

Planning, Design & Access Statement

Walnut Hill Nursery, Walnut Hill
Road, Longfield Hill, Kent, DA13 9HL

Erection of a front porch (retrospective
application)



RTPI

Chartered Town Planners

By: **GRAHAM SIMPKIN PLANNING**

For: **First4Drains**

Project reference: **PR4244-2**

20 November 2024

office@gsplanning.uk



GSP

Contents

1	Introduction.....	3
2	Site Context.....	4
3	Relevant History.....	5
4	Proposed Development	7
5	Planning Policy	8
6	Planning Assessment.....	10
7	Conclusions	12

1 Introduction

- 1.1 This Planning, Design & Access Statement has been submitted in support of an application for the following development at Walnut Hill Nursery, Walnut Hill Road, Longfield Hill, Kent, DA13 9HL (hereafter referred to as 'the Site'):

Erection of a front porch (retrospective application)

- 1.2 The proposed development affects the following Land Registry title(s):

Title Number	Description	Owner
K421608	Walnut Hill Nursery, Walnut Hill Road, Gravesend, DA13 9HL	The Applicant

- 1.3 The application is accompanied by the following plans and documents:

- **Planning, Design & Access Statement**
- **4244-201 Site Location Plan**
- **4244-202 Pre-existing Block Plan**
- **4244-203 Existing Block Plan**
- **4244-204 Pre-existing Ground Floor Plan**
- **4244-205 Pre-existing First Floor Plan**
- **4244-206 Pre-existing Elevations 1 of 2**
- **4244-207 Pre-existing Elevations 2 of 2**
- **4244-208 Existing GF Plan**
- **4244-209 Existing FF Plan**
- **4244-210 Existing Elevations 1 of 2**
- **4244-211 Existing Elevations 2 of 2**

2 Site Context

- 2.1 This Site extends to some 0.31 hectares within a largely rectangular parcel of land and is situated on the north side of Walnut Hill Road in which the Site can be directly accessed from. This is the Site's only access which is protected by closeable metal gates.
- 2.2 There is a narrow dirt track that leads from the entrance which in turn allows access across the whole of the site and the Applicant's wider land.
- 2.3 A former nursery, this closed in 2022, which coincided with the clearance of land to the north of the Site.
- 2.4 The Site is adjacent to The Conifers Camping and Caravanning Club to the west whilst the rest of the Site is surrounded by agricultural land and woodland.
- 2.5 In terms of access, the Site is a 2-minute walk to the eastern edge of the nearest village of New Barn along Longfield Avenue.
- 2.6 This Site is the subject of the following planning constraints and characteristics:
- Situated in the Metropolitan Green Belt
 - In close proximity to multiple Ancient Woodlands
 - Flood Zone 1 (low possibility of flooding from rivers or the sea)

3 Relevant History

3.1 The following records are understood to be relevant to the Site:

[Retention of portacabin and continue use as office/cloakroom/store room/rest room](#)

Ref. No: 19900708 | Validated: Fri 30 Nov 1990 | Status: Application Permitted

[REVISED APPLICATION Removal of existing portacabins and sheds and erection of replacement building for gardening storage, machinery room, packing room and potting-up room at ground floor, incorporating sheltered walkway and refuse and chemical store, with office accommodation and storage at first floor level.](#)

Ref. No: 19970030 | Validated: Fri 17 Jan 1997 | Status: Application Refused – *The application was refused on the basis that the proposal would be seriously detrimental to the character and amenity of the landscape, and the openness of the Green Belt by virtue of the height, bulk, and scale of the development proposed.*

[Removal of existing portacabins and sheds and erection of a barn to provide equipment/materials storage, propagation area, potting and packing and loading areas at ground floor level and staff facilities, drying room, office and storage at mezzanine floor level and an external fire escape staircase at the side.](#)

Ref. No: 20000600 | Validated: Thu 22 Feb 2001 | Status: Application Permitted on 18 May 2001 subject to the following conditions (in summary):

1. The development to be commenced within 5 years of the decision date;
2. The development to be carried out in full accordance with approved plans;
3. No retail sales to visiting members of the public shall take place from any part of the site or premises;
4. Before commencement of the development brick and tile samples shall be submitted to the LPA for approval;
5. Within 3 months of the completion of the building, the existing buildings and structures shown for demolition/removal on drawing 1/30/01/A shall be demolished/removed in their entirety from the site, with no additional or replacement structures or portable buildings shall be erected or placed on the site without prior permission from the LPA.

Any breaches of these conditions would have been ongoing for longer than 10 years and would now be considered to be immune from enforcement action.

- [Application to determine if prior approval is required for a proposed; conversion of a building to a commercial use Class E, of the Town and Country Planning \(General Permitted Development\) \(England\) Order 2015 \(as amended\) - Schedule 2, Part 3, Class R.](#)

Ref. No: 20240607 | Status: Refused on the following ground:

1. *The application fails to meet the permitted development criteria as set out in Class R of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), particularly with regards to the curtilage definition under condition R.2 (a)(i), and the timing of the application submission under R.3 (1)(b). The proposal would not therefore be permitted development and this application for prior approval is refused.*

Furthermore, if prior approval were to have been required under R.3 (1)(b) it would have been refused, as the use of the site is considered to cause harm with regards to highways, noise and contamination matters, and insufficient information has been submitted to address these impacts.

4 Proposed Development

4.1 The proposed development entails the following:

- The erection of a front porch extension to the existing main brick built building, formerly used as offices in connection with the Site's wider use as a commercial nursery
- The porch would add 10 sqm to the building's overall floor area of 340 sqm (an uplift of 3%)
- To project from the front of the building by 3.1m
- The width of the porch is 3.5m
- To have an eaves height of 3m matching the host building
- A maximum ridge height on the hipped roof of 5.1m
- Fully glazed panels on all sides, including double doors on the front, southern elevation
- Materials to include matching clay tiles, black plastic gutters and downpipes plus black aluminium frames

5 Planning Policy

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Court of Appeal has clarified that for a decision maker this means establishing whether a proposal is in accordance with the development plan as a whole. The question of compliance with one policy should not dictate the outcome of a proposal in the absence of considering compliance with all other relevant policies. Decision makers are therefore tasked with identifying and understanding all relevant policies and material considerations in order to reach a properly informed planning judgment on a proposal, and to avoid an irrational or vulnerable decision that may be subject to criticism in a public law challenge.
- 5.2 Paragraph 2 of the National Planning Policy Framework ('the Framework') reiterates what is said in Section 38(6), whilst paragraph 12 of the Framework is clear that the development plan is the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
- 5.3 Paragraph 38 of the Framework encourages local planning authorities to approach decisions on proposed development in a positive and creative way. It also encourages working proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area, adding that decision-makers should seek to approve applications for sustainable development where possible.
- 5.4 Annex 1 of the Framework confirms that for the purposes of decision-taking, the policies in the plan should not be considered out-of-date simply because they were adopted prior to the publication of the Framework. It adds that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, with greater weight being given to those policies that are closer to the policies in the Framework.

Development Plan

- 5.5 It is understood that the Development Plan for the area within which the Site is located comprises the following documents:

- **Gravesham Local Plan Core Strategy (2014) (CS)**
- **Gravesham Local Plan: First Review (1994) (LPR)**

5.6 In the CS, the following policies are considered most relevant in the determination of this application:

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS07 – Economy, Employment and Skills
- CS19 – Development and Design Principles

5.7 It is considered that there are no policies within the LPR that are relevant to this application.

Other Material Considerations

The Framework

5.8 In summary, the following paragraphs are considered most relevant as additional material considerations in the determination of this application:

- 85: decisions should allow business to invest, expand and adapt
- 87: decisions to recognise and address the specific locational requirements of different sectors
- 88: decisions to support businesses in rural areas
- 123: decisions should promote an effective use of land in meeting the need for homes and other uses
- 124: decisions should promote and support the development of under-utilised land and buildings
- 126: decisions need to reflect changes in the demand for land
- 135 and 139: decisions should ensure good design
- 154 (c): the extension of a building in the Green Belt

5.9 Other material considerations include:

- Gravesham Landscape Character Assessment (adopted 2009).

6 Planning Assessment

Key Issues

6.1 The following are considered to be the key issues in the assessment of this application:

1. Development in the Green Belt
2. Character and appearance

1. Development in the Green Belt

6.2 The subject application is limited to a modest single storey front extension to the existing building. As such, paragraph 154(c) of the Framework is relevant. This states that the extension of a building is not inappropriate in the Green Belt so long as the works do not include any disproportionate additions over and above the size of the original building.

6.3 In this particular case, adding just 3% to the overall floor area to the building, it is considered that such an extension easily falls within the intended meaning of 'proportionate' and will be viewed comfortably within the context of the main host building. It is understood that the host building has not been the subject of any previous extensions. The planning history is supportive of this position. Even so, it is commonly accepted that extensions adding up to around 30% are generally considered acceptable under exception 154(c).

6.4 The proposed porch is therefore considered to fall within exception 154(c) of the Framework in regards to development in the Green Belt. It is therefore said that the proposed development constitutes appropriate development in the Green Belt.

2. Character and Appearance

6.5 The front porch has resulted in a more modern and obvious entrance to the main building. However, it is considered that this has not been to the detriment of the character or appearance of the area. The porch, as a single storey structure sits in the shadow of the host building as that has a maximum ridge of over 7m. Its width is just 11% of the total width of the host building. The building is also well screened from the highway with mature planting in place along the southern boundary of the Site. The use of matching materials also assists in assimilating the front porch into the design of the host structure.

- 6.6 As such, it is considered that front porch is acceptable and that the Applicant believes that compliance with design policies in both the development plan and the Framework has been demonstrated.

7 Conclusions

- 7.1 In consideration of all relevant development plan policies and material considerations, this application should be viewed positively by the authority, and it is respectfully requested that this submission is approved.