



**OUR REF: PR3722/SC**

# **PLANNING, DESIGN & ACCESS STATEMENT**

**WARREN FARM SWILLERS LANE SHORNE DA12 3ED**

**PROPOSED REPLACEMENT BARN**

## **1. INTRODUCTION**

- 1.1** This statement is prepared in support of a planning application submitted on behalf of Mr K Gozzett seeking permission for the following development:

*Demolition of existing barn and erection of a replacement barn.*

The development is proposed for land at Warren Farm Swillers Lane Shorne DA12 3ED.

## **2. SITE CONTEXT**

- 2.1** Warren Farm is located approximately 160m east of the junction of Swillers Lane and Tanyard Hill/The Street. The application site is located to the east of the developed area of Shorne Village that is inset from the Green Belt. The farm itself is within the Green Belt and also part of a larger Local Wildlife Site.
- 2.2** The land within the farm rises towards the north from Swillers Lane to a point approximately 86m AOD. Swillers Lane falls gently eastwards towards the A226 Gravesend Road. The southern boundary of the application site is marked by a steep wooded embankment along Swillers Lane. At the eastern boundary of the applicant's land, Swillers Lane become Public Footpath NS159 connecting to Gravesend Road just west of Higham. The land's eastern boundary adjoins Public Footpath NS156, which connects Shorne Ridgeway northwards to the A226 Gravesend Road east of the Shorne Crossroads.
- 2.3** Within the farm itself, the land north of the steep embankment along Swillers Lane is in the form of a relatively level plateau between approximately 60 and 65m AOD. The Warren Farm holding extends to approximately 6.3ha overall. The applicant has a small flock of five llamas and a larger flock of around 25 sheep on the land. Some of the farm is rented out for horse grazing.

## **3. PROPOSALS**

- 3.1** The existing barn is approximately 19.5m in length, 5.93m in depth, 2.8m to eaves and 5.1m to the ridge. It has as a steel frame supporting structure that is part covered by a corrugated fibre cement roof. This is however, missing over a third of the roof covering. The barn is totally open at the front (north side) and the western end, with part timber covering as cladding to the eastern end and rear (southern side). It is currently used for storage of old farm or other non-farm machinery and such items as Heras fencing. The roof frame appears to be in a poor state, it is far from being watertight and there are no rainwater goods. There is also no solid or concrete floor to the building. There are two metal storage containers located next to the western end of the building which have been there for several years.
- 3.2** The applicant has recently experienced a series of petty thefts and attempted thefts from the holding and wishes to replace the existing unsecure barn with a new structure that would be more secure and also enable the majority of the farm machinery and plant to be kept under cover.

**3.3** Permission is sought for the erection of a replacement barn to be sited in broadly the same location as the existing building. It will incorporate a storage area as well as 3 stables and a tack-room and would be some 19.6m long by 7.83m in depth. Constructed from a steel frame it would be clad in metal sheeting on the walls and the roof. It would be 2.5m to eaves and 4.525m to the ridge.

**3.4** The barn would be sited on the level ground at the top of the roadside embankment and parallel with the site's southern boundary with Swillers Lane.

## **4. PLANNING HISTORY**

**4.1** Previous planning history relating to the site relates to the conversion of a barn on the western side of the holding close to the main farm access to provide a dwelling via a prior notification procedure, the dwelling is occupied. Applications [20150470](#) and [20150925](#) refer.

**4.2** Other applications are as follows

- [20140706](#) : Determination as to whether prior approval is required for the erection of a replacement agricultural barn: PRIOR APPROVAL NOT REQUIRED (not implemented)
- [20150989](#) : Temporary stationing of caravan on the land: APPROVED TEMPORARY (Expired 30/05/2017)
- [20160159](#) : Consultation for use of land as a caravan club site: NO OBJECTIONS
- [20171312](#) : Application for determination as to whether prior approval is required for the proposed change of use of an agricultural building for the storage of agricultural vehicles to a three bedroom single dwellinghouse under Class Q(a) and (b) with associated building operations of the Town and Country Planning (General Permitted Development) (Order) 2015: PRIOR APPROVAL REQUIRED AND REFUSED
- [20211422](#) : Application for determination as to whether prior approval is required for the proposed change of use of the agricultural barn to a dwelling with associated building operations under Class Q (a) and (b) of the Town and Country Planning (General Permitted Development) (England) Order 2015: PRIOR APPROVAL REQUIRED AND REFUSED

## **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 In terms of the Development Plan for Gravesham Borough Council (GBC), this comprises of the following documents that are relevant to this application:
- Adopted Core Strategy 2014 (CS)
  - Saved Policies of the Local Plan 1994 (LP)
- 5.6 The potentially relevant Core Strategy policies are CS01, CS02 and CS19 Sustainable Development. Policy CS01 (Sustainable Development) advises that proposals which accord with the Development Plan will be approved without delay. Policy CS02 (Scale and Distribution of Development) seeks to advise and set-out the scale and distribution of development within Gravesham District. Policy CS19 (Development and Design Principles) sets out criteria against which proposals for new development will be judged including impact on the character of the surrounding area. The policies are attached at **Appendix One**.
- 5.7 There are no relevant saved 1994 Local Plan Policies.

## **6. PLANNING ISSUES**

### **Green Belt**

#### Effect on purposes of the Green Belt

- 6.1 In terms of the impact of the proposed building on the purposes of the Green Belt as set out in paragraph 138 of the NPPF, it is apparent that:
- It will not add to the sprawl of a large built up area.
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- It will not result in neighbouring towns merging into one another.
- It will have a very limited impact on the countryside in terms of encroachment given that it would comprise the replacement of an existing structure.
- It will not have any impact on the setting and special character of a historic town.
- It will not have any impact on urban regeneration because this development needs to be located in the countryside.

The proposal will not conflict with the purposes of the Green Belt.

Appropriateness of the development in the Green Belt

- 6.2** Paragraph 147 of the NPPF advises that *‘Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.’*
- 6.3** Paragraph 148 further advises that *‘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.’*
- 6.4** It is necessary therefore to consider whether the proposed building constitutes appropriate development in the Green Belt. Paragraphs 149 and 150 of the NPPF set out the circumstances in which development can be considered appropriate.
- 6.5** The proposed development is required to support both the agriculture and open air recreational use taking place within the applicant’s landholding. Both of these uses can be considered as appropriate development in the Green Belt under the exceptions provided for within paragraph 149 of the NPPF, namely paragraph 149(a) and 149(b). The proposals also accord with CS01 of the Core Strategy.

The development is considered to be appropriate development in the Green Belt and as such it is not necessary to demonstrate Very Special Circumstances.

Impact on the openness of the Green Belt

- 6.6** The building is marginally longer and wider than the existing building. However it has a lower eaves and ridge height than the existing barn. In the immediate context within the confines of the application the site itself, impact on openness would be marginally greater due to the small increase in footprint which, however, would be offset by the lower overall height. However, given the building is a replacement for a current building in the same general location within the site overall, openness would not be adversely affected. Furthermore, in terms of the wider locality and the Green Belt overall which is arguably of greater importance, given the location of the barn behind a mature tree and hedge screen any impact on openness overall would be acceptable in visual terms. The design of the structure reflects the proposed uses and would not be out of character with or dissimilar to other buildings of this type found in the countryside. It is considered that the development would have limited additional impact on the openness of the Green Belt.

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**Visual impact and impact on residential amenity**

- 6.7** In landscape terms, in a similar vein as assessed in terms of the openness of the Green Belt set out earlier, it is considered that the proposals will have a very limited impact on the character and appearance of the surrounding area.
- 6.8** The development is sited on the location of the existing building which it will replace and as such no additional buildings will be created that would add to overall built form in the countryside.
- 6.9** The proposed building has been specifically designed to meet the requirements of the applicant and is of a form commonly seen on agricultural holdings throughout the countryside.
- 6.10** The proposed development will not result in a such discordant feature that it would cause unacceptable harm to the character and appearance of the area. It will be well screened from outside the site from Swillers Lane and is grouped with existing buildings on the site.
- 6.11** In terms of residential amenity, the proposed barn would be sited approximately 21m from the existing dwelling at Warren Farm (located to the north west of the barn), approximately 35m from the nearest bungalow in Barndale Court to the south west and approximately 75m from the dwellings in Hollands Close to the west.
- 6.12** It would be a much more enclosed structure than the existing building and as such the impact of any activity within it reduced accordingly. In addition, there is already activity associated with the use of the existing barn and the holding itself which is not likely to materially change. It is considered therefore that the proposed barn would not result in an unacceptable loss of residential amenity to the occupiers of nearby properties.

**Biodiversity**

- 6.13** It is acknowledged that the application site is part of a Local Wildlife Site. The LWS designation covers farm holding (around 6.3ha in total) and extends to the east along Swillers Lane beyond the applicant's land. The application site extends to 0.052ha, a small proportion of the overall area of the LWS.
- 6.14** The site itself is already covered by a building and the ground outside is used for vehicle and equipment movement and access to the remainder of the holding and is compacted. The siting of the barn proposed barn will enable the existing trees and hedge along the embankment to the south of the site to be retained. Appropriate measures can be put in place during construction to ensure that this is the case. As such, the construction of the new building is not considered to affect biodiversity on the site or the overall LWS designation.

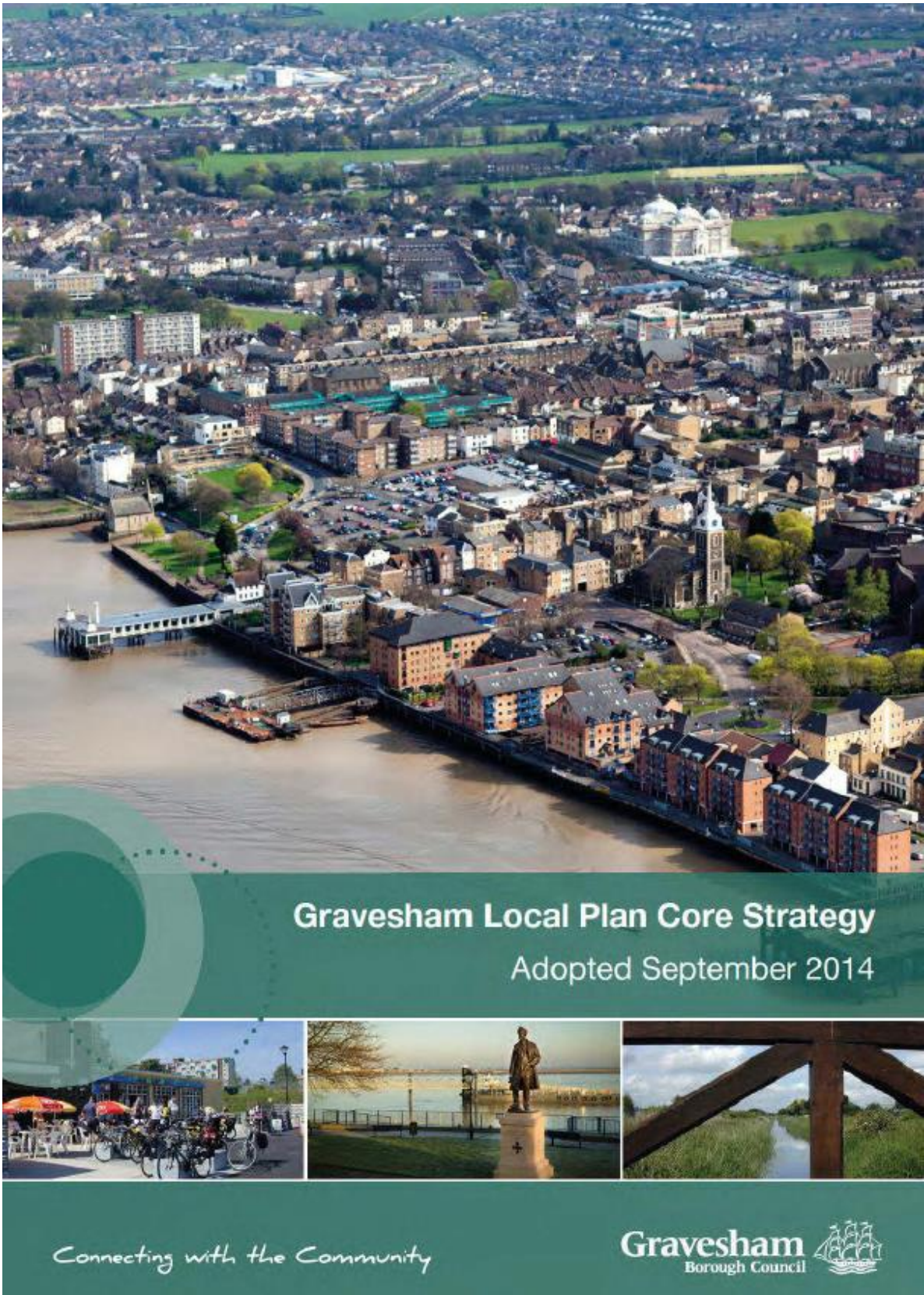
**7. CONCLUSIONS**

- 7.1** The proposals constitute appropriate development in the Green Belt that will not have an adverse impact on its openness.
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- 7.2** The proposed location of the barn on the site of the existing building has been chosen to ensure that the both the existing form and topography of the land within Warren Farm are respected and that no extensive engineering operations or cut and fill works will be required to construct it. Any additional impact arising from the marginal increase in size of the building will be minimal. The design and appearance of the proposed barn are acceptable in the context of the immediate area. There is sufficient separation from the proposed development to the existing dwelling within Warren Farm and to the other dwellings further west that are served by Swillers Lane to ensure appropriate levels of residential amenity are maintained.
- 7.3** The proposals are therefore considered to have no unacceptable adverse impact on the overall character of the area, or the amenities of the occupiers of nearby dwellings.
- 7.4** The development as proposed is therefore considered to be fully in accordance with and therefore appropriate in terms of national and local policy. The Council are respectfully requested to grant planning permission for the development as applied for.

# **APPENDIX ONE**

## **DEVELOPMENT PLAN POLICIES**



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**Policy CS01: Sustainable Development**

**4.1.6 Planning applications that accord with the policies in the development plan for Gravesham will be approved without delay, unless material considerations indicate otherwise.**

**4.1.7 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.**

**4.1.8 Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise, taking into account whether:**

- **Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or**
- **Specific policies in that Framework indicate that development should be restricted.**

**Policy CS02: Scale and Distribution of Development**

**4.2.24 The development strategy for the Borough is to retain and improve the existing stock of housing and suitable employment land and to make provision for the Borough's objectively assessed need for at least 6,170 new dwellings delivered at a variable rate as follows; at least 325 dwellings per year for 2011/2012 – 2018/2019, at least 363 dwellings per year for 2019/2020 – 2023/2024, at least 438 dwellings per year 2024/2025 – 2027/2028, and at least 186,490 sq m gross employment floorspace (within use classes B1, B2 and B8) during the plan period.**

**4.2.25 Development will be distributed throughout the Borough as follows: around 3,890 new dwellings and around 186,490 sq m gross employment floorspace (within use classes B1, B2 and B8) will be provided in the Opportunity Areas at Northfleet Embankment and Swanscombe Peninsula East; Gravesend Riverside East and North East Gravesend; Ebbsfleet (Gravesham) and Gravesend Town Centre and on land at the Coldharbour Road Key Site; around 2,280 new dwellings will be provided on other sites in the urban area and rural settlements inset from the Green Belt.**

**4.2.26 The strategy prioritises development in the urban area as a sustainable location for development. This will be achieved by:**

- **Promoting regeneration by prioritising the redevelopment and recycling of underused, derelict and previously developed land in the urban area. This will be principally through redevelopment of former industrial sites in the Opportunity Areas of Northfleet Embankment and Swanscombe Peninsula East, and Gravesend Riverside East and North East Gravesend to create new residential neighbourhoods and employment areas;**
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- The continued development of a new sustainable mixed use community in the Ebbsfleet (Gravesham) Opportunity Area, which will include the provision of high quality employment floorspace;
- Revitalising the Gravesend Town Centre Opportunity Area as a focal point for retail, leisure, cultural and tourism facilities and small scale office provision to serve the needs of the Borough whilst preserving and enhancing its character as a riverside heritage town; and
- Bringing forward a range of suitable sites in other parts of the urban area for residential and employment development, including Land at Coldharbour Road Key Site.

4.2.27 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. A strategic Green Belt boundary review will be undertaken to identify additional land to meet the housing needs up to 2028 and to safeguard areas of land to meet development needs beyond the plan period, while maintaining the national and local planning purposes of the Green Belt.

#### **Policy CS19: Development and Design Principles**

5.15.14 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. This will be achieved through the criteria set out below:

- Using the collaborative approach advocated in Building for Life 12 and in line with the guidance set out in Kent Design, the design, layout and form of new development will be derived from a robust analysis of local context and character and will make a positive contribution to the street scene, the quality of the public realm and the character of the area. Account will be taken of the scale, height, building lines, layout, materials and other architectural features of adjoining buildings. Account will also be taken of the wider site context, including strategic views, site topography, the significance of heritage assets and features of townscape and landscape value which contribute to local character and sense of place;
- New development will encourage sustainable living and choice through a mix of compatible uses which are well connected to places that people want to use, including the public transport network, local services and community facilities; encourage sustainable travel; enhance Green Grid links and encourage healthier lifestyles;

- **New development will be located, designed and constructed to:**
  - **safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land;**
  - **avoid adverse environmental impacts from pollution, including noise, air, odour and light pollution, and land contamination; and**
  - **not pose an unacceptable risk or harm to the water environment, including the quality and/or quantity of ground waters, surface waters, wetlands and coastal water systems;**
- **The design and layout of new residential development, including conversions, will accord with the adopted Residential Layout Guidelines;**
- **New development will be designed in an inclusive way to be accessible to all members of the community;**
- **New development will provide appropriate levels of private and public amenity space;**
- **New development will include details of appropriate hard and soft landscaping, public art, street furniture, lighting and signage and will ensure that public realm and open spaces are well planned, appropriately detailed and maintained so they endure;**
- **Car parking will be well related to the development it serves**
- **New development will protect and, where opportunities arise, enhance biodiversity and the Borough's Green Infrastructure network. Support will be given to environmental enhancements where opportunities arise;**
- **New development will be fit for purpose and adaptable to allow changes to be made to meet the needs of users;**
- **The design and layout of new development will take advantage of opportunities to build in resilience to the effects of climate change. This will include protection against flood risk, where relevant, delivering carbon reduction, provision for low carbon and renewable energy, and minimising energy consumption and water use;**
- **New development will incorporate appropriate facilities for the storage and recycling of waste; and**
- **The layout of new development will create a safe and secure environment and provide surveillance to minimise opportunities for crime and vandalism.**