

Delegated Report

Planning Application

Planning Application No: 20240448

Location: Giles Farm, Church Street, Higham, Rochester ME3 7LP

Description: Conversion of existing farm office building, store and stables to a residential dwelling, ancillary home office/games room, garden storage and re-purposed stable. Erection of boundary walls, repositioned vehicular access and erection of new entrance gates, and associated works.

Applicant: Giles Farm Limited

Site Visit Date: 26 June 2024

Submitted Documents/Plans

Application form
Cover letter
Structural Report by Considine Civil and Structural Engineers
Flood Risk Assessment by Herrington Consulting
BNG Metric Calculator
BNG Condition Sheet
Baseline Habitat Condition Assessment
BNG Assessment: Feasibility Stage
Planning Statement by PJB Planning
Bat Survey Report by Native Ecology
Drawing no. 38 (proposed street elevations)
Drawing no. 34 rev A (floor plans and elevations buildings 3 and 7)
Drawing no. 32 rev C (elevations building 4)
Drawing no. 31 rev A (floor plans and elevations buildings 3, 4 and 7)
Drawing no. 35 rev C (site location plan)
Drawing no. 36 rev C (floor plans and block plan buildings 4 and 3)
Drawing no. 33 rev C (site plan)

Relevant Planning History

20210858	Application for change of use and extension of existing agricultural buildings to provide 3no. two bedroomed dwellings, 2no. three bedroomed dwellings and a home office.	Refused	19.07.2022
20170165	Erection of a single storey building for use as a farm office, meeting room, mess room, wc/shower room and secure store.	Permitted	01.09.2017
20151035	Demolition of existing livestock	Permitted	16.12.2015

	buildings and erection of replacement livestock building.		
20150135	Determination as to whether prior approval is required for the erection of a storage barn and erection of a replacement tractor and machinery store.	Refused	12.03.2015
20150134	Demolition of storage buildings.	Permitted	01.09.2015
19541384	Erection of a farmhouse	Permitted	09.05.1956
19540384	Erection of a farmhouse	Permitted	12.01.1955

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS10 – Physical and Social Infrastructure
- CS11 - Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS16 – Affordable Housing
- CS18 – Climate Change
- CS19 - Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- H5 – Increasing the Housing Stock by Conversion
- TC2 – Listed Buildings
- TC3 – Development Affecting Conservation Areas
- C11 – Change of Use of Redundant Buildings in the Countryside
- P3 – Vehicle Parking Standards
- T1 – Impact of Development on Highway Network

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes

- Section 8 – Promoting healthy and safe communities
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed and beautiful places
- Section 13 – Protecting Green Belt land
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- SPG 4 - KCC Parking Standards (2006);
- Gravesham Landscape Character Assessment (2009)
- Church Street Conservation Area Appraisal (2017)
- Management Plan – Rural Conservation Area Appraisal (2016)

The Council has a statutory duty under 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant planning permission for development which affects the settling of listed buildings, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72(1) of the Planning Listed Building and Conservation Areas Act 1990 (as amended) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Consultations, Publicity and Representations

Consultees

Environment Agency

Environment Agency Position- Flood Risk

As this development poses an unacceptable risk to life from flooding, we object to this application and recommend that planning permission is refused.

We have reviewed the submitted documents in addition to the Flood Risk Assessment (FRA), and we have concerns relating to the proposed finished floor levels for sleeping accommodation within the FRA. In the absence of an acceptable FRA, we object for the following reasons.

Reason

The site lies within Flood Zone 3a, which is land defined by the planning practice guidance as having a high probability of flooding. Notwithstanding the mitigation measures proposed, the risk to life and/or property from tidal inundation would be unacceptable if the development were to be permitted.

With the proposed finished floor levels, the submitted FRA fails to demonstrate the proposed development will have finished floor levels for all sleeping accommodation above the 1 in 200 year plus an allowance for climate change flood levels. The submitted FRA does not comply with the site specific flood risk assessments as set out in paragraphs 20 and 21 of the Planning Practice Guidance.

Overcoming our Objection

We would require the downstairs study/bedroom to be raised above the Downriver Breach Inundation Modelling flood level (for epoch 2100) of 3.75 metres Above Ordnance Datum (mAOD). Any data detailing the finished floor levels or flood levels needs to be presented as 'mAOD'.

If raising the floor level is unachievable, we would recommend that there be no sleeping accommodation on

the ground floor of the property.

If the applicant would like us to review a revised technical report prior to a formal submission, outside of a statutory consultation, and/or meet to discuss our position, this will be chargeable in line with our cost recovery service.

If they wish to request a meeting, or document review, please contact our team email address at KSLPlanning@environment-agency.gov.uk

Further information on our charged planning advice service is available at:
<https://www.gov.uk/government/publications/planning-and-marine-licence-advice-standard-terms-for-our-charges>

The applicant submitted a revised plan removing bedroom accommodation on the ground floor on 17 July 2024 and the EA commented further:

Thank you for consulting us on the additional information for the above application on 18 July 2024, based on this information we can now remove our objection.

Environment Agency Position- Flood Risk

We have reviewed the submitted documents in addition to the Flood Risk Assessment (FRA). We are pleased to see that the applicant has not placed sleeping accommodation on the ground floor and do not object to the proposal, subject to the following informatives.

Reason:

The submitted FRA demonstrates that the development will have finished floor levels for sleeping accommodation above the 1 in 200 year plus an allowance for climate change flood levels.

Informatives

Flood resistance and resilience - advice to LPA/applicant

We strongly recommend the use of flood resistance and resilience measures.

Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. If you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the Planning Practice Guidance.

Further guidance on flood resistance and resilience measures can also be found in:

Government guidance on flood resilient construction:

<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

CIRIA Code of Practice for property flood resilience:

https://www.ciria.org/Research/Projects_underway2/Code_of_Practice_and_guidance_for_property_flood_resilience_.aspx

Flood mitigation - advice to applicant/ local planning authority

Although we have no objections to the proposed development, the developer may wish to include measures to mitigate the impact of more extreme future flood events.

Measures could include raising ground or finished floor levels and/or incorporating flood proofing measures.

Further guidance on preparing properties for flooding can be found at

<https://www.gov.uk/government/publications/prepare-your-property-for-flooding>.

Flood Warnings

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning or visit

<https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

KCC Biodiversity Officer

We are satisfied that sufficient information has been provided to determine the planning application.

Bat Survey

We have reviewed the bat survey report and we are satisfied that at the time of the 2024 survey no bats were recorded roosting within the building. However a brown long eared bat was recorded roosting in 2020 and therefore the presence of bats cannot be ruled out and the precautionary mitigation measures detailed within the report must be implemented during the construction works and an integrated bat box must be incorporated in the building.

We recommend the following wording:

Prior to and during construction works the precautionary mitigation measures for bats detailed within the Bat Survey Report (Native Ecology; June 2024) must be implemented. If works have not commenced within 2 years of the date of the ecological report a review and if necessary update, of the report must be carried out. If the report is updated a copy of the report must be submitted to the LPA for written approval.

Birds

Due to suitable habitat being present to support breeding birds we recommend the following information is included if planning permission is granted:

The applicant is reminded that, under the Wildlife and Countryside Act 1981 (as amended), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act.

Habitats are present on and around the site that provide opportunities for breeding birds. Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (1st March to 31st August inclusive) to avoid destroying or damaging bird nests in use or being built. If vegetation/structures need to be removed during the breeding season, mitigation measures need to be implemented. This includes examination by a suitably qualified and experienced ecologist immediately prior to starting work. If any nesting birds are found, works must cease until after the birds have finished nesting

Biodiversity Net Gain

This application was received in May 2024 and under the Environment Act 2021, all planning applications, unless exempt, submitted after the 2nd April will have to deliver at least a 10% biodiversity net gain.

A BNG feasibility assessment has been submitted which has detailed that due to the loss of ruderal habitats within the site the proposal will result in an anticipated 78% BNG loss for habitats. The report has detailed that the creation of garden which includes areas of wildflower grassland within the site this will reduce the impact but it will not be sufficient to achieve a 10% BNG for habitats.

Details of the offsite habitat creation is not required prior to determination and we are satisfied that due to the type of habitats to be lost we are satisfied that a 10% BNG for habitats can be achieved through off site habitat creation.

If planning permission is granted, local planning authorities are encouraged to use suggested paragraphs for Biodiversity Gain Information on the written decision notice which are available to download here: https://assets.publishing.service.gov.uk/media/663251d969098ded31fca800/BNG_Decision

n_Notice_Text.odt. The applicant should submit a biodiversity gain plan form¹ along with supporting information (e.g., legal agreement and habitat management and monitoring plan) once planning permission has been granted to demonstrate in more detail how the proposed biodiversity net gain will be delivered.

If off site habitat creation is required we direct the applicant towards the Kent Biodiversity Net Gain Site Register <https://www.makingspacefornaturekent.org.uk/bng/kent-biodiversity-net-gain-site-register/>. Once completed details of the Biodiversity Net Gain Guidance in Kent will also be uploaded to the same website.

¹ Biodiversity gain plan - GOV.UK (www.gov.uk)

Offsite gains/the purchase of biodiversity credits will need to be subject to a deed of conservation covenants, unilateral undertaking or Section 106 (as appropriate). Offsite gains must be registered² after determination.

KCC Heritage

The site lies within an area of high archaeological potential with records of a Romano-British kiln within the site and a burial some metres to the east. The site is also an historic farmstead with buildings recorded on historic mapping since at least the early 19th century.

I should note that the application fails to meet the requirements of the NPPF Paragraph 200 and has been made without an archaeological desk-based assessment or consultation with the Kent Historic Environment Record.

The proposed development may impact on historic built structures and below-ground archaeological remains and I recommend that if planning permission is granted the following condition is applied to any forthcoming consent:

To ensure that features of archaeological interest are properly examined and recorded during development works:

A) Prior to any development works the applicant (or their agents or successors in title) shall secure a programme of archaeological work comprising of an archaeological watching brief (including historic building recording) so that structural building works and groundworks are observed, and archaeological information is recorded. The archaeological work shall be undertaken by an archaeologist approved by the Local Planning Authority and in accordance with a Written Specification, which has been submitted to and approved in writing by the Local Planning Authority.

B) The archaeological watching brief and historic building recording, post excavation assessment, analysis and reporting shall be carried out in accordance with the agreed Specification.

C) Within 6 months of the completion of the programme of archaeological works a Report shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the archaeological interest of the site that would be affected by the development is properly examined and recorded in accordance with local and national planning policy.

KCC Highways

Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.

Informative: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

KCC Flood and Water Management

As Lead Local Flood Authority, Kent County Council are required to provide technical advice and guidance on the surface water drainage strategies, designs and maintenance arrangement put forward by developers to any new major development.

According to the Town and Country Planning (Development Management Procedure) (England) Order 2010, major development is defined in planning as any development involving any one or more of the following:

- a) The winning and working of minerals or the use of land for mineral-working deposits;
- b) Waste development;
- c) The provision of dwelling houses where:
 - i. The number of dwelling houses to be provided is ten or more; or
 - ii. The development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c) (i);
- d) The provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- e) Development carried out on a site having an area of one hectare or more.

The application under the above reference number therefore falls outside the definition of major

development and also falls outside of KCC's remit as statutory consultee.

KCC Public Rights of Way Officer

I can confirm that I do not have any objections to the above planning application at Giles Farm. Public Right of Way Footpath NS140 lays to the west of the site and should be unaffected by the application. I enclose a copy of the Public Rights of Way network map showing the line of the path for your information.

The granting of planning permission confers no other permission or consent on the applicant. It is therefore important to advise the applicant that no works can be undertaken on a Public Right of Way without the express consent of the Highways Authority. In cases of doubt the applicant should be advised to contact this office before commencing any works that may affect the Public Right of Way. Should any temporary closures be required to ensure public safety then this office will deal on the basis that:

- The applicant pays for the administration costs.
- The duration of the closure is kept to a minimum.
- Alternative routes will be provided for the duration of the closure.
- A minimum of six weeks notice is required to process any applications for temporary closures.

This means that the Public Right of Way must not be stopped up, diverted, obstructed (this includes any building materials or waste generated during any of the construction phases) or the surface disturbed. There must be no encroachment on the current width, at any time now or in future and no furniture or fixtures may be erected on or across Public Rights of Way without consent.

Natural England

No specific comments, just standing advice.

North Kent Marshes Internal Drainage Board

The site is at risk of tidal flooding and if the local planning authority is satisfied that there is no alternative site available with lower flood risk, then the Board would like to make the following comments.

The site is within the drainage district of the North Kent Marshes Internal Drainage Board (NKMIDB) and our remit is to comment on surface water arrangements for the site. We note that the proposals are for the conversion of an existing building and assume there are only limited alterations to the impermeable area of the site, such as paths and patio areas. Notwithstanding this, it would still be advisable to condition any permission that before development on-site, a full scheme for surface water disposal based on SuDS principles is submitted to and approved by the local planning authority, and the scheme is verified on-site once constructed by a competent engineer. It would also be prudent to formally condition any permission that before development on-site, a maintenance schedule for the surface water scheme is submitted to and approved by the local planning authority.

Similarly, it would be advisable to condition any permission that before development on-site, a scheme for the disposal of foul water, specifying the proposed 'package treatment plant' and discharge point is submitted to and approved by the local planning authority.

Furthermore, the LPA may wish to consider a condition that before development a detailed scheme for flood resistance and flood resilience measures is submitted to and approved by the local planning authority, including construction details of the flood wall and measures to be included in the ground floor design.

For information, any watercourse in the vicinity of the site would be classified as an unadopted, ordinary, riparian-owned watercourse. Any proposal to alter such a watercourse or discharge (surface water or treated foul water) to such a watercourse would require consent from the Board under the Land Drainage Act 1991 (and Byelaw 4) and /or Byelaw 3. For a discharge of surface water, any consent granted will likely be conditional, pending the payment of a Surface Water Development Contribution fee, calculated in line

with the Board's charging policy (available at https://www.wlma.org.uk/uploads/WMA_Table_of_Charges_and_Fees.pdf). The one-off Surface Water Development Contribution is due to the Board to cover the increased flow and volume in its maintained drainage network.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information. The Board would be very grateful if its comments were used in their entirety.

Higham Parish Council

As a Parish Council, we feel it is in the best interest of our parishioners to object to the planning application submitted for the above property for the "Conversion of existing farm office building, store and stables to a residential dwelling, ancillary home office/games room, garden storage and re-purposed stable. Erection of boundary walls, repositioned vehicular access and erection of new entrance gates and associated works."

Our councillors have several reasons to object to this planning application.

The subject property is situated within the Green Belt and our councillors feel strongly about protecting such land from development as well as not setting a precedent for similar land in the village and surrounding areas.

Moreover, the property conversion could change the character within a conversation area and Ramsar site, which our councillors feel is important to preserve.

Furthermore, the road to access the property is a single-track road and councillors feel this would be unsuitable for an increase of vehicles after the conversion is completed.

Finally, there is a lack of utility infrastructure in the area.

Please consider our objections and comments carefully when reviewing this planning application.

GBC Conservation Officer

Having reviewed the proposals for a change of use from the agricultural to residential the following comments should be taken into account when determining the application.

From the conservation area appraisal:

Located at the road's end, Church Street, Higham, to the east of Gravesend, is sited at the limit of raised land at the edge of the reclaimed marshes that fringe the Thames estuary in this part of Kent. It is an old established and today very small settlement with its known roots in Saxon times. Its later development centred around medieval Higham Priory, now largely disappeared but with a few remnants still visible above ground. It clusters to east, south and west of its church whose north flank faces the marshes. The church is its dominating building with a spire and roofs visible from the surrounding countryside. The conservation area is of particular significance for its collection of historic buildings, its local character and its archaeological interest and potential.

Church Street, Higham, Conservation Area was designated on the 5th April 1979. A conservation area statement, including proposals to extend the conservation area boundary, was approved by stakeholders on the 14th of October 1999 and was subsequently adopted by the Council.

The site is located opposite Clerk's Cottage in an isolated position within the Higham Church Street conservation area. The land was once a cattle yard and recently (in the last five years or so?) re modelled with new buildings to operate as a sheep yard when additional buildings were constructed to house machinery storage and wintering shelter for sheep. Only buildings 1 and 3 have limited historic interest, all

others are modern. I do not believe the modern palisade gates were granted consent, they detract from the CA, but this needs investigating further as there were some discussions over the design at the time of the construction of the modern agricultural buildings on the site.

The proposed change of use will dramatically alter the character of this small and sensitive conservation area. The loss of the agricultural use will fundamentally harm the conservation areas rural character and replacement with residential use will adversely impact its appearance. Traffic generation and type, as well as the paraphernalia associated with domestic land use will all adversely impact on the appearance of the conservation area, which due to its size will be harmed as a result of these changes.

The proposals will therefore be contrary to local and national policy and cannot be supported.

Neighbouring properties

The application has been advertised by site notice (26/06/24), press notice and individual letters to seven neighbouring properties. 10 letters of objection have been received (two from the same person). The main concerns are summarised below:

- planning notices have not been displayed or received (the site notice was displayed on 26 June 2024)
- environmental impacts on the area
- will lead to more applications/strategic ploy to obtain permission for all five barns
- access unsuitable
- strain on infrastructure
- increase in traffic
- dangerous for pedestrians
- threat to wildlife and loss of biodiversity
- increase pollution (light, noise, water)
- waterlogged site
- headlights will shine directly into Clerk's Cottage
- loss of privacy from rooflights
- impact on Listed Building Clerk's Cottage and its outlook, impact on Listed Old Vicarage
- office building for the farm is to be lost so a new one will no doubt need to be built
- access to remaining farm will be through the residential development
- no suitable drainage discharge point away from RAMSAR
- the area is being ruined by development
- flood zone 3
- bats in the area
- disrupt peace of the Conservation Area

Officer's Analysis

Proposal

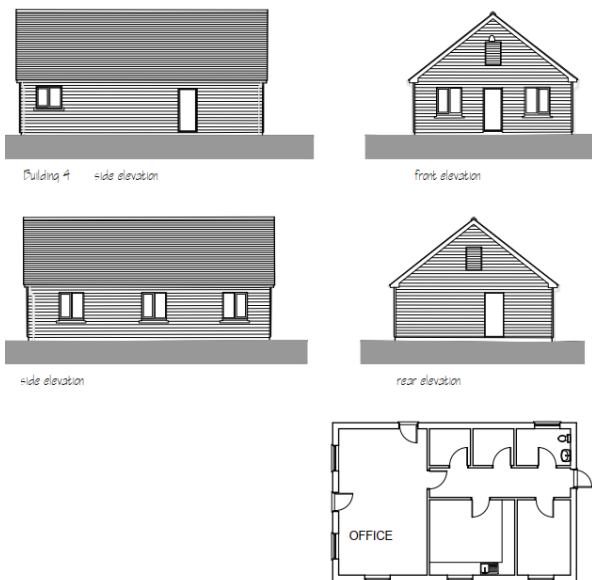
This application seeks planning permission for the conversion of existing farm office building, store and stables to a residential dwelling, ancillary home office/games room, garden storage and re-purposed stable. Erection of boundary walls, repositioned vehicular access and erection of new entrance gates, and associated works.

The site layout plan is shown below but the application site only includes buildings no. 3, 4 and 7 (1, 2, 5 and 6 are outside of the site).



The plans show no external changes to buildings 3 (which will become an office) and 7 (which will be used for garden storage).

Building 4 is currently an office building granted permission under reference 20170165:



The proposed plans show this building to be converted into a dwelling:

It is a matter of law that all planning applications need to be considered in accordance with the legislation and relevant policy that applies at the point a decision is taken. The Council published a revised 5 year housing land supply statement in March 2023, it demonstrates that based on data up for the period 2022-2027, the Council can only demonstrate a land supply of 2.9 years.

Given the Council's current inability to demonstrate a 5-year housing land supply, and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Gravesham's Local Plan Core Strategy (LPCS) (2014) Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the National Planning Policy Framework (NPPF) (2023). This requires that in regard to housing development, planning permission should be granted 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 taken as a whole.

In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF at footnote 7 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in paragraph 187) and/or designated as Sites of Special Scientific Interest;
- Land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 72);
- and areas at risk of flooding or coastal change.

In determining applications for planning permission involving housing, the Council will therefore apply a weighted balance in favour of granting planning permission in accordance with relevant case law and guidance, having regard to the acceptability or otherwise of the proposals when evaluated against development plan policy, the need to make efficient use of land (paragraph 128(c)) in context, the relative contribution the proposal makes towards the alleviation of any shortfall in housing delivery at that time and any other considerations material to the proposed development.

The proposed development for a net increase of '1' residential unit would offer a minimum contribution towards meeting this local need and, accordingly, officers considers that this should be accorded appropriate weight in support of the application. However, this has to be balanced against other requirements of the Development Plan and NPPF (2023) which requires new development to be high quality, beautiful and create acceptable living conditions for future occupiers.

Notwithstanding the Council's shortages in housing delivery and the consequent weight to be given in favour of the proposed development it is necessary to assess the proposals against the policies in the National Planning Policy Framework (NPPF) and established local planning policy taken as a whole.

Principle of development

The application site lies within the Metropolitan Green Belt and the open countryside where development would not normally be permitted.

Green Belt

Para. 142 of the National Planning Policy Framework 2023 (NPPF) states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Para. 152 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations (para. 153).

Para. 154 states:

A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

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

Para. 155 states:

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

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

The proposal to convert the existing buildings is assessed against paras. 154 (g) and 155 (d). Previously developed land is defined by Annex 2 of the National Planning Policy Framework 2023 as;

Land which is or was occupied by a permanent structure, including the curtilage of the developed land

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

The land was last occupied by agricultural buildings and therefore cannot be described as previously developed land and therefore exception 154 (g) does not apply.

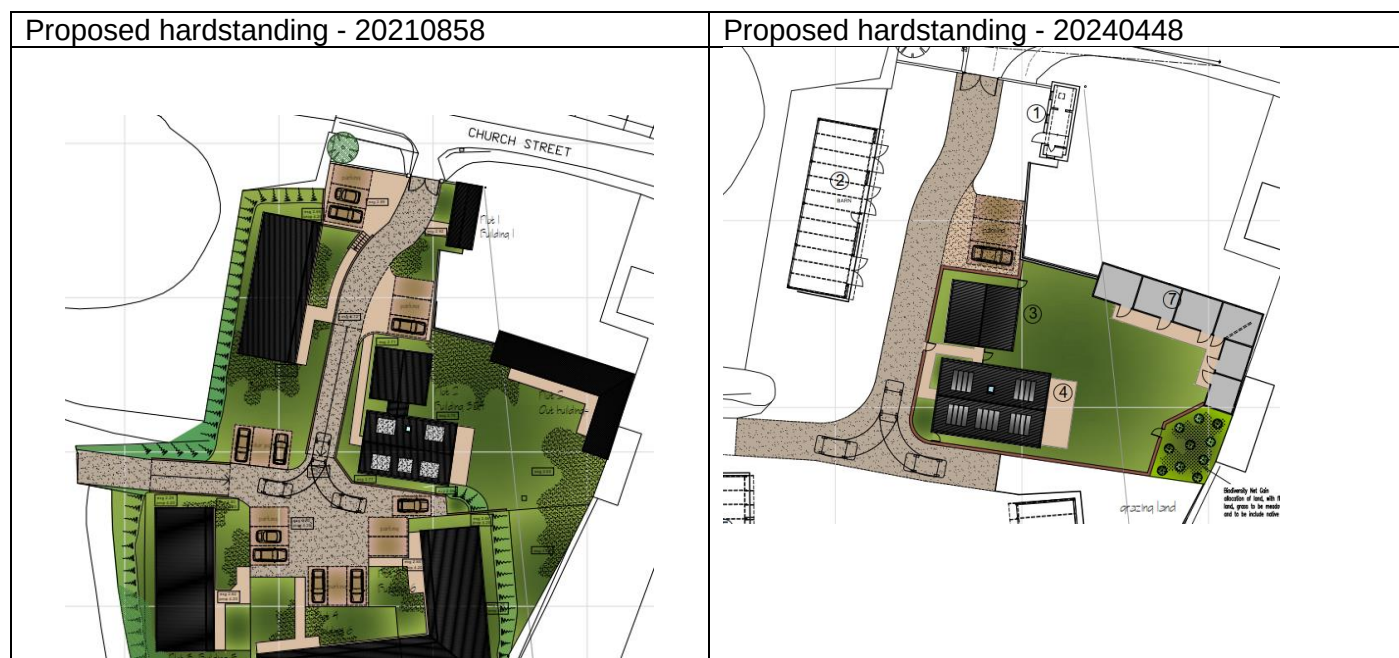
Para. 155 (d) allows the re-use of buildings provided the buildings are of permanent and substantial construction.

The application is supported by a structural report. This states that building 3 is missing drainage and the ridge of the roof has dropped and trusses have failed. Building 4 is of timber construction and has black mould. It would appear that these defects would need to be repaired but do not prevent the buildings being converted.

Impact on Openness

In order to meet the objectives of para. 155 the proposed works need to preserve the openness of the Green Belt. The proposed development will increase the built form of development marginally by the insertion of dormer windows.

There will be some additional hardstanding but it would appear to be minimal compared to the existing site. The level of hardstanding however would suggest that there is an intention to develop the whole site:



Despite this, the buildings and hardstanding are not the only elements to contribute to the impact on openness. The addition of formal parking layouts and boundary treatment for gardens, sheds, patios and garden paraphernalia such as play equipment, washing lines and other furniture all have an impact on openness. The addition of dormer windows within building 4 further domesticizes the site. The applicant's Planning Statement in para. 3.9 states that the residential paraphernalia will not outwardly impact the surrounding area however, openness has both spatial and physical aspects and, just because it is not readily visible, does not mean that it does not have an impact

on the openness of the Green Belt.

Very Special Circumstances

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. No 'very special circumstances' have been submitted with the application as stated in paragraph 3.11 of the applicant's planning statement.

Saved policy C11 says the following:

Gravesham's countryside contains a large number of substantial and attractive agricultural buildings which, with normal repair and maintenance, can be expected to last for many years. When these are no longer needed for farming, the Borough Council will need to consider whether they might appropriately be re-used for other purposes which help to diversify the rural economy. The Borough Council will be particularly concerned to ensure that change of use of such buildings does not reduce farm viability and that the impact on the landscape of such changes is minimised. All applications will be considered in the light of Approved Structure Plan Policies MGB2 and RS6 and the criteria set out below in Policy C11.

It states that the conversion of farm buildings to other uses will be permitted where:-

- (i) It can be demonstrated that the building was originally erected as an agricultural building but is no longer needed for farming.
- (ii) The building is a substantial one, of permanent construction and is in an appropriate location in relation to roads and services.
- (iii) The building is attractive, in having some architectural, historic or landscape interest or being of a type representative of the Kent Countryside and the proposed alterations preserve that interest.
- (iv) The proposed use will diversify the rural economy and not result in the longer term dilution of farm viability*.
- (v) The curtilage is confined to the minimum necessary to operate the use.
- (vi) The nature and intensity of the proposed use is not detrimental to amenity or traffic safety.

Footnote:

* This will often rule out residential conversion

Planning Application 20170165 granted permission for a farm office, meeting room, mess room, wc/shower room and store building relating to agriculture:



The accompanying Planning Statement stated that the objectives of the proposals was to further improve

the accommodation to provide administration and staff facilities and to serve the agricultural land extending to some 23ha of adjacent and off-lying land in the locality. However the planning statement from 20210858 said that the farmyard has not been used, save for storage, for 15-20 years. There was no mention of why these buildings needed for agriculture four years ago are now surplus to requirements or what has happened to the 23ha of land these were required for. Within this current application there is no explanation of why the buildings are surplus or what the status of the wider site is.

The planning statement submitted with this application, at paragraph 3.11, states that policy C10 should not be given weight in the determination of the application as it is out of date (the previous application was not refused on the grounds of conflicting with Policy C10). It is likely the applicant's agent is actually referring to Policy C11. Either way, they state that the application should be assessed only against para. 155 (d).

Taking each criterion of policy C11 in turn:

(i) It can be demonstrated that the building was originally erected as an agricultural building but is no longer needed for farming.

The buildings were constructed for agriculture approximately 7 years ago for agriculture but no information has been provided to explain why they are no longer needed. Para. 4.19 of the Planning Statement does not explain why the buildings are surplus to requirements and how their loss will not impact on the farm viability.

(ii) The building is a substantial one, of permanent construction and is in an appropriate location in relation to roads and services.

The buildings are in the Green Belt and open countryside and are approx. 1.5km away from the nearest train station and 2.8km from the nearest local centre with poor pedestrian accessibility and therefore reliance upon owning a vehicle. They are therefore not considered to be located within a sustainable location and do not meet this criterion.

(iii) The building is attractive, in having some architectural, historic or landscape interest or being of a type representative of the Kent Countryside and the proposed alterations preserve that interest.

It was mentioned in the previous application that the buildings have no historic interest and most of those have now been replaced with modern buildings. It is clear from the preamble to this policy that it is intended for 'substantial and attractive agricultural buildings' that have some architectural, historic or landscape interest. The majority of these buildings were constructed in the last 5-7 years and therefore are of a modern utilitarian appearance.

(iv) The proposed use will diversify the rural economy and not result in the longer term dilution of farm viability*.

A residential use will not diversify the rural economy and the policy is clear that this will often rule out residential conversion.

(v) The curtilage is confined to the minimum necessary to operate the use.

The curtilage of the proposed dwelling is not considered excessive.

(vi) The nature and intensity of the proposed use is not detrimental to amenity or traffic safety.

No concerns have been raised with regards to amenity and highway safety.

Footnote:

* This will often rule out residential conversion

The objective of the policy is clearly to meet the majority, if not all, of the exception criteria which the proposals do not as outlined above. Therefore the proposed development conflicts with the objectives of this policy.

Isolated homes in the Countryside

Para. 84 of the National Planning Policy Framework 2023 states that:

Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

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

As discussed above, the proposed development is approx. 1.5km away from a train station and 2.8km away from the nearest Local Centre. The proposals are not for rural workers, do not preserve a heritage asset, does not involve the subdivision of an existing residential building and is not of an exceptional design. The development would however re-use existing buildings but it is not clear why fairly newly constructed buildings are redundant or disused. The re-use of buildings will not enhance the immediate setting.

The applicant's planning statement in para. 3.13 states that the proposed property would not be isolated as it will be surrounded by other dwellings, however, being amongst other dwellings does not make the site any less isolated. Para. 83 of the NPPF states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.' The site is a considerable distance from local services and any occupants would be reliant on a car. The location is therefore considered isolated and not sustainable.

Supporting a Prosperous Rural Economy

Para. 88 of the National Planning Policy Framework 2023 states that planning 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, beautiful 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.

The conversion of a farm building to residential does not meet any of these criteria and does not support the agricultural use of the land.

Character, Appearance and Impact on Heritage Assets

The wider site is approx. 0.6ha in size and comprises irregular shaped farmland with a group of farm and storage buildings. The site is accessed from Church Street to the north. No information is provided within the application relating to the agricultural use of the land.

Archaeology

The site lies within an area of high archaeological potential with records of a Romano-British kiln within the site and a burial some metres to the east. The site is also an historic farmstead with buildings recorded on historic mapping since at least the early 19th century.

The application fails to meet the requirements of the NPPF Paragraph 200 and has been made without an archaeological desk-based assessment or consultation with the Kent Historic Environment Record.

The proposed development may impact on historic built structures and below-ground archaeological remains and therefore, if planning permission is granted at a later date, a condition should be included to ensure that features of archaeological interest are properly examined and recorded during development works.

Conservation Area

The application site is located within the Church Street Conservation Area. Policy TC3 of the Gravesham Local Plan First Review 1994 states:

The Borough Council will adopt the following approach to applications for development within or affecting conservation areas:-

(i) Where development is acceptable in relation to other policies in this Plan, it will be carefully judged for its impact and will be expected to make a positive contribution to the conservation area. The Borough Council will expect applications to contain sufficient details to enable the impact of the proposal upon the conservation area to be assessed.

(ii) The demolition of unlisted buildings will be resisted unless the Borough Council is satisfied that the existing building is harmful to the conservation area and that the proposals for redevelopment or other use of the site will be beneficial. To this end, the Borough Council may, in suitable cases, require an agreement for the replacement of the building or other suitable treatment of the site, prior to the granting of conservation area consent for demolition.

The Conservation Area Appraisal states:

Located at the road's end, Church Street, Higham, to the east of Gravesend, is sited at the limit of raised land at the edge of the reclaimed marshes that fringe the Thames estuary in this part of Kent. It is an old established and today very small settlement with its known roots in Saxon times. Its later development centred around medieval Higham Priory, now largely disappeared but with a few remnants still visible above ground. It clusters to east, south and west of its church whose north flank faces the marshes. The church is its dominating building with a spire and roofs visible from the surrounding countryside. The conservation area is of particular significance for its collection of historic buildings, its local character and its archaeological interest and potential.

Church Street, Higham, Conservation Area was designated on the 5th April 1979. A conservation area statement, including proposals to extend the conservation area boundary, was approved by stakeholders on the 14th of October 1999 and was subsequently adopted by the Council.

The site is located opposite the Grade II Listed Clerk's Cottage in an isolated position within the Higham Church Street conservation area. The land was once a cattle yard and recently (in the last four to five years) re modelled with new buildings to operate as a sheep yard when additional buildings were constructed to house machinery storage and wintering shelter for sheep. Only buildings 1 and 3 have limited historic interest, all others are modern. The modern palisade gates do not appear to have planning permission and detract from the Conservation Area.

The proposed change of use will dramatically alter the character of this small and sensitive conservation area. The potential piecemeal loss of the agricultural use will fundamentally harm the rural character of the

conservation area and its replacement with residential use will adversely impact its appearance. Traffic generation and type, as well as the paraphernalia associated with domestic land use will all adversely impact on the appearance of the conservation area, which due to its size will be harmed as a result of these changes.

Policy CS20 states that proposals will be supported which preserve and, where appropriate, enhance the significance of the Borough's heritage assets.

Para. 203 of the NPPF states that, when determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

For the reasons above, the proposals are not considered to make a positive contribution to the local character and distinctiveness of the area and therefore are contrary to Policy TC3 of the Gravesham Local Plan First Review 1994, Policy CS20 of the Gravesham Local Plan Core Strategy 2014 and para 203 of the National Planning Policy Framework 2023.

Landscape Character

The application site is within the Higham Arable Farmland Landscape Character Area. Policy CS12 of the Gravesham Local Plan Core Strategy 2014 states that the overall landscape character and valued landscapes will be conserved, restored and enhanced.

The land is mainly open arable farmland with an undulating topography. There are views to the River Thames and isolated farmsteads and scattered properties. The condition is listed as poor due to the pylons, rail sidings and ploy tunnels. There are historically isolated properties and farmsteads providing local distinctiveness. The sensitivity is moderate and the guidelines are to restore and create and resist proposals that introduce extensive or obtrusive elements within visually sensitive areas of the open landscape. The proposal will introduce domestic additions such as the dormer windows to building 4, boundary treatment, hardstandings and residential paraphernalia that all impact on the landscape. There will be additional light spill to the detriment of both the landscape character and surrounding ecology.

The proposed development, as mentioned above, is out of character with the area and therefore conflicts with policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

Housing Type and Density

Policy CS14 expects new development to provide a range of dwelling types taking into account the existing character of the area to create sustainable communities. As mentioned above, the proposal is out of character with the area not located within a sustainable location and therefore fails to meet the objectives of this policy. Policy CS15 relates to density and, whilst the density is similar to the surrounding residential development, the proposals comprise the distinctive character of the area in which it is situated contrary to this policy.

Affordable Housing and Developer Contributions

Affordable Housing

The previously refused application (20210858) was refused on the grounds of there being no provision for affordable housing. As this application is for one dwelling, the site no longer falls within the threshold to provide affordable housing and this policy is therefore not applicable

Developer Contributions

The proposal does not meet the definition of 'major development' and therefore developer contributions cannot be requested.

Amenity

Future Occupiers

Building 4 will provide for approx. 126sqm internal floor space and therefore exceeds the technical space standards for a two bedroom, four person dwelling. Each habitable room has sufficient outlook and daylight. The outside amenity space greatly exceeds the standards and therefore no objection is raised.

Neighbouring Amenity

The closest residential property is Farmcroft to the east. The proposed dwelling will be approx. 20m from the boundary with this dwelling. There is one first floor window proposed facing this neighbour which will serve a bedroom. As this is a secondary window to a bedroom this could be fitted with obscure glass to ensure there is no loss of privacy to this neighbour. The front and rear dormer windows and rooflight do not face onto any other neighbouring dwelling. No additional volume is being created and therefore there will be no loss of outlook, sunlight or daylight to any neighbouring property.

The proposed development therefore accords with policy CS19 of the Gravesham Core Strategy 2014 and para. 135f of the National Planning Policy Framework 2023.

Ecology and Biodiversity

The Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) are internationally important for nature conservation as the area is a wetland and supports important numbers of wintering waterbirds and migrating birds. There has been a decline in the number of birds using these sites in recent years. Studies show that this could be due to people using the estuary and marshes for recreation purposes. The North Kent Bird Disturbance Report concludes that all new housing development within 6km of the North Kent Ramsar Sites or Special Protection Areas (including the Thames Estuary and Marshes) and larger housing development beyond 6km from the sites could have an adverse impact on them. This is because new housing development is likely to lead to further increases in recreational use of the sites which means that further declines in the bird population cannot be ruled out. Possible mitigation measures are set out in the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy. Having considered a number of options, the Council have decided to impose a tariff on new housing development. Developers will need to pay £328.27 for every new dwelling provided within 6km of the Ramsar site and SPA and for larger housing developments beyond 6km from them. The money raised will be used to pay for schemes to avoid the adverse impacts of new housing development on the birds. The applicants have not paid towards the mitigation.

The proposal fails to secure a contribution towards strategic mitigation measures within Special Protection Areas, and in the absence of this contribution or adequate information to inform an Appropriate Assessment, the development fails to comply with the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 186 and 187) of the National Planning Policy Framework 2023 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

The application is accompanied by Biodiversity Net Gain Assessment: Feasibility Stage and Bat Survey Report undertaken by Native Ecology in 2024.

Bat Survey

At the time of the 2024 survey no bats were recorded roosting within the building. However a brown long eared bat was recorded roosting in 2020 and therefore the presence of bats cannot be ruled out and the precautionary mitigation measures detailed within the report must be implemented during the construction works and an integrated bat box must be incorporated in the building.

In the event of the application being allowed at appeal the following condition is recommended:

Prior to and during construction works the precautionary mitigation measures for bats detailed within the Bat Survey Report (Native Ecology; June 2024) must be implemented. If works have not commenced within 2 years of the date of the ecological report a review and if necessary update, of the report must be carried out. If the report is updated a copy of the report must be submitted to the LPA for written approval.

Birds

Due to suitable habitat being present to support breeding birds the following information is included if planning permission is granted:

The applicant is reminded that, under the Wildlife and Countryside Act 1981 (as amended), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act.

Habitats are present on and around the site that provide opportunities for breeding birds. Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (1st March to 31st August inclusive) to avoid destroying or damaging bird nests in use or being built. If vegetation/structures need to be removed during the breeding season, mitigation measures need to be implemented. This includes examination by a suitably qualified and experienced ecologist immediately prior to starting work. If any nesting birds are found, works must cease until after the birds have finished nesting

Biodiversity Net Gain

This application was received in May 2024 and under the Environment Act 2021, all planning applications, unless exempt, submitted after the 2nd April will have to deliver at least a 10% biodiversity net gain.

A BNG feasibility assessment has been submitted which has detailed that due to the loss of ruderal habitats within the site the proposal will result in an anticipated 78% BNG loss for habitats. The report has detailed that the creation of garden which includes areas of wildflower grassland within the site this will reduce the impact but it will not be sufficient to achieve a 10% BNG for habitats.

Details of the offsite habitat creation is not required prior to determination. Due to the type of habitats to be lost the Council is satisfied that a 10% BNG for habitats can be achieved through off site habitat creation.

If planning permission is granted, the applicant should submit a biodiversity gain plan form¹ along with supporting information (e.g., legal agreement and habitat management and monitoring plan) once planning permission has been granted to demonstrate in more detail how the proposed biodiversity net gain will be delivered.

If off site habitat creation is required the applicant will be directed towards the Kent Biodiversity Net Gain Site Register <https://www.makingspacefornaturekent.org.uk/bng/kent-biodiversity-net-gain-site-register/>. Once completed details of the Biodiversity Net Gain Guidance in Kent will also be uploaded to the same website.

¹ Biodiversity gain plan - GOV.UK (www.gov.uk)

² Register a biodiversity gain site - GOV.UK (www.gov.uk)

Offsite gains/the purchase of biodiversity credits will need to be subject to a deed of conservation

covenants, unilateral undertaking or Section 106 (as appropriate). Offsite gains must be registered² after determination.

Subject to conditions, the impact of the proposed development on the ecology and biodiversity of the site, is acceptable and meets the objectives of Policy CS12 of the Gravesham Local Plan Core Strategy 2014 in this regard.

Flood Risk

The applicant has submitted a Flood Risk Assessment by Herrington Consulting in support of the planning application. Originally the Environment Agency objected to the application due to the unacceptable risk to life from flooding due to the finished floor levels for sleeping accommodation as the site is located within Flood Zone 3.

The applicant subsequently removed bedroom accommodation from the ground floor and the objection was removed. If the application is approved a number of informatives are recommended relating to flood mitigation and warnings.

The proposal therefore meets the objectives of Policy CS18 of the Gravesham Local Plan Core Strategy 2014 in this regard.

Parking and Highways

The application form states that the foul sewage will be treated by a Package Treatment Plant but provides no details, such equipment usually needs the sludge to be removed at intervals and other maintenance vehicles may require access. No details are provided on where this equipment will be located or what if any provision will be made for visiting vehicles to be parked without obstructing the highway or access to the properties. (Treatment Plant must be within 30metres hose length of the tanker parking place.) These matters will need to be satisfactorily resolved prior to the commencement of construction and can be controlled by condition.

Whilst a tracked/swept path drawing has been provided for a car, ideally this needs to be increased to demonstrate that a Fire Engine can turn given the requirements in the Building Regulations as the access exceeds 20 metres from the highway.

The gate at the entrance from Church Street and the access alignment conflicts with the adjacent northern parking spaces making ease of access difficult if not impossible to achieve, Tracked/swept path drawings should be submitted for a BMW Series 4 or similar should be submitted. The gates should be removed or replaced by a sliding gate.

In terms of visibility at the access, with the change in use from a farm yard to residential it is difficult to assess whether or not there would be a significant change in usage although the size of vehicle will change. Ideally vehicular visibility splays should be submitted, and whilst the road is derestricted and therefore subject to a 60mph speed limit, given the nature of the road 30mph visibility splays would appear to be a good starting point unless evidence is available to support a different approach. This equates to 43m x 2.4metres x 43metres. A 25mph speed would reduce this to 33 metres x 2.4metres x 33m whilst 20mph reduces this further to 25metres x 2.4 metres x 25 metres. However, as the access exists with little change in traffic generation it is unlikely that visibility will be sustainable as a reason for refusal.

Redevelopments of existing brown field sites are always difficult to assess as there is or was an existing use involved that would have its own traffic generation. Defining exactly what that traffic generation is/was may be difficult to impossible to achieve, but it has to be deducted from the proposed use. A transport assessment has not been submitted with the application and is not required as stated in SPG4 (KCC Kent Vehicle Parking Standards July 2006).

The KCC vehicle parking standards only require a minimum of 1.5 parking spaces per dwelling for two

bedroom properties. The proposed development shows three spaces for the two bedroom dwelling which therefore meets this requirement.

Subject to appropriate conditions the proposed development accords with Policy CS11 of the Gravesham Local Plan Core Strategy 2014 and policies T1 and P3 of the Gravesham Local Plan First Review 1994.

Conclusion

The proposed development, due to the introduction of domestic features including dormer windows, formal parking areas, boundary treatments, hardstandings and other residential paraphernalia, will negatively impact on the openness of the Green Belt and therefore does not meet the exceptions listed in paragraph 155 (d) of the National Planning Policy Framework 2023. The proposal results in inappropriate development in the Green Belt where very special circumstances do not exist conflicting with policy CS02 of the Gravesham Core Strategy 2014 and Section 13 of the National Planning Policy Framework 2023.

The proposed conversion of the three farm buildings will result in the loss of agricultural buildings with no justification for this loss, located within an unsustainable location resulting in an isolated dwelling in the countryside that will not diversify the rural economy therefore conflicting with the overall objectives of Saved Policy C11 of the Gravesham Local Plan First Review 1994 and paragraphs 84 and 88 of the National Planning Policy Framework 2023.

The proposed conversions, located within the Church Street Conservation Area, will dramatically alter the character and appearance of this small and sensitive Conservation Area by introducing a residential use in this location that will neither preserve or enhance the character and distinctiveness of the area contrary to Saved Policy TC3 of the Gravesham Local Plan First Review 1994, Policy CS20 of the Gravesham Local Plan Core Strategy 2014 and para. 203 of the National Planning Policy Framework 2023.

The proposed development is located within the Higham Arable Farmlands Landscape Character Area, close to a SSSI and Special Protection Area, and will introduce a residential use that will in turn bring residential paraphernalia such as sheds, washing lines and play equipment and light spill from additional openings as well as creating pressure for residential outbuildings to the detriment of both the landscape character and surrounding ecology contrary to Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

The proposal fails to secure a contribution towards strategic mitigation measures within Special Protection Areas, and in the absence of this contribution or adequate information to inform an Appropriate Assessment, the development fails to comply with the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 186 and 187) of the National Planning Policy Framework 2023 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

Recommendation:

Refuse

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

Case Officer:	Mrs Alison Webster	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	21 August 2024	Dated:	22 August 2024