



SUPPORTING PLANNING STATEMENT

Oakleigh Farm, Buckland Road, Highham, Kent, ME3 7HY

January 2024

SUPPORTING PLANNING STATEMENT

In support of a full planning application for
The change of use of an agricultural building to light industrial under Class E(g)

at

Oakleigh Farm, Buckland Road, Higham, Kent, ME3 7HY

On behalf of

James Worley

ISSUE DATE / REVISION	COPY REVIEWED BY	DATE COPY HAS BEEN REVIEWED
Supporting Planning Statement	GM	22/01/24
	SCS	24/01/24

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1. Introduction

- 1.1. This statement has been prepared on behalf of James Worley in support of a full planning application for the change of use of an agricultural building to a light industrial use under use Class E(g) at Oakleigh Farm, Buckland Road, Higham, Kent, ME3 7HY.
- 1.2. This statement considers the proposal in relation to the context of the site, relevant local and national planning policies and requirements and all other materials planning considerations.

Supporting documents

- 1.3. This statement should be read in conjunction with the following supporting plans and documents submitted as part of this application:
 - P.3207.010.A Site Location Plan
 - P.3207.020.A Existing Block Plan
 - P.3207.030.A Proposed Site Plan

2. Site Context

- 2.1. As defined on the Gravesham Borough Council Local Plan Policy Map this site is within the open countryside and outside any defined settlement boundaries. The site is within the Green Belt and located approximately 0.5 miles to the east of Higham Church Street and 0.6 miles north west of Cliffe Woods.
- 2.2. The application site is situated within the wider Oakleigh Farm holding as shown in Figure 1 below. The wider holding is largely agricultural in nature with the farm primarily associated with the production of a variety of vegetables, hay and the growing of trees for timber products. The holding also includes a mix of other uses, including a stable building, two scaffolders yards and a builder's yard.



Figure 1 – Extract from Google Earth showing the location of the site within Oakleigh Farm

- 2.3. Two public footpaths (NS71 & NS141) run alongside the wider holding to the south and east, at their closest point the footpaths are 140 metres from the application site. The site is also within Flood Zone 1 but is not subject to any other designations.

- 2.4. The application site consists of a building which has historically been under a agricultural use. However, In February 2016 the building was occupied by Hire Heat Ltd and has thereafter been used in association with their boiler business.
- 2.5. However, the use of the building has since been subject to an enforcement investigation and following this, the client has required Hire Heat Ltd to vacate the premise in the interest of working with the council to regularise the matter. The building will be vacated in February 2024. Full details of the previous use of the building are outlined in Section 4 of this statement.
- 2.6. This application is made to formally change the use of the building with a view to enable the client to allow a future tenant to use the building for light industrial purposes to allow for the continued diversification of Oakleigh Farm.

3. Relevant Planning History

- 3.1. There is no associated planning history for the application building, however historically, the building's use was agricultural in nature, being part of the wider agricultural enterprise of Oakleigh Farm. Historic imagery from Google Earth demonstrates the building has been in situ for more than 60 years as shown below.

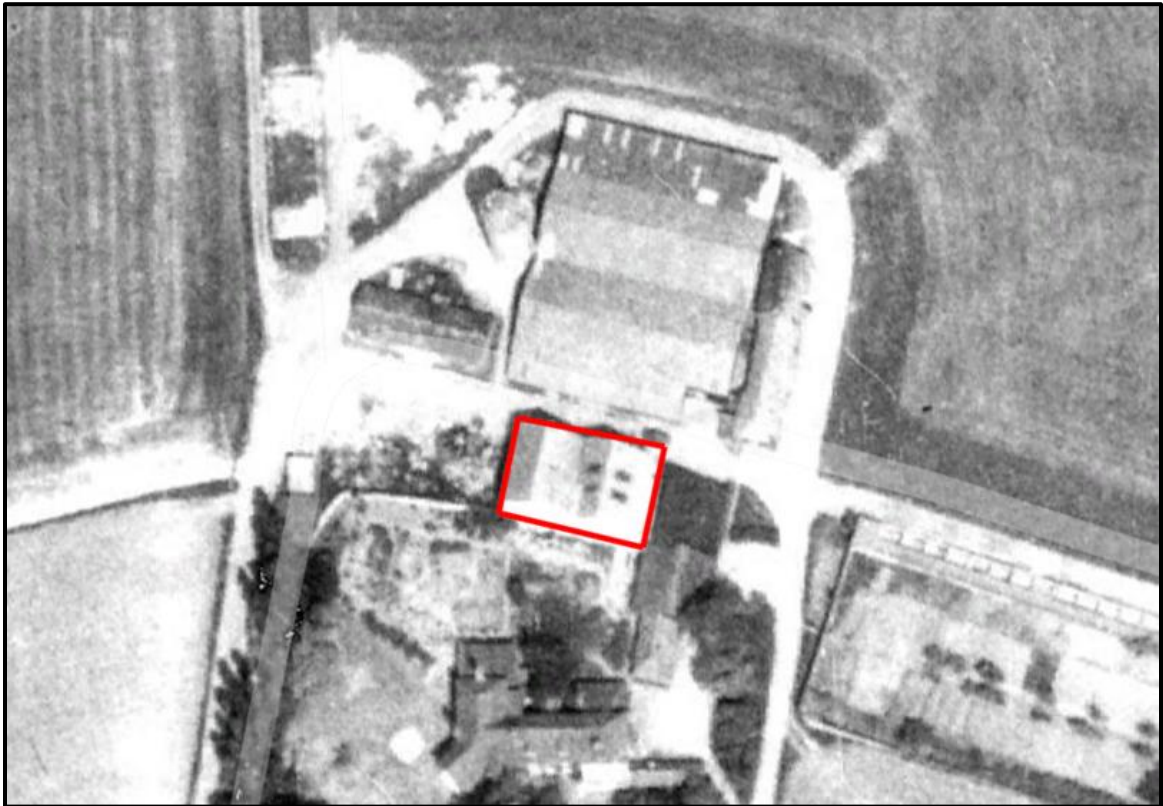


Figure 2 – Google Earth Imagery of the site, 1960.

Relevant planning applications

- 3.2. Following a review of the planning history of the wider holding, it is noted that there have been various relevant planning applications at Oakleigh Farm. The most relevant of which are detailed overleaf.

Lawful Development Certificate application reference 20230681

- 3.3. A Lawful Development Certificate (Existing) application was refused in October 2023 under reference 20230681 for the use of two Areas (A & B) as Storage and Distribution Areas (B8). Although the application was refused, the Officer recognised that *“the Council have no evidence to dispute that there are two areas at Oakleigh Farm which are used as builders’ yard (B8) and a Scaffolders yard (B8) ... It is clear from the photos above there has been some kind of commercial activity on both sites since at least 2013.”*
- 3.4. Therefore, it is considered the Council have recognised the builder’s yard and Scaffolders yard are lawful. The Council refused the application on the basis that the site area on the block plan, which outlined the total extent of land subject to the application, included an area which the Council perceived from the available evidence did not appear to have been in use for 10 years.

Other applications on the site

Planning Applications (14)

- Demolition of existing extensions on the east elevation and erection of two storey replacement extensions to form playroom and dining room at ground floor level with bedroom, dressing room, two ensuite bathroom/wc’s, shower room/wc and store at first floor level.
Ref. No: 20080354 | Status: Application Refused
- Retention of two buildings each providing 4 stables with five ancillary buildings comprising tackroom, tea room, two haystores and storage building; continued use of building as stables, together with ancillary buildings and continued use of horse exercise area and non-agricultural area as sandschools.
Ref. No: 20080366 | Status: Application Permitted
- Application for Lawful Development Certificate for the existing use of mobile home and lean-to attachment as a permanent residential dwelling.
Ref. No: 20080373 | Status: Certificate Granted
- Continued use of the land for a parking area for a caravan, motor home and horse boxes for a temporary period.
Ref. No: 20080858 | Status: Application Permitted
- Retention of the replacement building providing four stables with ancillary temporary storage and mobile tearoom.
Ref. No: 20080859 | Status: Application Permitted
- Application for Lawful Development Certificate for the existing fenced storage compound with secure storage bins for the storage of construction equipment.
Ref. No: 20080983 | Status: Certificate Granted
- Continued stationing of eight seasonal workers’ caravans on a permanent basis.
Ref. No: 20081028 | Status: Application Permitted
- Erection of two stable buildings comprising a total of nine loose boxes.
Ref. No: 20090529 | Status: Application Permitted
- Application for approval of conditions 4 and 5 of planning permission reference number 20090529 relating to the external facing materials and handstanding and the storage and disposal of stable waste.
Ref. No: 20090865 | Status: Approval of details
- Application for the approval of the siting, design and external appearance of extension on the west elevation of barn ‘B’.
Ref. No: 20020533 | Status: Application Permitted
- Erection of an extensions on east and west elevations of barn ‘A’ to store hay & straw.
Ref. No: 20020532 | Status: Application Permitted
- Application for determination as to whether prior approval is required for the erection of extensions to the east and west elevations of an existing agricultural building in the ‘end of the road field’ and an extension to the west elevation of barn in the ‘stable field’ to provide additional storage accommodation for hay.
Ref. No: 20020219 | Status: Agricul - Prior Approval is required
- Outline application for erection of farm manager’s dwelling with farm office and detached garage.
Ref. No: 19990847 | Status: Application Refused
- Erection of 4 no. multi span polytunnels.
Ref. No: 19980583 | Status: Application Permitted

Figure 3 - Extract of applications submitted at Oakleigh Farms.

Other relevant applications

- 3.5. Planning Officers have previously recognised the opportunity that the reuse of agricultural buildings in countryside locations can offer in providing commercial opportunities for rural businesses, with decisions in the borough affirming this point. Some of these decisions are detailed below.

Planning application number 20181280 – Cheney’s Farm Barn, Thong Lane.

- 3.6. Planning permission was granted under reference 20181280 on the 12th February 2019 for the change of use of an agricultural building and land to a B8 storage and distribution use at Cheney’s Farm Barn. The site was located in the Green Belt, as is the case with the current application site.
- 3.7. While the application differs slightly to the scheme under consideration, as it sought to regularise the change of use of an agricultural building to a storage and distribution use over the light industrial use currently sought, both uses are those that are generally considered acceptable in residential areas with the application building at Cheney’s Farm being within 7 metres of the nearest residential building known as ‘The Barn’ as shown below.

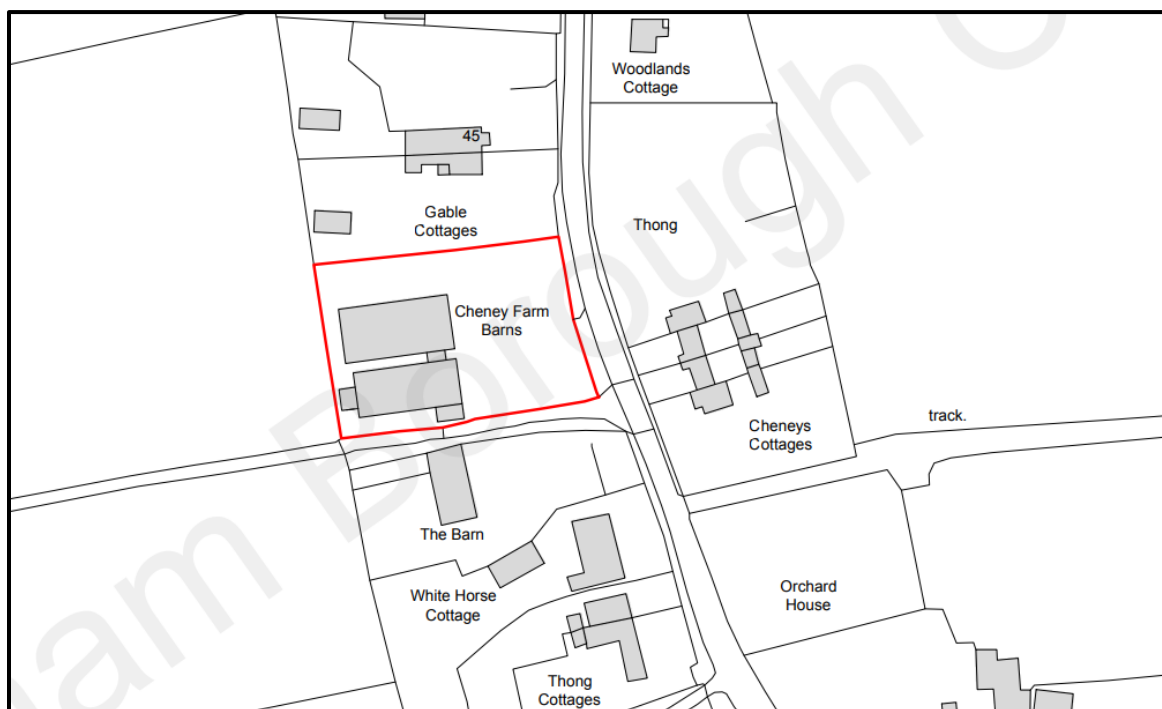


Figure 4 – Extract from the location plan under reference 20181280

- 3.8. Furthermore, both uses can be achieved through utilising permitted development rights under the provision Class R of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as outlined later in this statement.
- 3.9. It is noted within the delegated report, the Officer concluded the change of use of the building at Cheney's Farm *"would not have a significant impact on the appearance of the street scene, Green Belt or Conservation area"* likely due to the use being confined inside the buildings. Furthermore, in terms of neighboring amenity the Officer recognised;
- "The applicant has stated that any potential noise impact from the change of use would fall under normal business hours. Whilst the previous use as agricultural buildings did not have any planning conditions relating to operational hours, it is noted that increased activity on the site may give rise to more noise and therefore a condition to control hours of operation is recommended."*
- 3.10. A condition was then attached to the decision notice that limited the site hours to 07:00 – 19:00 Monday to Saturday.
- 3.11. The application demonstrates the Council have previously recognised the principle of changing the use of agricultural buildings to commercial uses and the benefits it can provide in enabling employment floor space.

Prior notification under reference 20181303 – Queens Farm, Queens Farm Road

- 3.12. Prior approval was granted on the 19th February 2019 under the provision of Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use of an agricultural building to a B1 business use (now under Class (e)) at Queens Farm, Queens Farm Road, Shorne, Gravesend. The site lies approximately 3.2 kilometers to the west of the current application site.
- 3.13. The application building was located close to existing dwelling to the east as shown in the submitted site location plan, an extract of which is shown in Figure 5 overleaf.

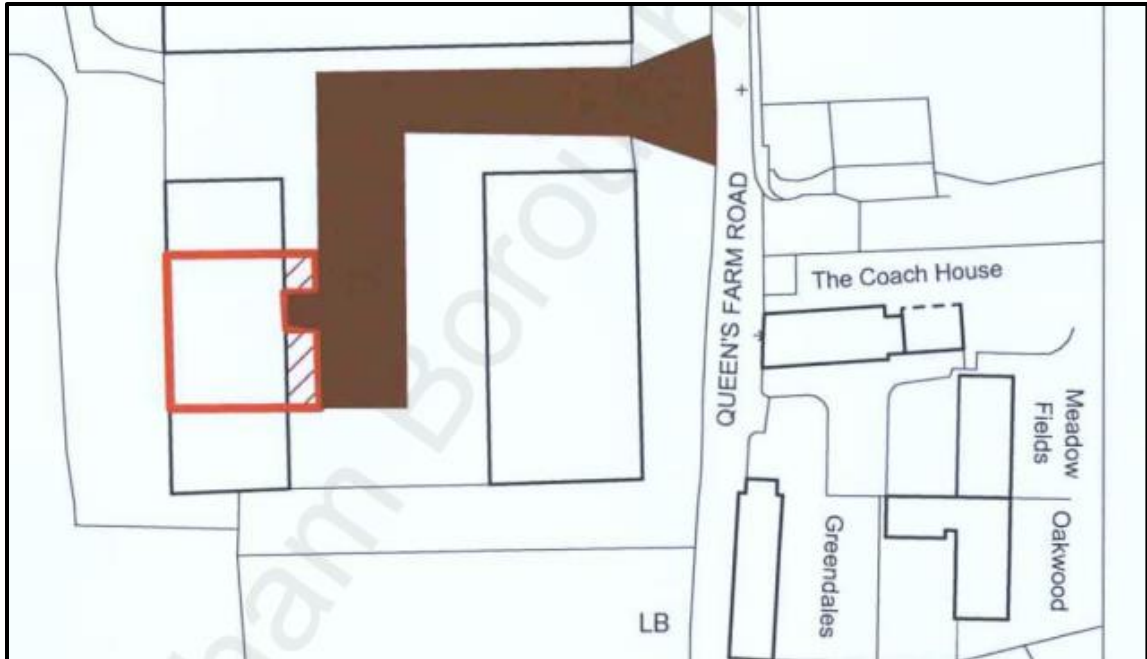


Figure 5 – Extract of location plan submitted under reference 20181303.

- 3.14. It is considered the above application demonstrates the principle of changing the use of agricultural buildings to commercial uses in an area with nearby dwellings. It is further noted hours of use of the building were conditions for Monday – Friday 8am – 6pm to limit the potential for adverse impacts for noise.

4. Design & Access Statement

- 4.1. This application seeks full planning permission for the change of use of an agricultural building to a light industrial use, under use class E(g).

Use

- 4.2. As previously outlined, the building historically was under an agricultural use associated with the wider agricultural holding at Oakleigh Farm. However, since February 2016 Hire Heat Ltd have used the building in association with their boiler business, primarily for the maintenance and repair of boilers. The operations on the site are confined between the hours of 08:00 – 17:00 Monday – Friday, as confirmed by the applicant. However, as outlined, the tenant will be leaving the building in February 2024 and thus it is anticipated by the time of this applications consideration by the council, the building will no longer be occupied.
- 4.3. Hire heat Ltd are a company which specialize in the supply and installation of rental boilers. The application building that was in use by Hire Heat Ltd has two floors with the ground floor and a section of the first floor used for the maintenance and repair of the boilers. The first floor also included a small office which was used in association with the operations of the business. The use of the building was considered to fall within Class E(g), being that which falls under light industrial processes and an office used to carry out operational or administrative functions. The Company is registered on Companies House and can be found under number 11822604.
- 4.4. In determining the use of the application building, The Town and Country Planning (use Classes) (amendment) (England) Regulations 2020 is a key consideration. Article 2 of the Use Classes Order (UCO) defines an 'industrial process' as a process for or incidental to any of the following purposes;

“a) the making of any article or part of any article (including a ship or vessel, or a film, video or sound recording);

(b) the altering, repairing, maintaining, ornamenting, finishing, cleaning, washing, packing, canning, adapting for sale, breaking up or demolition of any article; or

(c) the getting, dressing or treatment of minerals; in the course of any trade or business other than agriculture, and other than a use carried out in or adjacent to a mine or quarry.”

- 4.5. For the purposes of this application, it is clear from Article 2 of the UCO that the maintaining and repairing of boilers would fall under an ‘industrial process’. The UCO further identifies two distinct classes for industrial uses, the first being Class E(g) under Schedule 2 of the UCO of any industrial process which “*can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit*” and Class B2 General Industrial, a use for the carrying out of an industrial process other than one falling within the uses described in Schedule 2, Class E sub-paragraph (g).
- 4.6. In consideration of these two use classes, it is submitted that the buildings use by Hire Heat Ltd would have fallen under a light industrial use as defined in Schedule 2, Class E sub-paragraph g. The process of maintaining and repairing boilers did not use any machinery that would result in any smell, fumes, smoke, soot, ash, or grit. While some tools such as a welder were used on site, due to the small-scale nature of the works this did not result in an excessive amount of noise, vibration or any substantial amount of dust.
- 4.7. As a result, it is submitted the prior use of the building is that which would fall under a light industrial use under Class E(g) of the UCO. This application seeks to formally change the use of the building to enable a future tenant to utilise the building for these purposes.

Scale and amount

- 4.8. The site is solely contained within the confines of the application building. There are no proposed changes to the extent of the existing building; this application only seeks to regularise the change of use of the building.

Design and Layout

- 4.9. The application building has been in situ for over 60 years. In design terms, the building comprises white painted brick on its elevations with metal cladding for the roof. No changes occurred to the exterior of the building following its change of use in February 2016 and no other changes to the building are proposed within this application.

- 4.10. As previously outlined, the building was used for the maintenance and repair of boilers by Hire Heat Ltd. The top floor included a small office used in association with the business. Some images of the inside showing the prior use of the building are shown below in Figures 6 – 7 overleaf.



Figure 6 - Image of the Office on the top floor (2023).



Figure 7 – images of the workshop areas.

Landscaping

- 4.11. The building is existing and no trees or vegetation will be removed as a result of the proposal.

- 4.12. Given the buildings location, external views of the building from the wider countryside are obscured by other buildings at Oakleigh Farm and existing hedgerow and trees. As the proposal seeks to change the use of the building and does not seek any exterior changes, it will not result in any adverse impacts to the surrounding countryside. As a result, no further landscaping is proposed as part of this application.

Access and parking

- 4.13. The building benefits from an existing access via a private hardstanding that's runs from the site west and then south to the main highway of Buckland Road. There are no proposed changes to this.
- 4.14. There is ample parking within the site to accommodate parking for multiple vehicles. Due to the small scale of the building it is anticipated that any vehicle movements to and from the site would be limited.

5. Planning Policy

- 5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “*a determination must be made in accordance with the plan unless material considerations indicate otherwise*”.
- 5.2. For the purpose of this planning application, the Development Plan comprises the Gravesham Local Plan Core Strategy 2011 – 2028, which was formally adopted in September 2014.
- 5.3. In addition to the development plan the National Planning Policy Framework (NPPF) was updated in September 2023. The NPPF sets out the Government’s requirements and policies for planning in England and must be taken into account as a material planning consideration. Of particular importance is Annex 1 of the NPPF, which sets out the weight to be afforded to existing development plan policies. Paragraph 219 states that “*existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)*”.
- 5.4. This section of the statement highlights the relevant parts of the NPPF and Council’s development plan in respect of this application, along with the weight that should be afforded to the existing adopted policies.

National Planning Policy Framework

- 5.5. The National Planning Policy Framework (the ‘NPPF’) sets out the Government’s requirements and policies for planning in England and must be taken into account as a material planning consideration in the determination of any planning application, as detailed within paragraph 2.
- 5.6. The core national objective for the planning system is to achieve sustainable development, with the foundation of the NPPF being the presumption that sustainable development should go ahead without delay.

5.7. In all respects, the NPPF seeks to maximise opportunities for the supply of housing in appropriate locations, that can contribute towards housing supply, along with maintaining and enhancing the vitality of existing communities. The key objective of sustainable development is expressed within paragraph 7 to be “...meeting the needs of the present without compromising the ability of future generations to meet their own needs”.

- **“an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places;
- **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and
- **an environmental objective** – to protect and enhance our natural, built and historic environment, including making effective use of land.”

5.8. Paragraph 10 advises that “at the heart of the Framework is a presumption in favour of sustainable development”, with Paragraph 11(b) reiterating that for plan-making this means that “strategic policies should, as a minimum, provide for objectively assessed needs for housing and other land uses, as well as any needs that cannot be met within neighbouring areas”, and with Paragraph 11 (c) and (d) stating that for decision-taking this means:

“c) Approving development proposals that accord with the development plan without delay; or

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

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

ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework when taken as a whole.”

- 5.9. The Gravesham Local Plan Core Strategy was adopted in 2014, and so the policies within the plan are considered to be broadly up to date.
- 5.10. The NPPF requires Local Planning Authority's to approach decision-taking in a positive way, encouraging decision-takers to approve applications for sustainable development where possible (paragraph 38).
- 5.11. Section 15 of the NPPF requires that the natural environment is conserved and enhanced. The proposal seeks to change the use of a building with no exterior changes sought. As the use of the building would be undertaken solely within the building, it is considered the proposal will conserve the natural environment.
- 5.12. Paragraph 84 of the NPPF confirms that planning policies and decision should enable the sustainable growth and expansion of all types of businesses in rural areas, both through the conversion of existing buildings and well-design new buildings as well as the development and diversification of agricultural and other land-based rural businesses.
- 5.13. Paragraph 85 further states planning decisions should *"recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable.... The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist."*
- 5.14. The proposal seeks the re-use of a former agricultural building which would enable the future operation of a rural based business within the building. The previous tenant provided additional income to Oakleigh Farm. The ability to lawfully rent out the space will ensure a future business can assist in the diversification and continued operation of Oakleigh Farm as an agricultural holding. The impact on local roads would be minimal due to the small-scale of the application site.

- 5.15. Section 13 of the NPPF confirms that the Government attached great importance to Green Belts. Paragraph 138 of the NPPF clearly defines what the Green Belts purpose is, which is to, among other reasons, prevent unrestricted urban sprawl, the merging of neighbouring towns and to safeguard the countryside from encroachment. While Local Planning Authorities should regard the construction of new buildings as inappropriate within the Green Belt, paragraph 150 of the NPPF clarifies that certain forms of development are not inappropriate provided they preserve the openness of the Green Belt. The most relevant exception to this proposal is Paragraph 150 part D) permits *“the re-use of buildings provided that the buildings are of permanent and substantial construction.”*
- 5.16. This application seeks the change of use of an existing building which is of a permanent and substantial construction. The proposal does not seek to increase the buildings footprint and therefore is in accordance with the provision of Section 13 of the NPPF.
- 5.17. The NPPF identifies that good design is a key aspect to sustainable development (paragraph 126), with Paragraph 130 detailing that planning policies and decisions should ensure developments:
- a) “Will function well and add to the overall quality of the area;*
 - b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting;*
 - d) Establish or maintain a strong sense of place;*
 - e) Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and*
 - f) Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future.”*

- 5.18. The change of use of the building does not propose any alteration to the exterior design of the buildings which are already present and integrated into the area. Furthermore, adjacent buildings and the existing tree line between the application site and public areas screen the site and ensure the change of use will not impact on the local character.
- 5.19. Paragraph 111 of the NPPF advises that development will not be permitted where the localised residual impacts from the development on its own, or in combination with other planned developments, will result in severe impact on road traffic, road safety or excessive pressure for on-street parking.
- 5.20. The proposed use of the building under a light industrial use class E (g) would not result in any material increase in vehicle movements due to the buildings small-scale.
- 5.21. Overall, it is submitted that the proposal constitutes a sustainable development, having regard for the policies within the NPPF when taken as a whole.

The Development Plan

- 5.22. The Gravesham Core Strategy (2014) sets out the Council's vision to guide the future pattern and form of development over the plan period until 2028.
- 5.23. Policy CS01 states when considering proposals, the council will take a positive approach to the presumption in favour of sustainable development and will grant permission to proposal that accord with the development plan policies unless any adverse impacts would significantly outweigh the benefits.
- 5.24. Paragraph 4.1.7 continues on from this stating 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 this Core Strategy. It will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area."*
- 5.25. Under supporting paragraph 5.1.1 of Policy CS07, the Local Plan notes that Gravesham has one of the smallest local economies in Kent and suffers from a significant number of people travelling outside the Borough for employment.

- 5.26. In paragraph 5.1.5 the Council recognises that jobs can be delivered from a range of sectors. One of the council's areas of focus is to ensure that sufficient provision is made for B Class employment (now Classes B & E of the UCO) which includes light industrial uses.
- 5.27. Core strategy Policy CS07 Economy, Employment and skills outlines the Council's ambition to secure the delivery of new employment floor space over the plan period. In considering development proposals, particular support will be given to schemes incorporating small and flexible industrial and/or office workspaces of high quality intended to support the start-up and expansion of small and medium sized enterprises. The Council will support proposals that promote the appropriate expansions and diversification of the rural area economy. Support will be given the conversion of rural buildings to employment use which is compatible with national policies for protecting the green belt.
- 5.28. Policy CS12 Green Infrastructure of the Local Plan Core Strategy states that the overall landscape character and valued landscapes within the Borough will be conserved, restored and enhanced and that proposals will take account of the Gravesham Landscape Character Assessment.
- 5.29. Policy CS19 outlines that new development must conserve and enhance the character of the local and natural environment, integrating well with the surrounding area. New development will safeguard the amenity, including privacy, daylight and sunlight of neighboring properties.

6. Analysis

- 6.1. As already detailed, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that *“a determination must be made in accordance with the plan unless material considerations indicate otherwise.”*

Principle of the development

- 6.2. Policy CS07 confirms that the Council seeks to support schemes incorporating small and flexible industrial and/or office workspaces of high quality intended to support the start-up and expansion of small and medium sized enterprises.
- 6.3. The proposal seeks the change of use of a building for light industrial purposes which would enable a business to occupy the building allowing the future operation of a rural based business in this location. As a result, it is considered the proposal is supported by local policy and will ensure a small business can operate within Gravesham.
- 6.4. As outlined, supporting paragraph 5.1.1 of Policy CS07 notes that a significant number of people travel outside the borough for employment. Paragraph 5.1.5 outlines the Council’s ambition to deliver jobs in a range of sectors including those falling under a light industrial use.
- 6.5. It is submitted that the previous occupier of the building actively contributed to the Borough’s employment numbers. The previous tenant had employed 11 members of staff (3 on-site) and this demonstrates there is demand for employment space and the facilities offered at Oakleigh Farm.
- 6.6. It is therefore considered the proposed use of the building helps to meet the council’s ambitions as set out in supporting paragraphs 5.1.1 & 5.1.5 and the proposed use of the building can assist in providing employment space within the borough.
- 6.7. Therefore, the proposal is in compliance with the aims of policy CS07 of the Gravesham Core Strategy and paragraph 84 of the NPPF.

- 6.8. Furthermore, it is considered relevant to note the provision of Class R of Schedule 2, Part 3 of the Town and Country planning (General Permitted Development) (England) order 2015 (as amended), which permit the change of use of a building and any land within its curtilage from a use as an agricultural building to a flexible use falling including those falling under Class E (commercial, business or service) of the UCO.
- 6.9. As outlined in section 2 of this statement, the building previously fell under an agricultural use in conjunction with the wider agricultural holding of Oakleigh Farms until February 2016, when the building changed use following Hire Heat Ltds occupation of the building.
- 6.10. The provision of a change of use through Class R is subject to the requirement that a prior approval application has been permitted in advance of a change to a commercial use. In this case, the change of use of the building took place before a prior approval application was submitted to the council. Therefore, the existing building could have changed to a light industrial use under this permitted development right, subject to whether prior approval would be required for transport & highways impacts, noise impacts, contamination risk & flooding.
- 6.11. In consideration of the above, it is submitted that the existing building could have benefited from a change of use to light industrial by virtue of the provision of Class R of Schedule 2, Part 3 of the GDPO. As the application building had previously changed use (although this will now cease by the time this application is under assessment) the building can no longer benefit from this permitted development right. However, it is considered this is a key material consideration for the current application and confirms the Government has indicated that the principle of the change of use of this type of site to its proposed use is acceptable.

Character and appearance

- 6.12. Policy CS12 that the overall landscape character and valued landscapes within the Borough will be conserved. Policy CS19 requires development proposals to protect the local and nature environment.

- 6.13. As already detailed, the proposal only seeks the change of use of the existing building and does not propose any alterations to the exterior of the building. Any future operations would only occur within the building and as a result, the proposal will not result in any adverse impacts to the character and appearance of the surrounding area or landscape and is considered to meet the requirements of Policy CS12 & CS19 of the Gravesham Core Strategy.
- 6.14. In order to ensure the proposals will preserve the character of the area, it is considered a condition could be applied to ensure all future business operations are kept inside the building and that no open storage shall be kept outside the buildings.

Sustainable development

- 6.15. As outlined, paragraph 8 of the NPPF defines sustainable development as having three core objectives, being economic, social and environmental.

***“a) An economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

***b) A social objective** – to support strong, vibrant and healthy communities, by [...] fostering a well-designed, beautiful and safe places with accessible services and open space that reflect current and future needs and support communities health, social and cultural well-being; and*

***c) An environmental objective** – to protect and enhance our natural, built and historic environment, including making effective use of land, improving biodiversity, using natural resource prudently, minimizing waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”*

- 6.16. In terms of the economic dimensions, the prior use of the site has provided benefits by providing employment opportunities to local residents, ensuring a positive contribution to the local economy. The previous use of the building had also provided additional income to Oakleigh Farm, supporting the diversification of the agricultural holding in line with paragraph 84 of the NPPF. Therefore, the proposal would enable the continued diversification of Oakleigh Farm and ensure the building can actively contribute to the economy of Gravesham.
- 6.17. With regard to the social dimensions, the proposed use of the site would provide benefits in the form of employment floor-space and so in its own right would make a valuable contribution to local employment opportunities.
- 6.18. Furthermore, the proposed use of the building by a small business would in its existence / operation provide a service to both rural communities and other communities in Gravesham which assists in providing for the social needs of the local community.
- 6.19. In regard to environmental impacts, as previously stated, the proposal only seeks the change of use of the building and does not seek any alterations to the current building.
- 6.20. It is therefore considered that the proposal meets the three objectives of sustainable development.

7. Other material considerations

7.1. It is presented that the proposal fully accords with all of the provisions of the NPPF and local planning policy and guidance, in relation to other material considerations for this application, as detailed below:

- Amenity & Noise
- Highway safety & parking;
- Landscaping
- Flood Risk, and
- Contamination

Amenity & Noise

- 7.2. Policy CS19 amongst other considerations requires development to safeguard the amenity of neighboring properties.
- 7.3. The application buildings is located some 12 metres away from the closest neighboring property to the south west of the site. As the proposed use would be confined within the building with a large boundary hedgerow between the application building and nearest dwelling there are no concerns in respect to loss of daylight or privacy.
- 7.4. As outlined earlier in this statement, the proposed light industrial use is that which can be undertaken in a residential area without adverse impacts to amenity. While the application is not within a residential area there is one dwelling approximately 12 meters away from the application building. However, due to the separation distance and the limited extent of the works undertaken there is not considered to be any adverse noise as a result of the works.
- 7.5. Furthermore, as outlined the previous use of the application building limited the operations between the hours of 08:00 – 17:00 Monday – Saturday. Any potential noise impact as a result of a use at these hours would therefore fall under normal business hours which would mitigate against any potential adverse noise impact.

- 7.6. If required, the Council could control the hours of operation of any future business through a suitably worded condition. It is noted this was considered an acceptable proposition for a similar application in the borough under reference 20181280, as outlined in Section 2 of this statement.

Highways safety and parking

- 7.7. Paragraph 111 of the NPPF advises that development will not be permitted where the localised residual impacts from the development on its own or in combination with other planned developments, will result in severe impact on road traffic, road safety or excessive pressure for on-street parking.
- 7.8. Access to the site is also currently utilised by other commercial businesses including those associated with the existing Scaffolder's yard, builders' yard and the agricultural operations at Oakleigh Farm and as a result, it is not considered that the proposed light industrial use of a small building would result in any material increase in vehicle movements.
- 7.9. The site also provides good access, with clear visibility splays coming off the main highway of Bucklands Road.
- 7.10. Therefore, the proposal is not considered to have any adverse impact on highways safety, in accordance with Paragraph 111 of the NPPF.

Landscaping

- 7.11. The proposed use is confined within an existing building. No trees or vegetation have been removed as a result of the prior use of the building.
- 7.12. Given the proposed use is confined within the existing building there is not considered to be any adverse impacts to the wider landscape. As a result, no further landscape planting is proposed.

Flood risk

- 7.13. The Environment Agency's Flood Map for Planning shows the application site is within Flood Zone 1 and as a result, has a low probability of flooding from rivers and seas. Therefore, the application will not require a flood risk assessment.

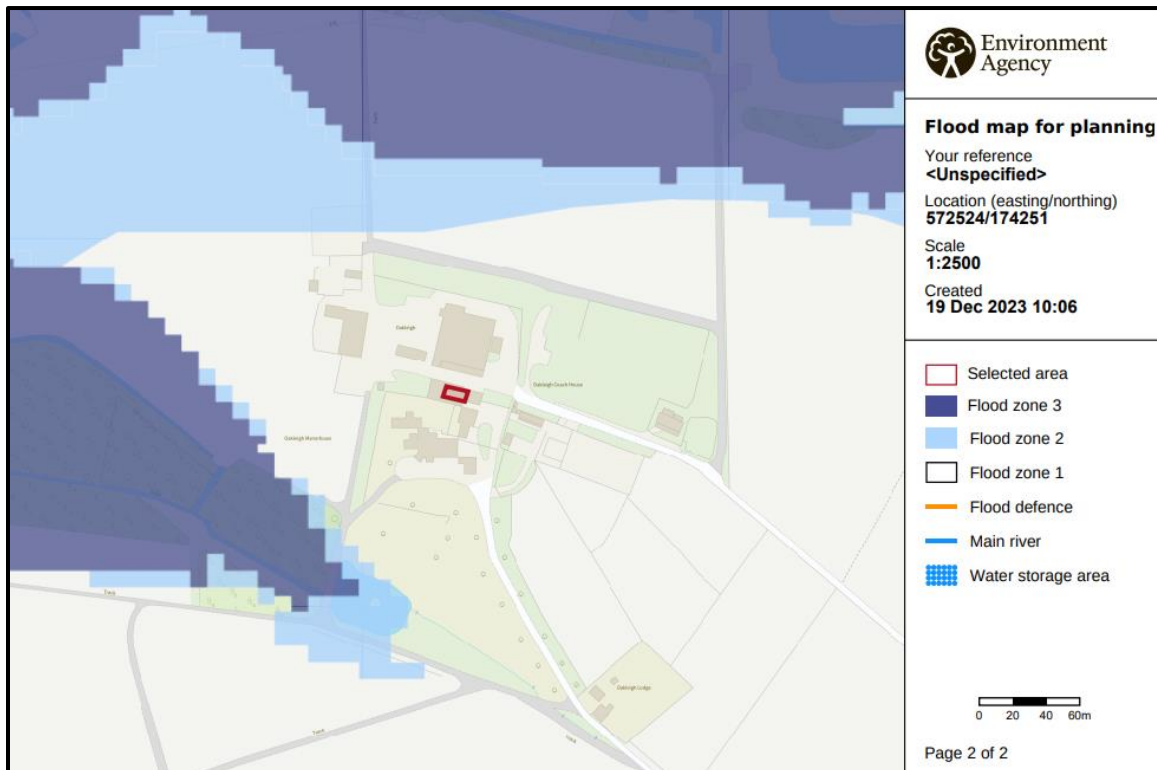


Figure 8 – Flood risk level from river and seas, courtesy of the Environment Agency.

Contamination

- 7.14. Paragraph 183 of the NPPF advises that planning policies and decisions should ensure that “a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities...”.
- 7.15. Paragraph 184 of the NPPF is clear that where a site is affected by contamination issues the responsibility for securing a safe development rests with the developer and/or landowner.
- 7.16. There are no known contamination issues at the site. As outlined, the existing building has previously been used in association with agriculture. However, no animals were ever kept inside the building. The proposed use is also deemed to not create any contamination risk.

8. Conclusion

- 8.1. In summary, this application seeks the change of use of an agricultural building to a light industrial use, a use which has previously been undertaken at the site for over 7 years. The proposal would enable the operation of a small business in a rural area, which supports the Council's ambition to support rural businesses in accordance with paragraph 84 of the NPPF and the Gravesham Core Strategy.
- 8.2. Given the developments small scale and the proposed operations being confined within the application building it is not considered to result in any adverse impacts to the local landscape, local amenity, the Green Belt, or the local highways network and it is submitted it would constitute sustainable development.
- 8.3. The provision of Class R of Schedule 2, Part 3 of the GDPO is a material consideration in consideration of this application and confirms the Government has indicated that the principle of the change of use of this type of building to its proposed use is acceptable.
- 8.4. As there are not any material considerations which indicate that this application should be considered otherwise, we would respectfully request that this proposal is approved without delay in accordance with paragraph 14 of the NPPF.