

Delegated Report

Application No: 20220223

Location: Buckland Farm, Chalk Road, Higham, Kent

Description: Conversion of a light industrial building into 1no. 3 bedroom dwellinghouse.

Applicant: Mr A Tickle

Site Visit Date: 22 March 2022

Submitted Documents/Plans

The application comprises the following documents and plans:

Application form received 1 March 2022.
Planning Statement received 17 March 2022.
Drawing no. P.2716.060.A (proposed plans) received 1 March 2022.
Drawing no. P.2716.070.A (proposed elevations) received 1 March 2022.
Drawing no. P.2716.040.A (existing plans) received 1 March 2022.
Drawing no. P.2716.050.A (existing elevations) received 1 March 2022.
Drawing no. P.2716.010.B (site location plan) received 17 March 2022.
Drawing no. P.2716.020.B (existing block plan) received 17 March 2022.
Drawing no. P.2716.030.B (proposed block plan) received 17 March 2022.

Relevant Planning History

There have been many applications relating to the agricultural and industrial nature of the site however the following are most relevant:

20200635	Prior notification for the proposed change of use of Unit A and land within its curtilage from Class B1(c), light industrial to Class C3, dwellinghouse, to create 2no. residential units.	
	Prior approval required and approved	30.09.2020

Relevant on the wider site

20200637	Prior notification for the proposed change of use of Unit F and land within its curtilage from Class B1(c) (light industrial) to Class C3 (dwellinghouse), to create 1no. residential unit.	
	Prior approval required and approved	30.09.2020

20200636

Prior notification for the proposed change of use of Unit D and land within its curtilage from Class B1(c), light industrial to Class C3, dwellinghouse, to create 3no. residential units.
Prior approval required and approved

30.09.2020

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS07 – Economy, Employment and Skills
- CS11 – Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS18 – Climate Change
- CS19 - Design & Development Principles

Paragraph 33 of the National Planning Policy Framework (2021) sets out those 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 The review 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 a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the National Planning Policy Framework (2021), the Council will also seek to replace these saved policies via the emerging Local Plan.

Saved Policies in the Gravesham Local Plan First Review (November 1994):

- T1 – Impact of Development on the Highway Network
- P3 – Vehicle Parking Standards.
- C11- Change of Use of Redundant Buildings in the Countryside

Other material considerations

National Planning Policy Framework (2021)

- Section 2 – Achieving sustainable development
- Section 5 – Delivering a sufficient supply of homes
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 13 – Protecting Green Belt land

Given Gravesham's current inability to demonstrate a 5 year housing land supply (a 3.27 year supply has most recently been calculated within the statement published [here](#)), and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Core Strategy Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the NPPF. 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 NPPF paragraph 181)
- Sites of Special Scientific Interest;
- Green Belt,
- Local Green Space,
- Areas of Outstanding Natural Beauty
- Irreplaceable habitats;
- Designated heritage assets (& other heritage assets of archaeological interest, see NPPF footnote 68); 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 125(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.

Supplementary Planning Guidance

- SPG2 - Residential Layout Guidelines (2020)
- SPG 4 - KCC Parking Standards (2006)
- Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Highway Development Management Officer

I note that the applicant states there will be two parking spaces provided on the existing hardstanding. This is acceptable, but the red line site boundary should be increased to permit a suitable turning area so vehicles can enter and leave the highway in forward gear. The Kent Design Guide recommends the maximum reversing distance for a car as 25 metres, here that distance is considerably exceeded.

Provision also needs to be made for the secure parking of three cycles.

Dickens' Country Protection Society

The Society raise an objection on the grounds that the site is in an area within which Green Belt Policies apply. If this was to be permitted then this would result in a new dwelling in the Green Belt contrary to Green Belt Policy.

Environmental Protection

Noise Control

The proposed development lies within an active commercial site and the building will continue to share a party wall with a commercial building that has planning permission to operate under class E. This designation covers a wide range of possible uses some of which have the potential to

cause significant noise nuisance to future occupiers of the proposed dwelling. As planning permission would not be required to change use between the current use of the adjoining commercial unit and other class E uses, we consider it reasonable that our assessment considers all uses under the class E planning designation as potentially occurring.

We therefore strongly advise that in order to limit the likelihood of noise nuisance affecting future residents of the proposed dwelling, that prior to determination of the application a noise impact assessment shall be carried out and submitted to the LPA for approval demonstrating that:

- The internal ambient noise levels in all habitable rooms of the proposed residential dwellings shall not exceed the guideline LAeq values found in Table 4 of BS8233:2014.
- The maximum internal noise levels in all habitable rooms should not exceed 45dB LAmax more than 10 times per night in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise.
- If relevant, the rating noise from fixed building services/mechanical plant/equipment associated with the development shall be at least 10dB below the existing LA90 background level at the nearest noise sensitive receptors (i.e. dwellings) when measured and assessed in accordance with BS4142:2014

The noise impact assessment must not only assess the current uses of the area but also possible uses within the class E planning designation that have the potential to cause noise nuisance, such as Creche, Gym and Industrial Processes.

Ventilation

Future residents must have access to clean air, free from nuisance odours without having to open their windows therefore details of a suitable ventilation system must be submitted to the LPA prior to determination. If a mechanical ventilation system is necessary to protect residents then acoustic details of the system must also be provided and these must be considered within the noise impact assessment required above.

Contaminated Land Watching Brief

The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the local planning authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the LPA as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Code of Practice on Construction and Demolition

Please apply

Drainage/sewerage informative

The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable. If foul sewage is to be removed using non-mains sewerage systems, a sewage treatment plant or septic tank system will be considered in preference to a cesspool. Such a system may require the prior consent of the Environment Agency under the terms of the Water Resources Act 1991. Applicants are therefore advised to discuss their requirements with the Environment Agency at the earliest opportunity. It should be ensured that the septic tank or cesspool is of adequate capacity to serve the proposed development and suitable access and hardstanding area shall be maintained to it on site.

Electric Vehicle Charging Points

The application provides the opportunity for the installation of a suitable EV charging point. This should ideally be a condition, however if that's not possible then please add as an informative.

KCC Heritage

Thank you for consulting us on this application.

The site lies within an area of multi-period archaeological potential. However, I consider it unlikely that these proposals would have a significant below-ground archaeological impact and have no further comments to make in this case.

Neighbouring properties

The application was advertised by site notice and individual letters to 12 neighbouring properties. Two letters of representation have been received. Main concerns:

- Green belt land needs to be protected
- Harm to existing businesses
- Amenities are already overstretched i.e. doctors surgery, sewerage, drainage
- Pressure for even more development if this is approved
- Impact on the appearance of the area

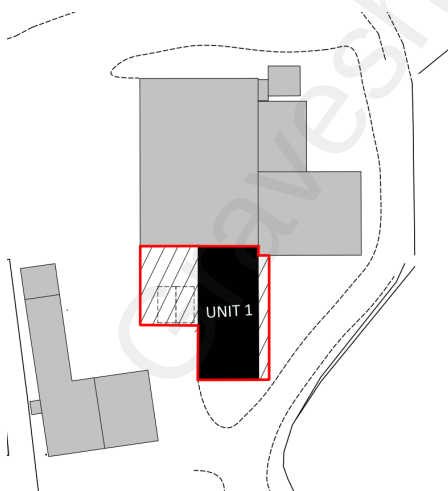
Analysis

Proposal

This application seeks planning permission for the conversion of a light industrial building into 1 no. 3 bedroom dwellinghouse.

Background

Planning application 20200637 sought 'Prior notification for the proposed change of use of Unit F and land within its curtilage from Class B1(c) (light industrial) to Class C3 (dwellinghouse), to create 1 no. residential unit.' This was required and approved on 30 September 2020. The plan below was submitted in support of the application:



Two other applications for prior notification on the wider site were submitted under reference 20200636 (unit D) and 20200637 (unit A), both of which required prior approval and was approved.. It is noted that Part 3, Class PA.2 (1) (v) was not taken into account as this was not

required by applications submitted prior to 1st August 2020. This refers to 'the provision of adequate natural light in all habitable rooms of the dwellinghouses'. Likewise para. (bc) was inserted to para. W of Part 3 of Schedule which requires the dimensions and proposed use of each room, the position and dimensions of windows, doors and walls, and the elevations of the dwellinghouses but also was not required for applications received by the LPA before 1 August 2020. No plans save for the one above were submitted with the application so it is not clear how the dwellinghouse was to be laid out or whether they would have adequate natural light.

The proposed site is shown below:



The Planning Statement says that the application seeks permission for a better designed residential scheme than that which has been allowed. This includes external design alterations to facilitate the conversion and an increase in the size of the residential curtilage to serve the dwelling, so as to provide a more suitable scheme with provide internal and external useable amenity space for future occupants.

The increase to residential curtilage amounts to approx. 67sqm.

Housing Need

In regard to housing need, Policy CS02 (LPCS) sets out the Borough's objectively assessed need for housing over the Plan period (up to the year 2028) and finds that there is a need for at least 6,170 new dwellings during the period. Evidence now available shows that the Council is not able to demonstrate a five-year housing supply. This engages the first part of footnote 8 of the National Planning Policy Framework and this means for decision-taking that planning permission for applications involving the provision of housing should be granted in line with the requirements of the National Planning Policy Framework Para 11(d) unless:

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

The proposed development for a net increase of '1' no. dwelling would offer a minimal contribution towards meeting this local need and, accordingly, officers considers that this should be accorded minimal weight in support of the application. However, this has to be balanced against other requirements of the NPPF (2021) and in particular paragraph 130 and 134 - of the NPPF (2021) which requires development to be add to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers. The proposed development is considered acceptable as discussed below.

Principle

Green Belt

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.

Para. 147 of the National Planning Policy Framework 2021 (NPPF) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Para. 148 states that, 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. 149 regards the construction of new buildings as inappropriate in the Green Belt with some exceptions. This application does not involve the construction of a new building and therefore is not applicable.

Para. 150 lists certain other forms of development that 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. Point (d) sites the re-use of buildings provided that the buildings are of permanent and substantial construction as not inappropriate.

The barn currently exists however, it is not clear from the submission whether it is of substantial construction. No structural report has been submitted with the application and therefore insufficient satisfactory evidence has been provided to confirm that the building is substantial and permanent or capable of conversion.

Saved Policy C11 of the Gravesham Local Plan First Review 1994 allows the conversion of farm buildings to other uses. It is noted that this was once a farm building but has been converted to an industrial use. Again, this policy requires the building to be substantial, of permanent construction and in an appropriate location in relation to roads and service and no information has been submitted relating to the construction.

The increase in curtilage for a residential use will impact on the openness of the Green Belt due to the residential paraphernalia that will undoubtedly follow such as patios, washing lines, garden furniture, boundary treatment, waste and recycling bins etc. The use of the land more intensively would add to both the spatial and visual impact of the development having an urbanising effect. This would be further compounded by domestic lighting, whether emitting from the dwelling or within the grounds, particularly at night. This would be detrimental to the openness, purpose and characterised and appearance of the Green Belt. This was also the findings of a recent appeal (APP/T2215/W/21/3276313 – appendix 1, paras. 10, 11 and 12) that was dismissed for the conversion of stables to residential use:

Consideration of 'very special circumstances'

Having concluded that the development is inappropriate development, very special circumstances needs to be considered as part of the Green Belt assessment. The application is not accompanied by a statement highlighting very special circumstances and it has to be concluded from the information submitted none of the arguments put forward would amount to very special circumstances which would outweigh the harm to the openness of the Green Belt. The applicant's agent however, has included details of their opinion that there is a fall-back position.

Fall-back

Whilst it is acknowledged that there is a prior notification approval on the site that the applicant is relying on as a fall-back, a fall-back will only exist if it is a realistic prospect. Fall-back is only a material consideration if a) what could be built without permission using the GPDO would have a broadly similar or worse impact to what is proposed, and b) there is a reasonable probability that the GPDO option would be pursued if the preferred proposal were refused.

The impact of the approved development would be less than what is proposed given that the curtilage is smaller within that application and the number of openings is less. It is the Council's opinion that the plans submitted under that application do not contain enough detail to be a realistic prospect. No layout or windows were shown on the plans. The garden area was small and likely to need to be increased. All of these requirements result in the need for a full planning application. If the unit were to be converted as per the approved plans there would be little or no natural light or outlook and therefore unlikely to be suitable for residential development.

As stated in the applicants planning statement in order for a fall-back to be a material consideration, it has to have a 'more than theoretical prospect.' In this case, it is not considered that the scheme would be implemented as approved under reference 20200637.

The appeal that is referred to in the statement relates to the loss of employment space rather than in relation to a fall-back argument based on a prior approval. The second appeal refers to a Class Q permission which could be reasonably implemented as Class Q allows for building operations necessary to convert the building.

Para. 6.6 states 'the fact that the building could be converted into a dwelling as it currently exists is a realistic and achievable fall-back position' however, without any windows or adequate outside amenity space, this is not considered to be the case.

Therefore no special circumstances exist, the proposal fails to meet any of the exceptions in para. 150 and fails to meet the objectives of para. 137 of the National Planning Policy Framework 2021.

Loss of Employment

Policy CS07 of the Gravesham Local Plan Core Strategy 2014 states that 'Development resulting in the loss of B class employment floorspace will not be supported unless otherwise allowed for by policies set out in the Core Strategy or where:

- the proposal will deliver at least an equivalent number of new jobs on-site or elsewhere within the Borough and the proposed use is consistent with other policies set out in this plan; or
- the existing premises are no longer suited for employment purposes or are incapable of being made suitable at reasonable cost and it has been shown that there is no demand for them through an appropriate marketing exercise carried out in accordance with Council guidance (Appendix 5); or

- the existing premises have an unacceptable environmental impact on the area within which they are situated and this is incapable of reasonable mitigation or the environmental benefit that would arise from the existing use stopping would outweigh the potential loss in employment.

The applicant's agent cites this policy as irrelevant due to the existence of the prior approval however, this is a different type of application, a full planning application, that needs to be assessed against the policies in the Local Plan. No information has been provided regarding the demand for the unit for commercial use and therefore the proposal would result in the loss of an existing employment premises (now Class E). The applicant has failed to undertake a marketing exercise in accordance with appendix 5 (Marketing Requirements in relation to loss of existing B Class employment premises, sites or commercial wharves) of Gravesham Core Strategy. Therefore, without this information the principal of the loss of the existing B (now E) use on the site cannot be justified.

The proposal therefore fails to satisfy the criteria of Policy CS07 of the Gravesham Local Plan Core Strategy 2014.

Character and Appearance

The application site is located within the Higham Arable Farmlands Landscape Character. The key characteristics are very undulating topography, open arable farmland and views out to the marshes and River Thames. There are isolated farmsteads and scattered properties with locally distinct styles and materials. The condition is poor and sensitivity moderate. The guidelines are to restore and create. One of the guidelines is to resist proposals that introduce extensive or obtrusive elements within visually sensitive areas of the open landscape.

The existing building has a functional appearance, reflecting its intended purpose. It is set within a group of buildings surrounded by open land. There is residential development close-by but is relatively loosely knit and within the village boundaries. The change to the elevations have been designed to retain the appearance of an industrial building however, it will no longer have this function and would result in domestic activity on the undeveloped parts of the site.

Para. 174 of the National Planning Policy Framework 2021 makes clear that valued landscapes should be protected and enhanced and policies and decisions should recognise the intrinsic character and beauty of the countryside. The proposal to convert the building to residential would noticeably change the character of the building. It will be visible from a number of public vantage points. Curtilage buildings can be controlled by condition but a landscaped garden area with signs of domestic occupation as mentioned in the green belt section above would introduce domestic formality into this countryside location that would detract from the visual quality and harm the rural character of the area. An appeal (APP/K2230/W/18/3208174 – appendix 2, paras. 15, 16, 17 and 18), also in Higham, for the conversion of an agricultural building to residential was dismissed for similar reasons. In addition to the residential paraphernalia, concerns were raised to extensive fenestrations where there were currently none and the introduction of light at night where there is currently none:

The proposed conversion of this building, the insertion of fenestration, resulting light spill, together with residential paraphernalia mentioned above conflicts with the objectives of policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014 and paras. 130 and 174 of the National Planning Policy Framework 2021.

Amenity of Future Occupiers

The internal floor area of the proposed unit will be approx. 140sqm. The National Housing Standards require a three bedroom, six person dwelling to have an internal floor area of 95sqm.

The Gravesham Residential Standards require private amenity space of 60sqm with a depth of 10m for a three bedroom property. The planning statement references the area to the west of the building for parking. The curtilage is shaded in green:



It is not clear from the plans how the garden area would relate to the property however it does meet the standards on terms of area. At no point does the garden have 10m in depth if the parking is to the west.

The rooms to the east face onto the side garden that has a depth of approx. 3m. Assuming there would be some boundary treatment along this garden edge, this would result in unsatisfactory levels of outlook to bedrooms 01 and 03. Bedrooms 02 appears to overlook the parking area which is also less than ideal in terms of outlook.

No details have been provided with regards to the use of the building the site is attached to however it would appear to be in light industrial use. Class E contains a range of possible uses that could be undertaken at this attached unit. In order to limit the likelihood of noise nuisance affecting future residents of the proposed dwelling a noise impact assessment needs to be carried out and submitted to the LPA for approval demonstrating that:

- The internal ambient noise levels in all habitable rooms of the proposed residential dwellings shall not exceed the guideline LAeq values found in Table 4 of BS8233:2014.
- The maximum internal noise levels in all habitable rooms should not exceed 45dB LAmax more than 10 times per night in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise.
- If relevant, the rating noise from fixed building services/mechanical plant/equipment associated with the development shall be at least 10dB below the existing LA90 background level at the nearest noise sensitive receptors (i.e. dwellings) when measured and assessed in accordance with BS4142:2014

The noise impact assessment must not only assess the current uses of the area but also possible uses within the class E planning designation that have the potential to cause noise nuisance, such as Creche, Gym and Industrial Processes.

Future residents must have access to clean air, free from nuisance odours without having to open their windows therefore details of a suitable ventilation system must be submitted to the LPA prior to determination. If a mechanical ventilation system is necessary to protect residents then acoustic details of the system must also be provided and these must be considered within the noise impact assessment required above. Without this information it is not possible to be clear

that there will be no impact on the amenity of future occupiers.

The proposed development lacks the detail required to be certain that the amenity of future occupiers would be satisfactory and therefore conflicts with the objectives of Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and para. 130f of the National Planning Policy Framework 2021.

The proposed conversion to residential will result in an awkward arrangement with little useable garden space due to the depth and unsatisfactory levels of outlook from habitable rooms and therefore conflicts with the objectives of Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and para. 130f of the National Planning Policy Framework 2021 that seek to create safe places that promote health and well-being with a high standard of amenity for existing and future users.

Neighbouring Amenity

There are no neighbours within close proximity to the application site (over 45m away) and therefore there will be no detrimental impact in terms of loss of outlook, privacy, sunlight or daylight.

Refuse arrangements

Details of refuse arrangements are not shown on the formal plans but if the proposal was to be approved this would be dealt with through pre-occupation planning condition.

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 £275.88 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 paid towards the mitigation under the previous application 20200637 however, it needs to be paid for each application. The SAMMS agreement form that is signed by the applicant clearly states that no refund will be given where a decision has been issued unless the decision was refused or the application withdrawn. This is because the permission can still be implemented.

The proposal does not secure a contribution towards strategic mitigation measures within Special Protection Areas, and therefore the development conflicts with the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 180 and 181) of the National Planning Policy Framework 2021 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

Climate Change

Policy CS18 of Gravesham Core Strategy (2014) sets out the requirements for dealing with sustainable drainage and surface water run-off. The application makes no reference in detail to either of these requirements. In order to deal with Sustainable Urban Drainage Strategy (SUDS) for the site if permission was to be granted this would be dealt with through a planning condition which would look to include the following:

- Pervious pavements/road surface to allow water to drain through the surface;
- outlet to pipes or infiltration to ground;
- rain gardens for each dwelling (simple and small basins for roof water drainage); and
- Filter Drains.

Gravesham Environmental Protection state that the foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable. If foul sewage is to be removed using non-mains sewerage systems, a sewage treatment plant or septic tank system will be considered in preference to a cesspool. Such a system may require the prior consent of the Environment Agency under the terms of the Water Resources Act 1991. Applicants are therefore advised to discuss their requirements with the Environment Agency at the earliest opportunity. It should be ensured that the septic tank or cesspool is of adequate capacity to serve the proposed development and suitable access and hardstanding area shall be maintained to it on site.

In the even of the application being supported the above would be addressed by appropriate planning condition or informative.

The scheme does not contain any reference to climate change or carbon reduction however details such as EV charge points, rain water harvesting etc could be conditioned in the event of an approval and would be welcomed as it would provide environmentally friendly additions to the development. However, this does not outweigh the harm the residential use within the Green Belt or wider landscape.

In the event that permission is granted a condition is recommended that the applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the local planning authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the LPA as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Affordable Housing

As the site is located within the rural area Policy CS16 of Gravesham Core Strategy applies to this site which requires that in the rural area 35% of dwellings on sites (of 0.1. hectares or more) of 3 are more dwellings should be affordable. As this proposal contains 1 dwelling on 0.06 hectares of land the requirement for affordable housing would not apply in this instance.

Parking and Highways

The planning statement says there will be two parking space to the west of the property provided on the existing hardstanding. Whilst this is acceptable, the red line boundary will need to be increase to allow for a suitable turning area so vehicles can enter and leave the highway in a forward gear. The Kent Design Guide recommends the maximum reversing distance for a car as 25 metres, here that distance is considerably exceeded. Provision also needs to be made for the secure parking of three cycles which can be secured by planning condition.

The proposed development due to the narrow entrance and inability to turn a car around will result in highway safety issues contrary to Policy T5 of the Gravesham Local Plan First Review 1994 and

Planning Balance and Conclusion

The proposed conversion to residential relies on an unlikely fall-back position and is not supported by a structural report to demonstrate that the building is of substantial construction and therefore does not meet the exceptions of para. 150 of the National Planning Policy Framework 2021 that states that the re-use of buildings is only appropriate when buildings are of permanent and substantial construction and therefore results in inappropriate development within the Green Belt where very special circumstances do not exist.

As such the proposal cannot be supported due to the following reasons:

The application site lies within the Metropolitan Green Belt within which inappropriate development should not be approved except in very special circumstances. Whilst the proposal seeks to convert the existing building, no evidence has been provided to confirm that the building is substantial and permanent or capable of conversion. It is therefore considered that the building is not of permanent and substantial construction and its proposed conversion to a dwelling therefore comprises inappropriate development that is, by definition, harmful to the openness of the Green Belt. The development will not preserve the openness of the Green Belt and will conflict with one of the purposes of including land within the Green Belt as it will encroach into the countryside. In the absence of any 'very special circumstances' that may otherwise outweigh the harm by reason of inappropriateness, and any other harm, the proposed development is contrary to Section 13 of the National Planning Policy Framework (2021), saved Policy C11 of the Gravesham Local Plan First Review (1994) and Policy CS02 of the Gravesham Local Plan Core Strategy (2014).

The application site lies within the locally designated Higham Arable Farmlands Landscape Character Area, where local and national planning policy and guidance expect developments to conserve, restore and enhance the natural landscape. The proposed development, if permitted, would be harmful to the landscape character when compared to the existing site that is an agricultural form and something that you expect to see in the rural landscape. The harm from the redevelopment of the site in this instance would be derived from the fenestration changes, the associated hardstanding, lighting, car parking and residential paraphernalia. The application is therefore contrary to Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014 and Section 12 and 15 of the National Planning Policy Framework (2021).

The proposed development, by reason of its siting in close proximity to existing commercial uses and buildings with associated noise, and the resultant movements from commercial vehicles sharing the residential access for the development would result in undesirable and poor living conditions for the occupiers of the proposed dwelling. As such the proposed development is contrary to Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

The proposed residential development will result in a dwelling with an awkward relationship with its private amenity space and limited outlook from habitable rooms which is considered detrimental to the enjoyment of the amenities of the future occupiers contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and section 12 of the National Planning Policy Framework (2021).

The proposed parking area does not provide sufficient space for turning vehicles which will result in cars reversing onto the highway to the detriment of highway safety and contrary to Saved Policy T4 of the Gravesham Local Plan First Review (1994) and Policy CS11 of the Gravesham Local Plan Core Strategy (2014).

The proposal would result in the loss of an existing E Class employment premises and the applicant has failed to undertake a marketing exercise in accordance with appendix 5 (Marketing Requirements in relation to loss of existing B Class (now class E) employment premises, sites or commercial

wharves) of the Gravesham Local Plan Core Strategy. Therefore without this information the principal of the loss of the existing B use on the site cannot be justified. The development is therefore contrary to Policy CS07 of the Gravesham Local Plan Core Strategy (2014).

The applicant has failed to provide any ecological evidence to inform a habitat regulations assessment covering the impact of the development on the SPA/Ramsar site or offered a financial contribution towards mitigation measures to address the impact of the development on the SPA/Ramsar site. The proposal is therefore contrary to Policy CS12 (Green Infrastructure) of the Gravesham Local Plan Core Strategy (2014) and Section 15 (specifically paragraphs 180 and 181) of the National Planning Policy Framework (2021).

Recommendation:

Refuse

See draft Decision

Case Officer: AW	Team Leader: Richard Hart
Signed: 	Signed: <i>R Hart</i>
Dated: 4 May 2022	Dated: 12 th May 2022