

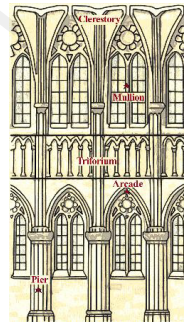
Planning, Design & Access Statement

Applicant: Higham Estates Ltd.

Proposal: “Outline Planning Application For The Erection Of Three Single Storey Buildings To Provide 10 Class B1 Light Industrial Business Units With Associated Parking (As Alternative Redevelopment Proposal To Units Permitted By Extant Planning Permission GR20070891)”

Application Site: Land At Higham Station, School Lane, Higham, Gravesend, Kent ME3 7JQ

Statement Date: September 2022



**KEVIN WISE
TOWN PLANNING**

TEL: 01622 902902

EMAIL: info@kevinwiseplanning.co.uk

WEBSITE: www.kevinwiseplanning.co.uk



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1. INTRODUCTION:

1.1. This 'Planning Design & Access Statement' is submitted in support of an application for outline planning permission by Higham Estates Ltd, for the construction of some new commercial units on currently disused land at Higham Station, School Lane, Higham, Kent. The detailed planning application description is "*Outline Planning Application For The Erection Of Three Single Storey Buildings To Provide 10 Class B1 Light Industrial Business Units With Associated Parking (As Alternative Redevelopment Proposal To Units Permitted By Extant Planning Permission GR20070891)*". Although the application has been submitted in outline form, all matters have been included for consideration apart from detailed landscaping proposals so that the Local Planning Authority, statutory consultees and local residents (and any other interested parties) have a good understanding of what the applicant's proposals for the site are. This supporting statement provides detailed information about the proposals and discusses the material planning issues and potential impacts upon the site and the wider area. It also provides information about the relevant planning policy context set by national guidance and the Development Plan in force for the area. It is intended to help inform and assist statutory consultees and any interested third parties/ members of the public, as well as providing supporting information for consideration by the Local Planning Authority's professional planning staff and its elected Members.

1.2. The statement has been prepared by Kevin Wise BA(Hons) BTP MRTPI. I have worked as a town planning consultant and managing director of '*Kevin Wise Town Planning*' since 2007 having previously worked within the public sector between 1991 and 2007 for Local Planning Authorities. I have been a chartered town planner and member of the Royal Town Planning Institute since 1992 and hold a BA (Hons) degree in '*Urban & Regional Town Planning*' and a '*Bachelor Of Town Planning*' post graduate degree.

1.3. The summary findings of this statement are that the proposed development can be considered acceptable because, although the development strictly represents a form of '*inappropriate development*' within the Green Belt, a suitably compelling case of '*very special circumstances*' in support of the proposals which turns the balance to weigh in favour of a grant



of planning permission. These '*very special circumstances*' include the fact that the land already benefits from an extant planning permission to be developed with industrial units and expansive public car parking proposals; the site has been earmarked within the emerging Local Plan to be allocated for employment development, the site lies within a sunken hollow created by former quarry works and so is relatively inconspicuous in visual terms due to physical landform characteristics; the extant planning permission scheme does not appear to adequately take into account matters such as bin storage or larger vehicle turning; the permitted public car parking is no longer needed/in demand at the station since a lesser amount of people now commute/a greater amount work from home and the high speed service does not stop at Higham so it is now a less attractive than neighbouring stations at Gravesend and Ebbsfleet.

1.4. The proposed development is considered to be acceptable in terms of design and appearance and also in terms of potential impacts upon the amenities of any sensitive nearby land uses/properties. It is also judged to not give rise to any undue harm to highway safety, to trees or wildlife habitat or any other acknowledged interests of importance.

2. THE APPLICATION SITE AND SURROUNDING AREA:

2.1. The application site is found within the Lower Higham area, a little way south of the main village of Higham. It is situated outside of any defined settlement confines and so is within the 'open countryside' for planning purposes. It is located within Metropolitan Green Belt & the Higham Arable Farmlands Landscape Character Area. West of the application site is a quarry wall with the 'Home Farm' site/building complex above that. Further west/northwest is School Lane and housing developments. To the east is the railway line and then quarry walling (wooded) with open fields above the quarry walls. To the south is again quarry walling with open arable fields above and some interspersed buildings. To the north is a large station car park, the Higham station building, the station approach road and then the bulk of Lower Higham's housing developments. (NB - Higham Primary School and Higham village hall and recreation grounds can be found approximately 230m to the southwest and the main village of Higham a further 1000m south of those facilities). The site's location is illustrated below in Figure 1.

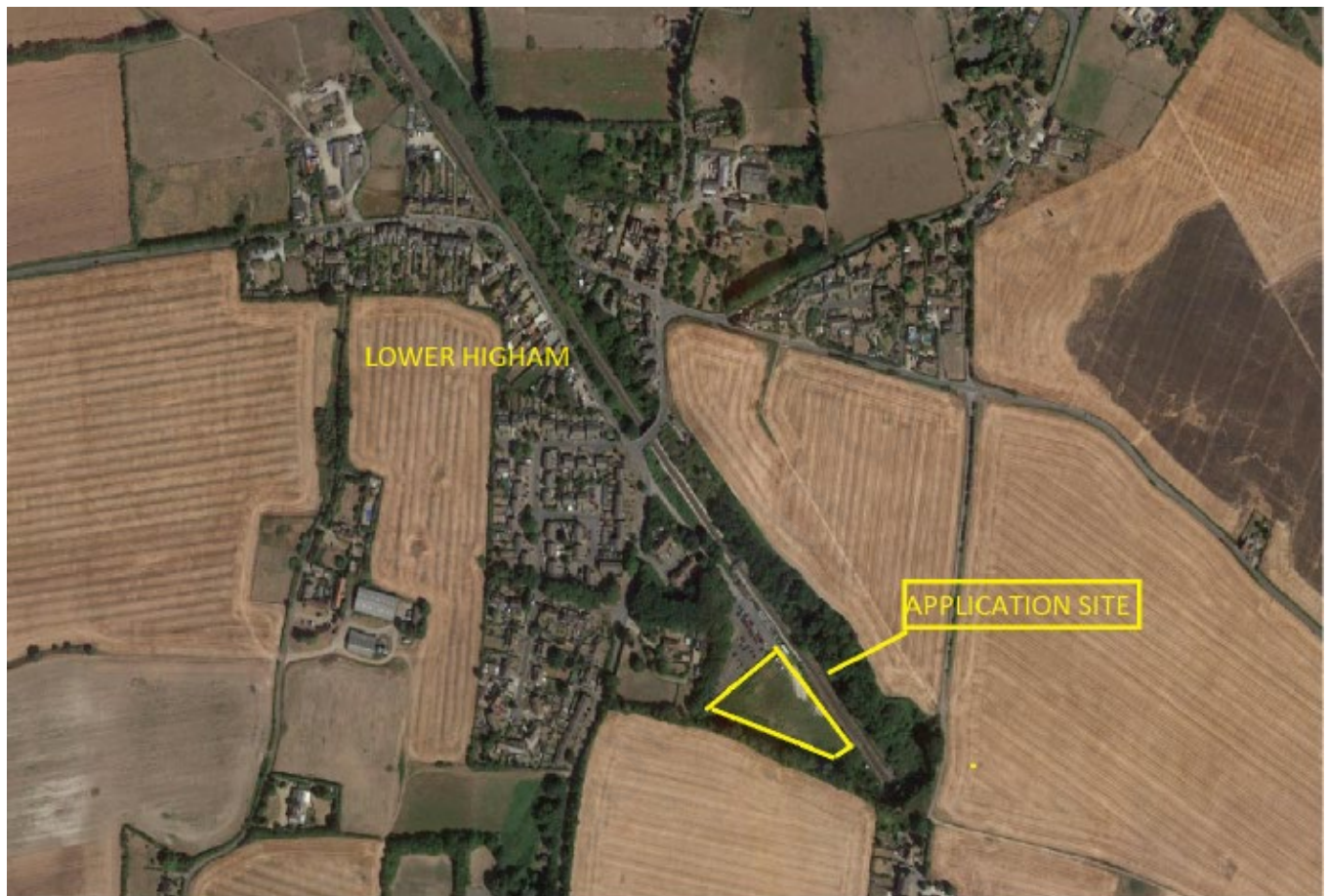


FIGURE 1.

2.2. The site itself has a roughly triangular shape and extends to approximately 0.9ha. As the existence of the surrounding quarry walls suggest, the area has been historically excavated. (NB - Originally, the railway line adjacent to the site was the location of the Thames & Medway Canal, which passed through the 'railway tunnel' to the south and evidence of which can still be seen today a little to the north and the station building was the canal station building was converted from the home of the canal towing contractor). The proposed area to be developed with the new commercial units is essentially flat/level with the only topographical features of note being the steep quarry walling around the perimeters. The land has not been used for any purposes for several decades but originally was used in connection with the operation and maintenance of the canal and then the railway. (It now sadly is subjected to repeated unlawful fly tipping). The site is unremarkable in terms of any important or valuable vegetation within its boundaries but is well screened by surrounding wooded areas on and above the quarry walls.



3. BACKGROUND TO THE APPLICATION & DESCRIPTION OF THE PROPOSED DEVELOPMENT:

3.1. As the application description suggests, the proposal is to develop the site with 10 new Class B1 units arranged in three blocks as an alternative form of development to the scheme that has an extant permission for the site which proposed a mixture of 6 new commercial units (800m²) and an extensive 177 space car park intended to serve the railway station. That permission was granted on the 24th of February 2009 and it is true to say that circumstances have changed significantly since that time with respect to a significant decrease in the need/demand for car parking at Higham Station, as well as the fact that the land is now a proposed allocation for employment use within the new/emerging Local Plan under the site reference GB05. The permitted car park and new commercial unit development proposals were granted consent under the planning permission reference GR20070891 in 2009 but that permission remains extant because a material start was made on that permitted development – most notably through the significant excavation of soil and replacement of soil to implement approved site decontamination works. (NB – The consent has been confirmed as extant in writing by the Local Planning Authority). The permitted scheme GR20070891 is illustrated below in Figure 2.

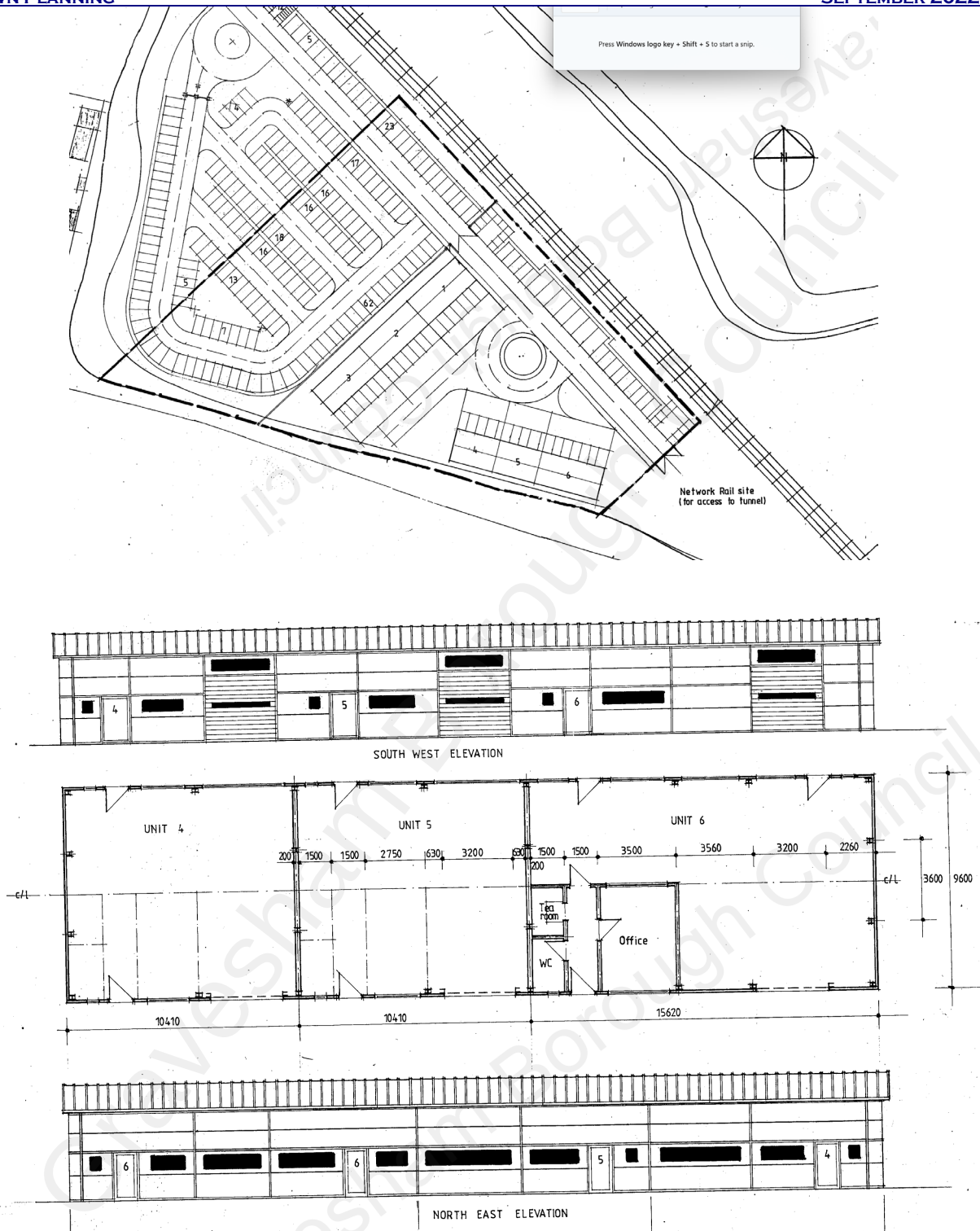


FIGURE 2.

4. PLANNING HISTORY:

Erection of Three Commercial Unit Buildings At Land at Higham Station, School Lane, Higham, Kent
Higham Estates Ltd.



4.1. The site has a lengthy planning history, so the list below is limited to planning applications relating to the extant, consented development and others relating to new car parking.

- Ref. No: 20070891 - Erection of two single storey buildings to provide six B1 light industrial units with associated parking and laying out of new car park for Higham Railway Station. **Application Permitted**
- Ref. No: 20090400 - Application for approval of condition 6 of planning permission reference number 20070891 relating to the contaminated land assessment. **Refused**
- Ref. No: 20090690 - Application for the approval of condition 6 (a) and (b) f planning permission reference number 20070891 relating to the contamination risk assessment involving a site investigation strategy and sampling and analysis methodology. **Approved.**
- Ref. No: 20090924 Application for approval of conditions 6c of planning permission reference number 20070891 relating to the contaminated land remediation proposals, **Approved.**
- Ref. No: 20111108 Application for renewal of planning permission reference number 20070891 for the erection of two single storey buildings to provide six B1 light industrial units with associated car parking and laying out of new car park for Higham Railway Station. **Application Permitted**
- Ref. No: 20120087 Application for approval of conditions 4, 5, 9, 12, 13, 18 and 19 attached to planning permission reference number 20070891 relating to the external facing materials, landscaping scheme, noise and vibration study, external lighting or floodlighting, CCTV cameras, ticket barriers and gates, size and location of any parking operative's hut, lighting of industrial units and details of phasing of work to car park and access. **Approved.**



- Ref. No: 20140622 Application for the approval of condition 6 attached to planning permission reference no. 20070891 relating to the contaminated land assessment.

Approved

- Ref. No: 19850048 - Use of former goods yard as an extension to the existing car park to provide 119 car parking spaces. **Application Permitted**

5. DESIGN AND ACCESS CONSIDERATIONS:

5.1. Response To Context: The site is currently unused and unattractive – overgrown with regular fly tipping taking place to the great expense and frustration of the applicants. The site is poor aesthetically and harms the public realm of the station and its associated car park. Given

the proposed Local Plan allocation of the land and the permitted and intended commercial use, there is little option other than to propose steel framed, profiled steel sheet clad units with clear, functional designs and appearances. The design philosophy behind the proposed development is therefore very simple and hard to deviate away from.

5.2. Use: The lawful use of the land is the development permitted by GR2007 – i.e., public car parking and new commercial units as this development commenced in planning law terms with fencing works, substantial ground clearance works and decontamination works all having taken place and constituting a meaningful start/implementation start. Essentially, these permitted activities and uses will not be altered because the proposals involve the provision of Class B1 units and associated vehicle parking. The principal differences are that the vehicle parking will be unrelated to the railway station use and there would be an increased amount of class B1 floor area.

5.3. Amount: The proposals would provide 2134m² of commercial floorspace and 96 parking spaces instead of the consented 800m² of Class B1 floorspace and 177 car parking spaces.

5.4. Layout: The proposed site layout of the site is indicated below in Figure 3.



FIGURE 3.

This layout takes into account the need to ensure that the site is appropriately designed in terms of vehicle access and turning, a suitable level of car parking to meet adopted County 'Highway Authority' Standards whilst also providing an attractive and spacious layout with a public realm that includes some tree planting and landscaping. Indeed, the scheme includes a strip of land to provide a tree and hedgerow 'green buffer' strip of landscaping to separate the site from the station car park in a more attractive manner than pallisade fencing. The layout also includes provisions to access the remaining maintenance depot land to the south/south east.

5.5. Scale: The scale of the development reflects the size of the plot and is intended to display a suitable footprint of buildings that would not appear overdeveloped or cramped with a good degree of spacing between the buildings and also around them. The height of the units would be 5.2m which is the same as the permitted units and is the lowest reasonably necessary in order to enable a suitably sized vehicle bay. As outlined above, the proposal is three separate buildings that would cumulatively provide 10 individual units and a total of 2134m² floorspace.



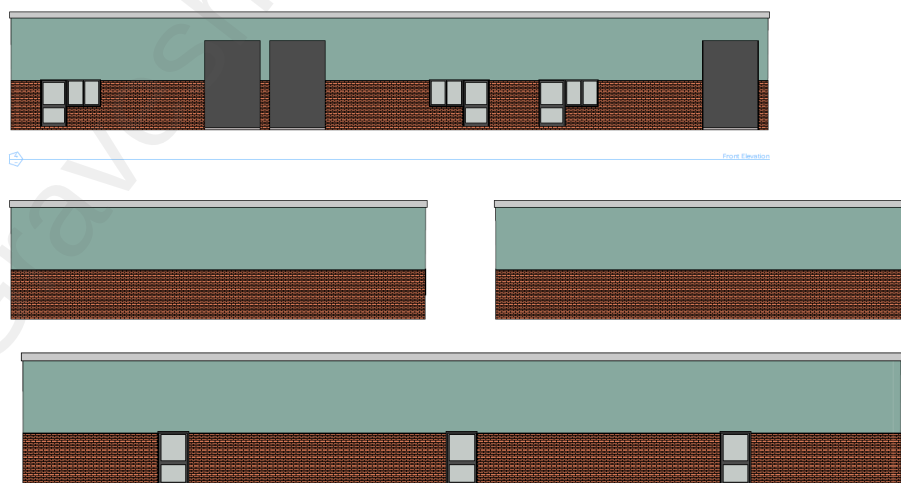
5.6. Landscaping: No existing vegetation of note will be adversely affected by these proposals and the proposed development incorporates new tree planting and landscaping for the site – something that the permitted scheme does not really allow for to any degree.

5.7. Appearance: The new commercial buildings would have typically functional, rectangular footprints and simple shallow pitched roofs with brick and profiled steel sheet construction one would expect for commercial buildings of this nature. Indeed, the permitted scheme is for similar structures. Details of the three proposed buildings are shown below in Figure 4.

Units 1-5



Units 6-8





Units 9-10

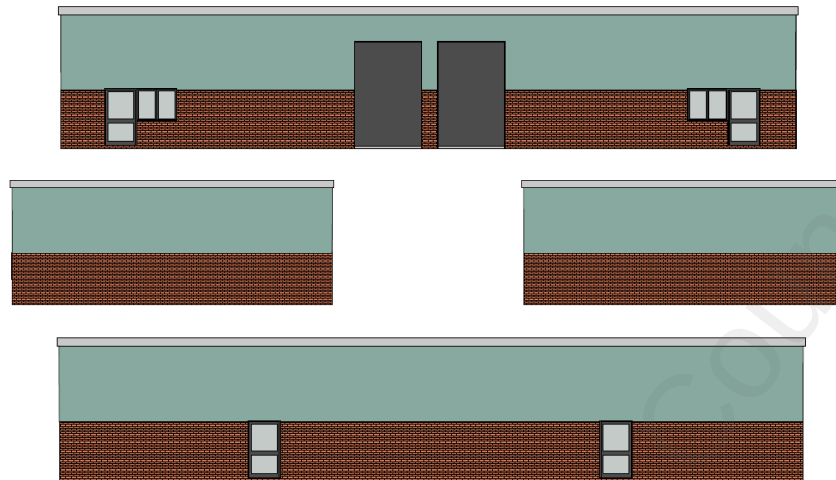


FIGURE 4.

5.8. Access to the development: Both pedestrian and vehicular access will be obtained via the existing access leading from the Station Approach to School Lane. Car/vehicle parking is provided to the prescribed adopted vehicle standards.

6. RELEVANT PLANNING POLICY:

6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the statutory development plan unless material considerations indicate otherwise. For the purpose of this application, the statutory 'Development Plan' for the application site and the surrounding area for the purposes of section 38(6) of the Planning & Compulsory Purchase Act 2004 comprises:

- The Gravesham Local Plan Core Strategy (GLPCS)
- The 'saved' policies of the Gravesham Local Plan. GLP)

6.2. In terms of relevant national policy guidance, the provisions of the National Planning Policy Framework must be taken into account as must the national 'Planning Practice Guidance'. Other material considerations include the Regulation 18 '*Site Allocations and Development Management Policies Document*'.



6.3. Looking firstly at the GLPCS, the site is shown within the proposals map/key diagram to be located within a rural area and within the Green Belt. It is considered that policies CS01; CS02; CS07, CS12; CS19 are relevant to this type of proposal within this particular location.

6.4. Policy CS01 relates to sustainable development and indicates that, when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework and in the Core Strategy.

6.5. Policy CS02 essentially dictates the scale and location/distribution of development within the Borough. It also applies Green Belt policy. It states *“In the rural area, development will be supported within those rural settlements inset from the Green Belt and defined on the Policies Map. 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. The extent of the Green Belt is defined on the Policies Map”*

6.6. Policy CS07 covers the issue of ‘Economy, Employment and Skills’ and sets out the council’s strategy in conjunction with the private sector and regeneration partners to secure the delivery of around 186,490 sq. m gross new employment. In relation to rural areas, the policy comments in paragraph 5.1.37 that ***“The Council will support proposals that promote the appropriate expansion and diversification of the rural area economy.”***

6.7. Policy CS12 deals with landscape character and seeks to safeguard, restore and enhance landscapes with greatest weight given to the conservation and enhancement of the landscape and natural beauty of the Kent Downs Area of Outstanding Natural Beauty and its setting.

6.8. Policy CS19 sets out the council’s design principles for new developments. It states that:

“New development will be visually attractive, fit for purpose and locally distinctive. It will conserve and enhance the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anti-crime standards. The design and construction of new development will incorporate sustainable construction standards and



techniques, be adaptable to reflect changing lifestyles, and be resilient to the effects of climate change."

6.9. Turning now to national policy expressed within the NPPF, the general thrust of that document is for Local Planning Authorities to adopt a positive approach to 'sustainable' development. It requires developments to display a high quality of design and overtly supports sustainable development on 'previously developed land'. In terms of the countryside and Green Belt, the document requires developments to be suitably well seeks to protect the character of the countryside and the functioning of the Green Belt. There is a strong requirement to ensure that developments feature an appropriate quality in terms of their design and construction and, amongst other things, the NPPF expresses the importance of protecting the Green Belt and lists within paragraph 149 those new buildings that can be considered acceptable within the Green Belt with any unlisted forms of developments being held to represented 'inappropriate development'.

6.10. The NPPF broadly encourages sustainable forms of new development whilst seeking to ensure that any development is appropriately designed and safeguards the environment and character and amenity of areas. It confirms that development proposals that conform with an up-to-date Development Plan should be approved without delay and, where there are no relevant development plan policies or the policies are out of date, that permission should be granted unless other material harmful impacts are identified to indicate otherwise.

6.11. The NPPF provides support for encouraging a prosperous rural economy through the conversion of existing buildings and well-designed new buildings and diversifying agricultural businesses. It recognises that proposals for rural businesses will often necessitate development not being able to take place within towns or villages but will often need to be located outside of settlements. Paragraph 84 comments:

"84. Planning policies and decisions should enable:

(a) the sustainable growth and expansion of all types of business in rural areas, both through



conversion of existing buildings and well-designed new buildings;

(b) the development and diversification of agricultural and other land-based rural businesses;

(c) sustainable rural tourism and leisure developments which respect the character of the countryside; and

(d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

6.12. The NPPF also places importance upon social welfare and wellbeing, sustainability principles and a need to safeguard local amenities as well as protecting sensitive countryside. Encouragement to undertake pre-application discussions and engagement is given.

6.13. In terms of the '*Site Allocations and Development Management Policies Document*', the policies of this unadopted policy document echo the landscape and Green Belt protection sentiments of the Core Strategy. Perhaps the most pertinent content of this emerging Regulation 18 document is a proposal to formally allocate the application site for commercial /employment use.

7. DISCUSSION OF MATERIAL PLANNING ISSUES AND THE MERITS OF THE PROPOSALS:

7.1. Looking firstly at the acceptability of the actual principle of the proposed development, since the application site lies within open countryside that is designated Metropolitan Green Belt, the key policy consideration that needs to be assessed with respect to the acceptability in principle of the application proposals relates to compliance with Green Belt policy and the potential impacts upon the openness and functioning of the Green Belt. Secondly, it must be considered whether the developments accord with the forms of development listed as being suitable for an identified rural area.



7.2. Looking firstly at Green Belt policy, this is set out within Section 13 of the NPPF.

Specifically, paragraphs 137-151 of the NPPF detail the policy parameters with paragraphs 149 & 150 listing the forms of development that can be deemed to be “*appropriate development*” within the Green Belt. Any new buildings or development forms NOT listed within paragraphs 149 & 150 represent ‘*inappropriate development*’ which is stated to be ‘harmful’ by definition to the Green Belt and should not be approved unless a compelling case of ‘*very special circumstances*’ exists. Local Planning Authorities are advised that when considering planning applications, substantial weight should be given to any identified harm to the Green Belt, and it is advised that ‘*very special circumstances*’ must be of such significant weight that they will clearly outweigh any potential harm to the Green Belt.

7.3. With the above in mind, the NPPF expressly states that only certain listed types of new buildings within the Green Belt are allowable under paragraph 149 as ‘*appropriate development*’. Accordingly, these proposals require to be justified by a suitably compelling case of ‘*very special circumstances*’ that weighs in favour of granting planning permission.

7.4. In this instance, it is considered that a suitably compelling case does exist in support of the proposed development, and these are:

- The site constitutes ‘***previously developed land***’ and, most significantly, it already benefits from an extant planning permission that enables the development of the entirety of the application site area with 800m² of new buildings and extensive car parking for 177 cars. This extant planning permission to redevelop the site is a significant ‘fall back’ position that must be taken into consideration and given considerable weight since the approved development would render the site with little or no substantive contribution towards the stated objectives, functioning or openness of the Green Belt.
- The application site has been identified as a proposed allocation for commercial development within the emerging ‘Regulation 18’ ‘*Site Allocations and Development Management Policies Document*’ under the site allocation reference GB05 as detailed below in Figure 5. Accordingly, the council has shown a clear intention for the use of the site to be retained for employment/commercial development purposes. This approach



sensibly recognises not the extant planning permission that exists for the site and also suggests a recognition that any historic demand for increased car parking at Higham Station no longer exists following the pandemic and the related and changes in commuting habits and resultant reduction in passenger numbers. The lack of need for the car parking that now exists indicates that the entirety of the land should be developed for employment/commercial purposes and a need for additional office and business floorspace has been identified by the 'North Kent Strategic Housing & Economic Needs Assessment', which is referred to within the Regulation 18 'Site Allocations and Development Management Policies Document' stating in paragraph 4.14.

“ The results of the employment study suggest that the Borough needs in the order of 4ha of office floorspace, 4ha for general industrial use and 2ha for warehousing. The Ebbsfleet Planning Permission already provides for significant business development but that will be unlikely to meet general industrial or warehouse needs.”



Developable Area (ha): 0.9 ha (Gross)

Approx. Yield: Commercial



FIGURE 5.

- The application site is located within a sunken quarry rather than being in the wide-open countryside and so it is extremely well concealed from public views. The impact of the new buildings upon the functioning of the Green Belt would therefore be very limited and, of course, the area is already developed with the railway line, a neighbouring open storage use, Higham Station and its structures and extensive hard surfaced car park area.



- This proposed alternative form of development to the consented proposals would make good use of this previously developed land with more attractive forms and designs of building, significant landscaping and a reduction in the extent of car parking/hardstandings.
- The proposals would make a significant contribution towards the local rural economy, would make a meaningful contribution towards the council's identified need for additional officing and/or business floorspace and create several local job opportunities with the site within easy walking or cycling distance to residents of Higham and also being accessible directly by railway from nearby Gravesend.

7.5. Having discussed the principle of the proposed development, it necessary to now examine the detailed impacts of these proposals. In this instance, the matters of detail comprise:

- The acceptability of the proposed alterations in terms of design and visual impacts.
- Residential amenity issues
- Impacts upon highway safety
- Potential impacts upon ecology/wildlife habitat

7.6. Dealing with each of these issues in turn, the visual impacts of the proposed development upon the locality and the wider countryside would be very limited given the sunken quarry location of the site, the existing poor state of the land and given the fact there is already an extant consent for new units and a large car park here. The design and appearance of the new buildings are satisfactory and, in fact, of better quality to the designs of the approved scheme and the alternative proposals feature a much greater degree of landscaping and thought. It is true that the proposed buildings would be greater in scale than the permitted scheme but there would in reality be no substantive or additional change in overall visual impacts of this site which, in any event, is very much hidden away from public view by the surrounding quarry walls



and woodlands. It is considered that that the precise siting, form, scale and height of the proposed buildings could not reasonably be deemed to be excessive or incongruous in terms of form, scale or height.

7.7. With regard to the potential impact of this development upon local residential amenities, the buildings would be used for B1 purposes (officing or light industrial) and so can be regarded as 'neighbour friendly'. Moreover, the nearest dwellings are located some distance away and, again, the site lies within a sunken quarry setting so the development would not give rise to any undue harm or disturbance to any other properties in terms of either loss of amenity, loss of light or loss of privacy. The only possible impacts upon nearby housing would be the potential for disturbance or disruption from traffic movements generated by the site. However, School Lane is not a quiet lane it is already a busy local distributor road that provides access not only to the station but various existing commercial sites further north. The character and nature of the road and its traffic would not be materially changed.

7.8. Looking now at access and highway safety issues, vehicular access to the site would be provided by the existing station approach road through the established car parking area. Access to the site would not therefore be altered and would be the same as that serving the existing permission for 177 car parking spaces and 6 industrial units. The new units would be provided with a suitable level of car and van parking spaces to meet the adopted county standards and appropriate vehicle turning facilities have been included within the design so it is not considered that there would be any additional hazards to traffic by lack of off-road parking or turning facilities.

7.9. Turning finally now to wildlife and habitat issues, the application site has very limited potential for wildlife given its lack of vegetation and recent soil excavation/replacement works. Moreover, as indicated in the sections above, mature trees and vegetation will be unaffected and new landscaping and tree planting opportunities exist. It is therefore considered that there are no significant risks of harmful impacts to ecology or wildlife habitat. In any event, the proposals pose no greater risks or impacts than the consented scheme.



8. CONCLUSIONS.

8.1. In the light of the above facts and considerations, it is submitted that although the proposed development in strict technical terms conflicts with Green Belt policy contained within the NPPF and the Development Plan, there would in reality be no substantial harm to the functioning of the Green Belt and there is a sufficiently compelling case of '*very special circumstances*' which weigh in favour of granting planning permission. Moreover, the proposed development is acceptable in all other respects with regard to the improvements this scheme would have in comparison to the permitted scheme, and it would suitably safeguard the countryside's appearance and amenities, would deliver tangible benefits to the local economy and would not give rise to any harm to residential amenities or the local environment. Consequently, the applicant respectfully requests that planning permission be granted for these development proposals.