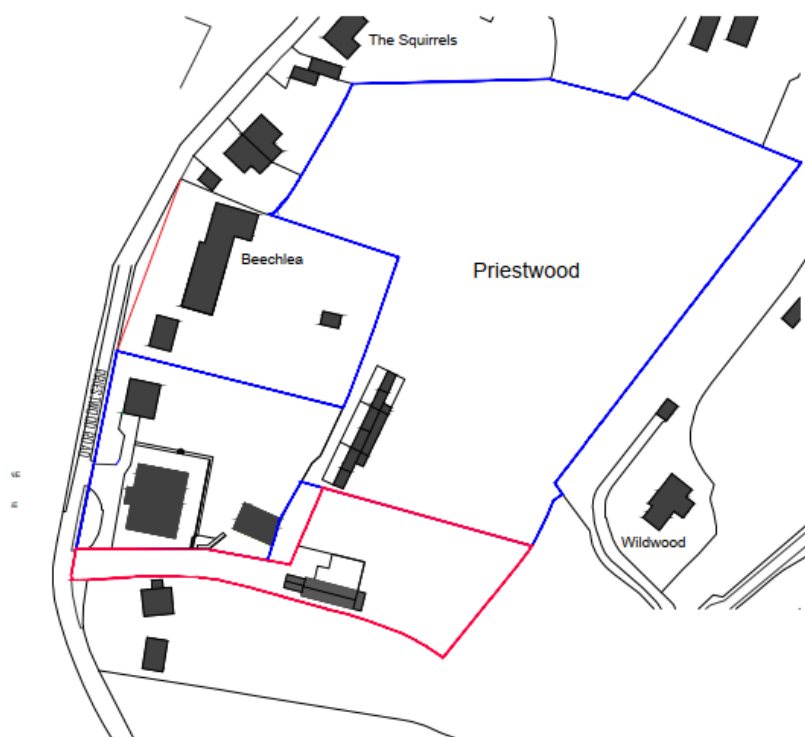
11 letters of objection have been received (2 from one address, 5 from another):

- overdevelopment
- applicants continually flout planning laws
- entrance is dangerous
- would set a precedent
- insufficient drainage in the area
- buildings are not on mains drainage
- additional traffic
- overlooking
- light pollution
- this is the fourth residential property on the site
- the main dwelling remains unfinished
- the building is beyond repair and cannot be converted
- the garage has been lived in by the current owner and his family for several years – why can't additional accommodation be provided in the garage
- the applicant has built an illegal fence on the site

Officer's Analysis

Description of Application Site and Surroundings

The application site to which this planning application relates (as shown in the red line boundary below taken from the applicants Site Location Plan), has a site area of 0.21 hectares:



Location Plan 1:1250

It lies to the south and east of the applicant's residential property, Priesthood, which is located within a scatter of development on the east side of Priestwood Road, Harvel, Meopham and is within a rural area.

The application site forms part of a much larger field that has an area of 1.14 hectares of land. The field is currently uncultivated grassland. There is a mound of earth and rubble towards the southern end that has regenerated with vegetation.

At the southern end is a rather dilapidated building in a poor state of repair that was originally, along with the remainder of the land, part of a small holding operating as a piggery unit.

The building is constructed of rendered brickwork with a corrugated sheet metal roof of which parts are missing and there is Perspex section towards the rear. Much of the roof is covered by vegetation. There is a lean to of blockwork with a metal roof in poor condition at the eastern end. The eastern end gable of the main roof section is missing, and timbers are exposed. The building is currently used for domestic storage and storage of building materials and logs and may have been a stable. Rainwater goods are missing or defective. There is electricity connected and a part concrete floor. Beyond the western end is a small building used as a log store constructed of part timber ply and part concrete panel walls and with an almost flat metal roof.



In front of and immediately north of the building is a small concrete hardstanding area of poor quality (*left photo below*). To the north within the larger field are the remnants of former piggery buildings constructed of mainly blockwork that are overgrown by vegetation (*right photo below*)



The applicants dwelling is a chalet style detached dwelling with both gables and dormers front and rear in the roofspace and which at the rear is part conventional two storeys. It is constructed of yellow facing bricks with a slate roof and lies to the west of the field within a clearly defined dwelling curtilage. The dwelling has been significantly extended and altered from its original appearance as a very low-pitched bungalow built in red bricks and a concrete pan-tiled roof, following permissions in 2014 and 2017.



Above: Google earth image Feb 2009



Above: Google earth image Jan 2021

It appears to have originally been built as and restricted to occupation by an agricultural worker in 1968.

There is a gated vehicle entrance serving the dwelling in front of the dwelling as well as a gated entrance at the southern end of the frontage that leads to the field and the remains of the former agricultural buildings.

The dwelling has a detached triple garage constructed of red brickwork and a tiled pitch roof that dates from the late 1970's. There is also a detached double garage to the north of and slightly forward of the front of the applicants dwelling that is of more recent construction and matches the current external appearance of the dwelling and it has a half-hipped roof.

The larger field is enclosed by post and rail fencing and there are more substantial trees to the north and east enclosing it.

To the south is Owls Cottage (formerly Morden) a gable fronted cottage which is rendered externally and painted white and has a slate roof. To the north is Beechlea Cottage, an elongated detached bungalow of red bricks and with a plain hipped tiled roof built in the early 1950's.

Beechlea was the original dwelling that served the piggery buildings at the rear when the site was operated as a small holding on some 5 acres of land involved with an intensive pig farm and turkey fattening unit. The applicants dwelling (Priesthood), its curtilage and the land at the rear and the agricultural building and building remnants were all at one time within the curtilage of Beechlea.

The application site is outside of any rural settlement and is within the Green Belt and just to the south of the Kent Downs Area of Outstanding Natural Beauty (AONB).

Priestwood Road is a narrow single width country lane with limited passing places (often available only where there are vehicle accesses from dwellings on to the road) and with poor forward visibility edged by trees and hedging.

Housing Need

In regard to housing need, Policy CS02 (LPCS) sets out the Borough's objectively assessed need for housing over the Plan period (up to the year 2028) and finds that there is a need for at least 6,170 new dwellings during the period. Evidence now available shows that the Council is not able to demonstrate a five-year housing supply. This engages the first part of footnote 8 of the National Planning Policy Framework and this means for decision-taking that planning permission for applications involving the provision of housing should be granted in line with the requirements of the National Planning Policy Framework Para 11(d) unless:

- i. the application of policies in this Framework (the NPPF) that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.
- 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.

The proposed development for a net increase of '1' no. dwelling would offer a minimal contribution towards meeting this local need and, accordingly, officers considers that this should be accorded minimal weight in support of the application. However, this has to be balanced against other requirements of the NPPF (2021) and in particular paragraphs 130 and 134 and section 13 - of the NPPF (2021) which requires development to be add to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers and resists inappropriate development in the Green Belt. The proposed development is considered unacceptable as discussed below.

Principle

The application site is located within the Metropolitan Green Belt. Policy CS02 supports development outside of settlements where it is compatible with national policies for protecting the Green Belt and policies in the local plan.

Section 13 of the National Planning Policy Framework 2021 relates to protecting Green Belt land. Para 137 says:

The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Para. 148 states that:

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. '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.

Para. 149 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt and lists exceptions to this:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- 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;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Points a-d are not applicable in this case. The site is not located within a village and therefore (e) is also not applicable. Point (f) is also not applicable because the proposal does not intend to provide affordable housing. Point (g) relates to previously developed land. 'Previously developed land' is defined in the annex of the NPPF as:

'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.'

A planning prior notification application (20220654) was refused on the same site for 'Application for determination as to whether prior approval is required for the proposed change of use of the existing agricultural building to a single residential dwellinghouse with associated building operations under Class Q (a) and (b) of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.' The building in question is the same building as this current application is seeking permission to convert to residential. That application clearly stated that the building was in agricultural use however the Officer's report found that the building was used for domestic storage and the storage of building materials. It is not clear how long this has been the case as the agricultural use of the land appears to have ceased prior to 1990 however it could have been used as a stable. It is therefore not possible to determine if the land is classed as 'previously developed'. It is worth noting that, if it was classed as previously developed the whole curtilage should not be developed as this is shown to be approx. 20 times larger than the footprint of the building. Even in the event that the land is classed as 'previously developed' part (g) only allows this if there is no greater impact on the openness of the Green Belt; openness is discussed further below.

The applicant has not provided a statement to clarify which exception they believe the proposal meets however it is the LPA's opinion that none of these exceptions apply to this piece of land.

Para. 150 lists other forms of development that are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

The proposal is to convert an existing building and therefore the application needs to be assessed against part (d). As shown above and below the building in question appears to be dilapidated and not of substantial construction:





There is no planning history for the building however it is shown on the 2013 plans but not on the 1983 plans. It can be seen on Google Earth in 1990. The NPPF allows for the re-use of buildings providing they are of permanent and substantial construction. It would appear from the photos that this building is not of substantial construction. In fact the applicant's agent has described the building as a 'run down outbuilding' within the planning application form. No planning statement or design and access statement has been submitted with the application setting out how this proposal meets the exceptions in the NPPF and a structural survey has not been provided to demonstrate that the building is of substantial construction and can be converted without major structural works being undertaken. A structural report was submitted as part of the prior notification application but the following was noted:

'Whilst the submission of the structural appraisal is noted and acknowledged including its conclusions that the proposed conversion is a viable undertaking and that the building is sound and not in need of major reconstruction, it is considered that its findings are not convincing, conclusive, or clear cut and are based on visual inspection only with no opening up works. There is no method statement as to how the building would be converted and constructed. In the Local Planning Authority's view and by fact and degree the works, operations, and demolition to convert the building go beyond what is reasonably necessary for the building to function as a dwellinghouse and would inevitably result in substantial works and could be considered as the rebuilding of the existing agricultural building. On this basis the development would go beyond the limitations in Q.1(i) - (i) and (ii) and the development cannot be considered as permitted

development.'

Policy C11 of the Gravesham Local Plan 1994 states:

Conversion of farm buildings to other uses will be permitted where:-

- (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*

Again, this policy requires the building to be of permanent and substantial construction in an appropriate location. It also requires the curtilage to be confined to the minimum necessary to operate the use. Both of these criterion have failed to have been met by the proposal.

The proposed development therefore does not meet the exceptions of para. 150 of the National Planning Policy Framework 2021 or policy C11 of the Gravesham Local Plan 1994.

Openness

Since the proposal would be inappropriate development it is also necessary to consider its effect on openness. When assessing whether the proposals impact on openness National Planning Policy Guidance identify a number of matters which may need to be taken into account. These include, but are not limited to:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
- the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
- the degree of activity likely to be generated, such as traffic generation.

The building is located on the boundary and has been engulfed by vegetation. As discussed above, the building is dilapidated and has many gaps in walls and the roof. Any development would involve the removal of vegetation, rebuilding of walls and the rebuilding of the roof. If converted to a residential dwelling there would invariably be associated residential paraphernalia such as driveway, patio, boundary treatments, sheds or other outbuildings which would all have an impact on openness. These changes would have an enclosing effect compared with the existing situation and will be visible from the road and surrounding areas. The development would be permanent and not easily reversible as well as adding to increased traffic generation. The proposal would therefore, undoubtedly, result in loss of openness.

Consideration of 'very special circumstances'

The applicant does not include any argument for 'very special circumstances'. Very special circumstances therefore do not exist.

Sustainable development

Para. 80 of the National Planning Policy Framework 2021 states that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following

circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential building; or
- e) the design is of exceptional quality, in that it:
 - is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

The application site is located within the rural area and Metropolitan Green Belt. The nearest shops are approx. 2.5km away at Meopham and 2km at Culverstone Green. The roads leading to facilities are narrow and do not have footpaths.

There is no bus route close to the application site. The lack of footpaths and lighting would deter pedestrians from walking, particularly outside daylight hours.

Whilst there is the possibility of on-line shopping and home deliveries, this would still engender additional vehicle movements into this area of countryside.

Whilst the NPPF does not stipulate a distance that would constitute an isolated dwelling there has been a recent local appeal that deals with the matter (APP/K2230/W/19/3235446 – appendix 1). This application was for a new dwelling in the countryside and Green Belt. This was also approx. 1km away from local services and bus stop. The Inspector did not consider the site isolated for the purposes of para. 79 (now para. 80) of the NPPF. However, he did consider para. 108 (now 110) of the NPPF that recognises that opportunities to maximise sustainable transport solutions vary between rural and urban locations. Its overall aim is to promote walking, cycling and public transport use and reduce reliance on the private car as a mode of transport (para. 14). The local roads of this site are also narrow, unlit, enclosed country lanes, not dissimilar to the application site. The Inspector found that it would be highly likely that future occupiers would access services by private car and the dependency on this would encourage travel further afield. He found that the appeal site 'would not be a suitable location for housing with regard to the accessibility of services and facilities. The proposal would therefore be contrary to Policies CS01 and CS02 of the LPCS, which amongst other things, seek to improve the social and environmental conditions in the area and support development in urban areas and rural settlements inset from the Green Belt. The proposed development would also conflict with paragraph 78 of the Framework insofar as it promotes sustainable development in rural areas.' (para 17). The difference between this appeal site and the application site is that the appeal was for a new dwelling whereas this application is for the re-use of a building. Part (c) of para. 80 allows isolated homes in the countryside where the development would re-use redundant or disused buildings and enhance its immediate setting. As discussed above, the proposal would result in a detrimental impact on the openness of the Green Belt and harm the landscape character of the area and therefore conflicts with para. 80 of the National Planning Policy Framework 2021.

Final balancing exercise on Green Belt issues

The application site lies within the Green Belt and constitutes 'inappropriate' development. The proposal would introduce a new dwelling within the Green Belt and would adversely impact on its openness.

The local planning authority is of the opinion that the applicant has failed to demonstrate the existence of 'very special circumstances' that clearly outweigh harm to the Green Belt caused by inappropriateness.

The proposal therefore conflicts with Policy C11 of the Gravesham Local Plan 1994, Policy CS02 of the Gravesham Core Strategy 2014 and Section 13 of the National Planning Policy Framework 2021.

Design, Character and Appearance

The new dwelling will be finished in what appears to be a slate roof and clad in timber. The application form does not include any material details apart from timber cladding. The surrounding properties are mixed in design and type and the proposed appearance would not appear out of character with these. Notwithstanding this the principle of the development is deemed unacceptable in Green Belt terms.

Landscape Character

The application site is located within the Harvel Wooded Downs Landscape Character Area defined by varied topography, ancient woodland and small paddocks, occasional traditional farmsteads and haphazard mosaic of residential plots and small holdings set within woodland. Policy CS12 seeks to conserve, restore or enhance the overall landscape character. The proposal would noticeably change the character of the site. A new dwelling would introduce development that would bear no relationship to the surrounding buildings. The site is visible from a number of public vantage points and is currently overgrown and well screened. Whilst curtilage buildings could be controlled by condition, a landscaped garden area with inevitable signs of domestic occupation such as patios, garden furniture, clothes drying, external lighting and play equipment would introduce domestic formality into this countryside location that would detract from the visual quality and would significantly harm the rural character of the area.

The proposed development would result in significant harm to the character and appearance of the area including the Landscape Character Area and therefore conflicts with the objectives of policy CS12 and CS19 of the Core Strategy 2014 that seek, amongst other things, to ensure all proposals for new development are visually attractive and locally distinctive, conserve and enhance the local natural environment and landscape character, and integrate well with the surrounding local area. Similarly, it would not accord with the aims of the NPPF that developments should seek to be sympathetic to the local character and landscaping setting (para. 130) and recognise the intrinsic character and beauty of the countryside (para. 174).

Amenity

Amenity of Future Occupiers

The internal floor area measures approx. 78sqm and shows the conversion to be two bedroom. The National Housing standards state that a two bedroom, four person dwelling that is single storey must have an internal floor area of 70sqm and therefore this is met. Both bedrooms meet the standard for double rooms. The outside space exceeds the required garden size as required by the Gravesham residential standards. The rooms contain sufficient outlook and daylight and therefore no concerns are raised.

Neighbouring Amenities

The building is shown to be single storey and there is boundary treatment between this and the neighbour to the south. All windows along this boundary are high level. Notwithstanding this there is over 21m between the two properties and therefore there will be no loss of outlook, privacy, sunlight or daylight to this neighbour.

The dwelling at Priesthood will also be approx. 30m away from the proposed development and therefore will suffer no loss of amenity from the proposal.

Noise Control

In order to protect the amenity of future occupiers a suitable Noise Impact Assessment should be carried out and provided for review. The existing outbuilding is unlikely to have been built to a sufficient level to protect occupiers from noise therefore acoustic mitigation measures in the conversion are likely to be needed. The report must show the proposed development meets the following criteria;

1. The internal ambient noise levels in all habitable rooms of the residential dwelling shall not exceed the guideline LAeq values found in Table 4 of BS8233:2014.
2. The maximum internal noise levels in all habitable rooms should not exceed 45dB L_{Amax} more than 10 times per night in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise.

Lighting

Artificial lighting can cause a statutory nuisance under the Environmental Protection Act 1990. It is important that the applicants are not permitted to install external lighting that illuminates anything other than the ground within the curtilage of the new properties in order to assist in preventing a nuisance from occurring. This can be controlled by condition.

The proposed conversion of the building to a dwelling, subject to conditions, would therefore accord with policy CS19 of the Gravesham Core Strategy 2014 and para. 130f of the National Planning Policy Framework 2021 in relation to amenity.

Biodiversity

No ecological information has been submitted with this application and further information should be sought from the applicant with regards to the potential for ecological impacts to arise.

Habitats and features (including mature trees) are present on and around the site, indicating ecological value and the potential for protected species presence that must be taken account of in the planning decision. As such, an ecological impact assessment (EclA) must be undertaken by a suitably qualified, CIEEM-registered ecologist, in accordance with good practice guidelines. The EclA will assess the habitats and features within and around the site and identify if there is a need for further ecological surveys to assess ecological value and/or confirm protected species presence/likely absence.

To ensure that the planning determination is adequately informed in respect of all potential ecological impacts, an EclA must be sought prior to determination of the planning application. The submission must provide appropriate and achievable mitigation measures for any identified ecological impacts. This is in accordance with paragraph 99 of ODPM 06/2005 which states "it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision". An EclA is a process of identifying, quantifying and evaluating the potential effects of development on habitats, species and ecosystems, so providing all ecological survey information alongside any necessary avoidance, mitigation and compensation proposals within one document.

Under section 40 of the NERC Act (2006) and paragraph 174 of the NPPF (2021), biodiversity must be maintained and enhanced through the planning system. Additionally, in alignment with paragraph 180 of the NPPF 2021, the implementation of enhancements for biodiversity should be encouraged. As such, it must be demonstrated the development can achieve a biodiversity net-gain.

Without this information the application is insufficient and fails to accord with policy CS12 of the Gravesham Core Strategy 2014 and para. 174 of the National Planning Policy Framework 2021.

Highways

There is adequate space for visitors to park on the access road given its width should the need arise. With two bedrooms there should be secure and weatherproof cycle parking for two cycles to comply with the requirements of SPG4 and this can be controlled by condition in the event the application is allowed at appeal.

Any Other Material Planning Considerations

Drainage

The local mains sewer network is easily accessible to the development therefore foul sewage should be removed by means of the mains drainage system only and not by the use of non-mains sewerage systems. However if this is not possible then a sewage treatment plant or septic tank system will be considered in preference to a cesspool. Such a system may require the prior consent of the Environment Agency under the terms of the Water Resources Act 1991 as well as Building Control approval. Applicants are therefore advised to discuss their requirements with the Environment Agency and STG Building Control at the earliest opportunity if they are not intending to use mains drainage. It should be ensured that the septic tank or cesspool is of adequate capacity to serve the proposed development and suitable access and hardstanding area shall be maintained to it on site.

The Environment Agency requested further information regarding the treatment of foul and surface water. The applicant's agent responded to say that this will be dealt with by public sewer. There are contradictions on this aspect of the application as Southern Water state there is no public sewer. The Environment Agency has been made aware of this and provided their standing advice for non-major development.

Contaminated Land

The applicant shall undertake a watching brief during construction in case any contamination issues are encountered. If during development any contamination is found, the local planning authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the LPA as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out. This can be controlled by condition.

Conclusion & Recommendation

The application site lies within the Green Belt and constitutes 'inappropriate' development. The proposal would introduce a new dwelling within the Green Belt and would adversely impact on its openness. The applicant has failed to demonstrate the existence of 'very special circumstances' that clearly outweigh harm to the Green Belt caused by inappropriateness and therefore the proposal conflicts with Policy C11 of the Gravesham Local Plan 1994, Policy CS02 of the Gravesham Core Strategy 2014 and Section 13 of the National Planning Policy Framework 2021.

The proposed development would result in significant harm to the character and appearance of the area including the Landscape Character Area and therefore conflicts with the objectives of policy CS12 and CS19 of the Core Strategy 2014 that seek, amongst other things, to ensure all proposals for new development are visually attractive and locally distinctive, conserve and enhance the local natural environment and landscape character, and integrate well with the surrounding local area. Similarly, it would not accord with the aims of the NPPF that developments should seek to be sympathetic to the local character and landscaping setting (para. 130) and recognise the intrinsic character and beauty of the countryside (para. 174) as well as introducing an isolated dwelling in countryside within an unsustainable location contrary to para. 80 of the National Planning Policy Framework 2021.

Habitats and features (including mature trees) are present on and around the site, indicating ecological value and the potential for protected species presence that must be taken account of in the planning decision. As such, an ecological impact assessment (EclA) must be undertaken by a suitably qualified, CIEEM-registered ecologist, in accordance with good practice guidelines. Without this information it is not possible to assess the impact on habitats and biodiversity and therefore the proposal conflicts with Policy CS12 of the Gravesham Core Strategy 2014 and paras. 174 and 180 of the National Planning Policy Framework 2021 which seeks to protect and secure measurable net gains for biodiversity.

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Mrs Alison Webster	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	16th January 2023	Dated:	16th January 2023