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Planning Statement

Oak Tree Cottage, Knights Place Farm, ME2 3UB

CLIENT: MR. C. THOMPSON

APRIL 2024
DHA/33352



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APPENDICIES

- A** Section 106 Agreement Attached to Gravesham Borough Council Planning Application Reference: 20141209.

1 INTRODUCTION

1.1 PURPOSE OF THIS STATEMENT

- 1.1.1 This Planning Statement has been prepared on behalf of Mr. C. Thompson in respect of a Full Planning Application for the change of use of a detached garage outbuilding to create a new 3-bedroom dwelling.
- 1.1.2 No physical building works to the building are required, with the exception of the closure of the existing garage door. Furthermore, the use of the land is already in domestic use associated with the main property.
- 1.1.3 The site is situated within the Metropolitan Green Belt ('the Green Belt'). However, the change of use and the re-use of an existing building are 'appropriate' forms of development within the Green Belt as defined by National Planning Policy Framework ('NPPF' Paragraph 155).
- 1.1.4 Regard also must be had to the lack of housing supply in Gravesham Borough, which weighs heavily in favour of this development.
- 1.1.5 This Statement provides a detailed overview of the Site and proposals, it assesses the planning merits of the scheme with regard to any relevant planning history, and the applicable planning policy framework, and subsequently concludes that the proposal is acceptable in planning terms and therefore planning permission should be granted.

1.2 APPLICATION DOCUMENTS AND PLANS

- 1.2.1 This Statement summarises the proposed development and appraises it in the context of the relevant planning policy requirements. It should be read together with the following documents and plans:

Documents:

DOCUMENT	REFERENCE	AUTHOR
Application Forms and Ownership Certificate	n/a	DHA Planning
Planning Statement	DHA/33352 (this document)	DHA Planning

TABLE 1.1: SUBMITTED DOCUMENTS

Plans:

PLANS	DRAWING REFERENCE	AUTHOR
Site Location Plan	2370 - 01	Smart Architecture
Existing Block Plan	2370 - 02	Smart Architecture
Proposed Site Plan	2370 - 03	Smart Architecture
Existing Floor Plans	2370 - 04	Smart Architecture
Existing Elevations	2370 - 05	Smart Architecture
Proposed Floor Plans	2370 - 06	Smart Architecture
Proposed Elevations	2370 - 07	Smart Architecture

TABLE 1.2: SUBMITTED PLANS

2 SITE AND SURROUNDINGS

2.1 THE APPLICATION SITE

- 2.1.1 The application site (hereafter 'the Site') is located within the administrative boundaries of Gravesham Borough Council (hereafter 'the Council'). The Site comprises a detached outbuilding in use as a residential annexe with associated garage connected to Oak Tree Cottage, located within the wider context of Knights Place Farm. The Site is approximately 0.05 hectares in size and is accessed via a private road to the north which provides a connection to the Three Crutches slip road westbound to the M2.
- 2.1.2 The Site is located on the peripheral edge of Gravesham Borough close to the boundary with Medway. To the east and south the Site is bound by residential uses, with development associated with the existing equestrian centre to the west and north.



FIGURE 2.1: APPROXIMATE SITE LOCATION EDGED IN RED (GOOGLE EARTH)

2.2 PLANNING DESIGNATIONS

- 2.2.1 According to Gravesham Borough Council's online planning proposals map, the Site is outside any defined settlements boundaries and is therefore considered to fall within the Countryside. The Site is additionally designated as falling within the Metropolitan Green Belt, and the Kent Downs National Landscape (or Area of Outstanding Natural Beauty (AONB) for the purposes of Policy).

- 2.2.2 According to the Environment Agency online mapping, the entirety of the Site falls entirely within Flood Zone 1 and is therefore at the lowest level risk of flooding. Additionally, the Site is at a low risk of surface water flooding. Accordingly, a Flood Risk and Drainage Assessment is not considered to be required in support of this Application.
- 2.2.3 According to Historic England's Listed Building Map Search, the Grade II* Listed Park and Garden 'Cobham Hall' and the Grade II Listed Building 'Knights Place Farmhouse' fall within 400 metres of the Site. However, as a result of the development proposed (i.e., minor alterations to the existing building), the built form that screens the development, and the distance from the Assets, it is not considered that the proposals fall within the setting of these Assets.

2.3 ACCESSIBILITY

- 2.3.1 In terms of accessibility, the private road on Site provides a connection to the M2 via the Three Crutches slip road, which additionally provides a connection to Cobham, Gravesend, and Ebbsfleet. From the Brewers Road / Halfpence Lane roundabout other surrounding settlements can be reached such as Higham, Cuxton, and Strood.
- 2.3.2 The closest Public Rights of Way (PRoW) are located to the south (Footpath NS182) and to the west (Footpath NS161) of the Site as demonstrated by Figure 2.2 below.

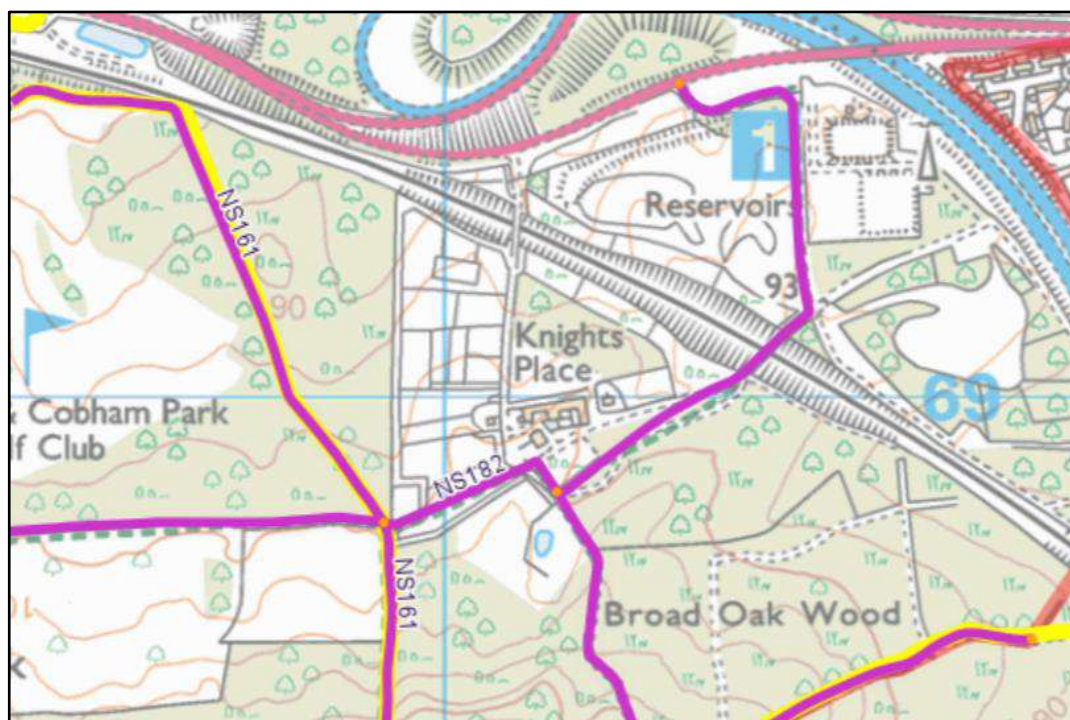


FIGURE 2.2: PUBLIC RIGHTS OF WAY MAP (KENT COUNTY COUNCIL)

- 2.3.3 Whilst the Site itself is not served by a bus service, a large variety of bus stops are located within the surrounding area, in particular along Watling Street (A2) west of the Site 'Old Watling Street' (Stop ID: kntjmptw) lies approximately 750 metres west of the Site and provides access to the '700 Sapphire' which connects to Bluewater. Alternatively, 'Old Watling Street' (Stop ID: kntadatj) lies a further 50 metres east and provides access to the '700 Sapphire' which connects to Chatham.
- 2.3.4 A large number of services and facilities are located within the surrounding area, with a number of day-to-day services such as schools, shops, restaurants, community facilities, open spaces, and employment opportunities are located in Strood. Additionally, Train Stations are accessible in Sole Street, Meopham, and the urban area of Medway.

2.4 PREVIOUS PLANNING HISTORY

- 2.4.1 It is highlighted that the Site has been the subject of a number of previous Planning Applications, however, it is considered that their relevance is reduced by virtue of the development proposed, the time, and changes in planning context since their determination. However, in the interests of clarity, the most relevant Applications on the Site as follows:

REFERENCE	PROPOSAL	DECISION
20141209	Application for the variation of conditions 3 and 5 attached to planning permission reference number 20060917 to allow the retention of internal and external alterations and the conversion of two of the garages to residential use.	Granted Permission June 2016.
20060917	Erection of a detached triple garage and garden store with bedsit, bathroom and lobby in the roof space, in substitution of that part previously permitted under planning permission reference number 20060591	Granted Permission December 2006.
20060916	Erection of stable block to provide two stables, tackroom and hay and feed store.	Granted Permission December 2006.
20060591	Demolition of existing rear extension and erection of a two storey rear extension to form a conservatory, dining/family room, wc and boot room at ground floor level with bedroom, ensuite shower room/wc and walk-in wardrobe at first floor level and erection of a detached triple garage with garden store.	Granted Permission September 2006.

TABLE 2.1: SITE PLANNING HISTORY (COURTESY OF GRAVESHAM BOROUGH COUNCIL)

Previous Applications

- 2.4.2 Permission was granted in December 2014 (reference: 20141209) for the variation of Conditions 3 and 5 attached to Planning Permission reference: 20060917 to allow the retention of internal and external alterations alongside the conversion of two garages to residential use, which follows the Permission granted under

reference: 20060591 for the erection of a detached triple garage with garden store (alongside other works to the main dwelling).

- 2.4.3 Condition 4 and 5 of Application reference 20141209 read as follows and are attached to the Permission to ensure that the buildings was not used as a separate residential unit:

Condition 4: "The building as hereby altered shall at all times be used for accommodation ancillary to the existing dwelling at Oak Tree Cottage, Knights Place Farm, Watling Street, Cobham and it shall not at any time be sold, parted, let or exchanged as a separate dwelling."

Condition 5: "The area outlined in red on the Site Layout Plan received 23 February 2015 is the only area of land, which constitutes the residential curtilage of Oak Tree Cottage, Knights Place Farm, Watling Street, Cobham and no separate residential curtilage shall be formed around the building as hereby altered."

- 2.4.4 Within the Section 106 Agreement, also included within **Appendix A**, attached to the Permission granted under 20141209, refers to the retention of this building in ancillary residential use, with the following were covenant between the Council and Owner:

"2.1 Not to use the Detached Outbuilding for any purpose other than an annexe ancillary to the Main Dwelling.

2.2 Not to permit nor cause to be permitted the occupation of the Detached Outbuilding by any person other than close family members (meaning the Occupiers children over the age of 18 years and / or brothers, sisters, and grandparents of the Occupiers) and the Occupiers visitors.

2.3 Not to sell part with let or exchange part or whole of the Detached Outbuilding as a separate dwelling from the Main Dwelling".

- 2.4.5 Should Planning Permission be granted a Deed of Variation would be advanced to remove this tie.

3 PROPOSED DEVELOPMENT

3.1 OVERVIEW

3.1.1 The proposed development is described as such:

"Change of use of detached building currently in use as a residential annexe to a separate residential dwelling alongside minor alterations to fenestration and laying of hardstanding for parking".

3.1.2 The proposed development comprises the change of use of the existing residential annexe and garage to the creation of a standalone dwelling, which is predominantly achieved through the re-use of the existing residential annexe, but also includes minor internal and external façade alterations.

3.1.3 Whilst the proposed changes are shown in full within the submitted plans and documents, it is noted that Figures 3.1 and 3.2 below show the existing and proposed elevational and floor plan changes.



FIGURE 3.1: PROPOSED ELEVATIONAL CHANGES TO OUTBUILDING

3.1.4 The proposed development is underpinned by a clear design rationale which seeks to retain the rural characteristics of the area, for instance through emulating the existing external materials, whilst providing a sustainable re-use of the building.



FIGURE 3.3: PROPOSED SITE PLAN

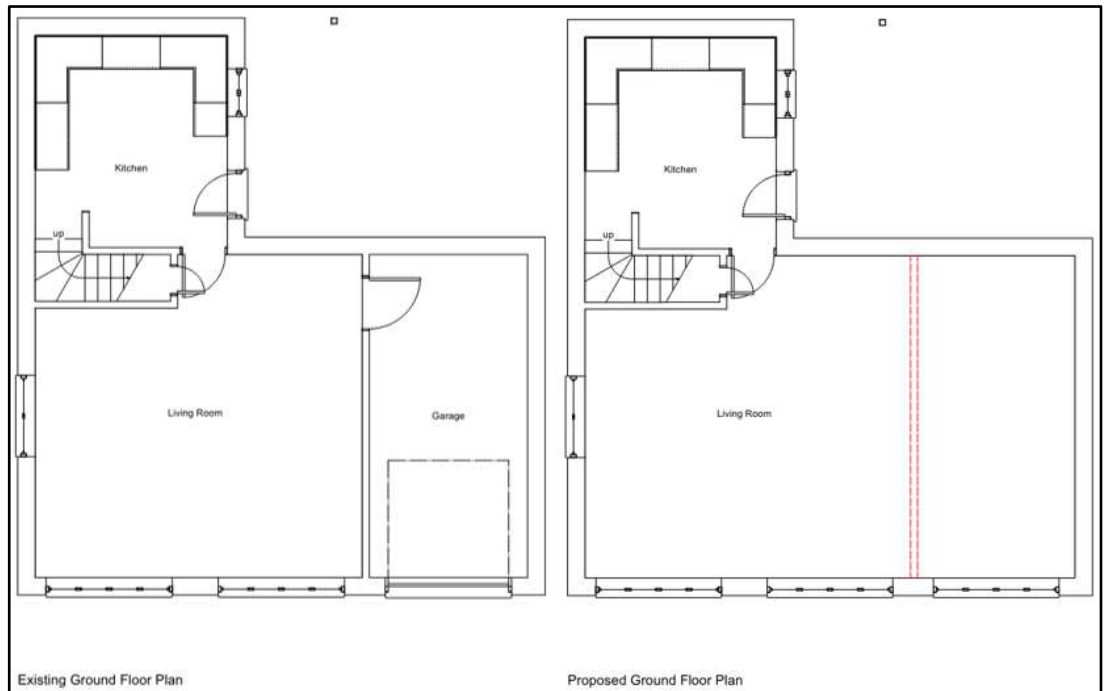


FIGURE 3.2: PROPOSED FLOOR PLAN CHANGES TO OUTBUILDING

- 3.1.5 The Site as existing already benefits from vehicular access with an area of existing hardstanding for the provision of on-plot parking, however, the Application seeks to formalise this arrangement through the introduction of 2no. parking spaces on Site, as demonstrated in Figure 3.3 below.
- 3.1.6 Additionally, by virtue of the existing situation (i.e., the outbuilding is ancillary to the main dwelling), the proposals do not require the change of use from

agricultural to residential garden land, additionally the outbuilding already benefits from its own boundary treatment to formalise the rear amenity space as shown in Figure 3.3 below.

- 3.1.7 The converted building will feature a kitchen and living room on ground floor, with a three bedrooms (one of which will serve as the master bedroom) and a bathroom on the first floor.

4 PLANNING POLICY FRAMEWORK

4.1 OVERVIEW

- 4.1.1 Under the provisions of Section 38 (6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission are required to be determined in accordance with the provisions of the Development Plan in force unless material considerations indicate otherwise.
- 4.1.2 This Section sets out the relevant policies of the statutory Development Plan and refers to any other material considerations that should be taken into account in determining this application.
- 4.1.3 Rather than rehearsing policies, this Section highlights relevant policies applicable to the application at hand. Policies are then explored in further detail within the below Section.
- 4.1.4 In this case, the following documents are relevant to the application:
- The Gravesham Local Plan Core Strategy (2014);
 - The Saved Policies in the Gravesham Local Plan First Review (1994); and
 - The National Planning Policy Framework (December 2023).

4.2 GRAVESHAM LOCAL PLAN CORE STRATEGY (2014)

- 4.2.1 The following Policies within the Gravesham Local Plan Core Strategy are deemed relevant to the proposed development:
- **Policy CS01:** Sustainable Development;
 - **Policy CS02:** Scale and Distribution of Development;
 - **Policy CS11:** Transport;
 - **Policy CS12:** Green Infrastructure;
 - **Policy CS14:** Housing Type and Size;
 - **Policy CS15:** Housing Density;
 - **Policy CS18:** Climate Change; and
 - **Policy CS19:** Development and Design Principles.

4.3 GRAVESHAM LOCAL PLAN FIRST REVIEW SAVED POLICIES (ORIGINALLY ADOPTED 1994, SAVED AND DELETED POLICIES 2014)

- 4.3.1 The following policies within the Gravesham Local Plan First Review Saved Policies are deemed relevant to the proposed development:

- **Policy H5:** Increasing the Housing Stock by Conversion;
- **Policy T1:** Impact of Development on the Highway Network;
- **Policy T4:** Development outside the Built-Up Area;
- **Policy P3:** Vehicle Parking Standards; and
- **Policy P5:** Change of Use of Buildings and Vehicle Parking Standards.

4.4 NATIONAL PLANNING POLICY

National Planning Policy Framework (NPPF), Updated December 2023

- 4.4.1 The NPPF sets out the Government's planning policies for England and puts "*the presumption in favour of sustainable development*" at the heart of the planning system. Those sections of the NPPF which are relevant to the determination of this application include:

- **Section 2:** Achieving Sustainable Development;
- **Section 4:** Decision Making;
- **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; and
- **Section 15:** Conserving and Enhancing the Natural Environment.

Planning Practice Guidance

- 4.4.2 The Planning Practice Guidance (PPG) builds on principles within the NPPF and provides further detailed technical guidance, with reference to relevant legislation and other guidance. The PPG is a 'living document' and is constantly being updated / reviewed.

- 4.4.3 As well as providing technical guidance the PPG sets out the importance of good design. It advocates the need for quality of design which it considers is an integral part of achieving the fundamental objective of sustainable development. The relevant sections of the PPG are listed below:

- Biodiversity Net Gain;
- Design: Process and Tools;
- Effective Use of Land;
- Green Belt;
- Housing: Optional Technical Standards;
- Housing Supply and Delivery;
- Natural Environment; and
- Rural Housing.

The National Model Design Code

- 4.4.4 The purpose of the National Model Design Code is to provide detailed guidance on the production of design codes, guides, and policies to promote successful design. It expands on the ten characteristics of good design set out in the National Design Guide, which reflects the Government's priorities and provides a common overarching framework for design.
- 4.4.5 4.6.5 It is based on the key characteristics of; context, movement, nature, built form, identity, public space, and use. Other sections dealing with homes and buildings, resources, and lifespan provide important considerations in achieving design quality and should be used to inform the content of Local Plans, design codes, or guides, depending on local circumstances.

4.5 OTHER MATERIAL CONSIDERATIONS

Residential Layout Guidelines (Adopted 1996 – Amended 2020) SPG2

- 4.5.1 All Planning Applications for new dwellings, extensions to existing dwellings, flats, maisonettes, and bedsitters (new build or conversion), must comply with the Borough Council's adopted Residential Layout Guidelines.

Kent Vehicle Parking Standards (2006) KCC SPG4

- 4.5.2 This SPG supplements Policy TP3: 'Transport and the Location of Development' and Policy TP19: 'Vehicle Parking Standards' from the Kent and Medway Structure Plan 2006.

Emerging Gravesham Local Plan

- 4.5.3 The Council previously undertook a Regulation 18 Stage 1 consultation on the 'Site Allocations and Development Management Policies' between April and July 2018. This, alongside additional technical work, informed the Regulation 18 Stage 2 consultation between October and December 2020.
- 4.5.4 As of April 2024, no further details have been made available on the Council's website, since the Report to Cabinet (held on Tuesday 3rd January 2023), whereby it was proposed under the revised Local Development Schedule that the Regulation 19 Public Consultation would take place between September and October 2023. With submission for Independent Examination (i.e., Regulation 22) in February 2024.
- 4.5.5 At this point details are awaited from the Council regarding the Regulation 19 consultation. It is understood that this delay stems from a diversion of Council

resources on the Lower Thames Crossing Development Consent Order Examination and further transportation work.

Five Year Housing Land Supply

- 4.5.6 National Planning Policy Framework (NPPF) Paragraph 76 is clear that Local Planning Authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision making purposes subject to the following criteria being met:
- "a. their adopted plan is less than five years old; and*
- b. that adopted plan identified at least a five year supply of specific, deliverable sites at the time that its examination concluded."*
- 4.5.7 As noted above, the Council's Core Strategy was adopted in September 2014, in this regard, the Council are ordinarily required to demonstrate a five-year supply of deliverable housing sites, as a result of not benefiting from the 'protection' of Paragraph 76.
- 4.5.8 In regard to the Council's Emerging Local Plan, it is noted that in view of NPPF Paragraph 77 and in line with the provisions of NPPF Paragraph 226, it is recognised that a Local Authority is required to demonstrate a minimum of four years' worth of housing where their Regulation 18 or Regulation 19 Plan comprises allocations and a Policies Map, which nonetheless should be based on the Government's Standard Methodology. It is additionally highlighted that Planning Practice Guidance (PPG) Paragraph 065 (reference: 68-056-20240205) is clear that where the criteria of Paragraph 226 are met, an Authority will need to demonstrate a four year housing land supply (with a buffer if appropriate) against their five year housing land supply requirement. By virtue of the Council's Emerging Local Plan being at a Regulation 18 stage and comprising of allocations but no Policy Map, the Council do not benefit from the provisions of Paragraph 77 or 226.
- 4.5.9 Notwithstanding this, the published Housing Land Supply for the Council as of March 2023 sets out a 2.9 years' supply of housing, taking into account the 20% applied to housing provision. Further to this, the Housing Delivery Test (HDT) 2022 results were published in December 2023, demonstrating that over the last three years (i.e., 2019 – 20, 2020 – 21, 2021 – 22), the Council has achieved a delivery rate of 53% when compared to the required number of houses over this period, and therefore the presumption in favour of sustainable development applies.
- 4.5.10 Notwithstanding the above, where opportunities exist to deliver new homes that make more efficient use of previously developed land should be appropriately maximised. Further to this, given the status of the Emerging Local Plan, and in addition to the Council's significant and long-term housing shortfall, it is vital that the Development Management system intervenes to take a permissive stance to development and deliver the homes that are urgently needed in the short term.

5 PLANNING CONSIDERATIONS

5.1 INTRODUCTION

- 5.1.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, it is necessary to consider whether the application proposal accords with the statutory development plan and if not, whether any material considerations indicate, that planning permission should nevertheless be granted.
- 5.1.2 In determining whether the proposal accords with the development plan, the following planning policy considerations are assessed in this section in relation to the proposal:
- (1) The Principle of Development;
 - (2) Design;
 - (3) Amenity;
 - (4) Ecology and Biodiversity Net Gain; and
 - (5) Highways, Access, and Parking.

5.2 THE PRINCIPLE OF DEVELOPMENT

- 5.2.1 Local Plan Policy CS01 is clear that when considering proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development as contained within the NPPF, therefore the Council will work proactively with Applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure developments improve the economic, social, and environmental conditions in the area. Further to this, where there are no Policies relevant to the Application, or relevant Policies are out of date at the time of making the decisions then the Council will grant permission unless material considerations indicate otherwise, taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the Policies of the NPPF when taken as a whole or if specific policies in the Framework indicate that development should be restricted.
- 5.2.2 NPPF Paragraphs 154 and 155 state that certain forms of development are not considered inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within the Green Belt, which includes the re-use of buildings provided that the buildings are of permanent and substantial construction. Given the brick construction of the building and that it is currently in use as a residential annexe, it is submitted that the building is of sound construction and therefore the proposals comply with this

element of national Green Belt policy, in this regard it is entirely considered that the proposed change of use of the building would not be inappropriate development given that it preserves the openness of the Green Belt and would not conflict with the purposes of including land within it. It is additionally highlighted that the development does not lead to an increase to the footprint of the building. In this regard, it is considered that the Council would be minded to consider that the impact on openness as a result of the development would not be any greater than the previous use and therefore openness would be preserved in both spatial and visual senses.

- 5.2.3 Whilst NPPF Paragraph 84 is clear that planning policies should avoid the development of isolated homes in the countryside, it is however noted that the Site is located in immediate proximity to a number of existing dwellings within 150 metres of the Site. It is therefore not isolated.
- 5.2.4 In view of this, it is noted that the development as proposed seeks to retain the building as existing, aside from the removal of the garage door and its replacement with a window, to ensure the protection of the character of the existing buildings. The proposals comprise the comprehensive and sensitive change of use of a previously developed site and is therefore supported in principle by the Development Plan and the NPPF.
- 5.2.5 Notwithstanding this, by virtue of the extent of the housing shortfall in Gravesham Borough and the delay in progressing an up-to-date Local Plan is reiterated, which is a significant material consideration in the determination of the Application. As a result of the Council demonstrating a significant shortfall of housing supply, in addition to the Policies regarding housing supply being out of date, the Application must be considered in accordance with the presumption in favour of sustainable development, as previously highlighted. The proposals are in complete accordance with the NPPF, with Paragraph 11 highlighting that Planning Permission must be granted unless adverse consequences of doing so significantly and demonstrably outweighs the benefits. Chapter 11 of the NPPF further outlines that planning decisions should make effective use of land by promoting it, and further supporting the use of underutilised land and buildings, particularly when they would contribute toward housing need and where sites can be used more effectively.
- 5.2.6 The NPPF continues to note under Paragraph 70 that small and medium sized sites can make an important contribution in meeting the housing requirements of an area, with the development making a modest positive contribution to the supply of new homes in the Borough. To promote the development of a good mix of Sites, Planning Authorities should *inter alia*:
- "support the development of windfall sites through their policies and decisions".*
- 5.2.7 Consequently, it would now be considered wrong for the Council to undertake a simple balancing exercise between the positive and negative factors related to the proposed development. In view of this, until a Plan is up to date, the only

proposals that should not be granted permission are those that have adverse impacts which "*significantly*" outweigh the overall benefits of development.

- 5.2.8 The proposals provide a number of benefits, however, most pertinently these include:
- Change of use of an existing residential annexe into a new family home in a rural area which is characterised by low density residential uses;
 - Use of underutilised building that is of sound construction; and
 - Visual betterment and 'tidying up' of the existing Site.
- 5.2.9 Additionally, NPPF Paragraph 8 is clear that the planning system has three overarching objectives to achieve sustainable development which are interdependent and need to be pursued in mutually supportive ways.
- 5.2.10 Economically, the proposed development would provide short-term jobs for local construction workers, in addition to local companies having the opportunity to supply local materials, providing increased spending power within the area that will support local shops and services. It is additionally, envisaged that the future occupiers of the development will make use of local facilities and services, in addition to the development providing the Council with increased Council Tax payments.
- 5.2.11 Socially, the proposed development would provide a much needed new family home, which is of particular importance in the context of the identified need to provide in excess of 700 new homes per year.
- 5.2.12 Environmentally, the proposed development would make effective use of an underutilised residential annexe with minor external façade changes and in this regard it is noted that there are a number of significant environmental benefits associated with the re-use of underutilised buildings which should be considered, namely, the reduced carbon footprint of using an existing building compared to the complete construction of a new building in terms of embodied carbon, the reduction in required building materials and energy consumption associated with the demolition and construction process.
- 5.2.13 In this regard, the proposals would cause little or no resultant harm and certainly nothing to a level that would demonstrably outweigh the tangible benefits.
- 5.2.14 Therefore, the proposed development provides an excellent opportunity to create much needed homes in an area that has a growing requirement for housing. The proposals are entirely consistent with the wider strategic objectives of the Council and the NPPF and therefore it is viewed that the principle of development is entirely acceptable.

5.3 DESIGN

- 5.3.1 NPPF Paragraph 130 is clear that *'good design is a key aspect of sustainable development'*, *'creates better places in which to live and work and helps make development acceptable to communities'*.
- 5.3.2 Due to the nature of the development, i.e., the conversion of a residential annexe to a standalone dwelling, minimal external material changes are proposed (i.e., the replacement with a garage door with window opening). However, in cases where external material changes are proposed, the development will emulate the materials as used within the existing building. The proposals have been developed with the core design concept of retaining the integrity of the existing residential annexe through utilising the original structure, alongside the internal garage space to provide an attractive living space.
- 5.3.3 It is noted that the development, by virtue of being a conversion, there would not be a resulting harm to the AONB.
- 5.3.4 The dwelling has been designed to ensure that the internal spaces are appropriate and fit for purpose. It is noted that the proposed dwelling is entirely in accordance with the requirements set out under the Nationally Described Space Standards in addition to being provide with adequate internal storage, recycling storage space, and access to useable private amenity space.

5.4 AMENITY

- 5.4.1 Paragraph 135 of the NPPF is clear that planning policies and decisions should ensure that developments create places that function well, are visually attractive, sympathetic to local character and history, establish or maintain a strong sense of place, optimise the potential of the Site, and create places that are safe, inclusive, and accessible and which offer a high standard of amenity for existing and future users.
- 5.4.2 In this regard, it is highlighted that the proposed development only seeks the addition of one new opening, in the form of a window, which will replace the existing garage door. The new window will serve the extended living room and look out to the land associated with the Knights Place Farm Equestrian Centre.
- 5.4.3 It is noted that all existing window openings will remain unchanged and in the existing situation provide no concerns of overlooking. It is therefore considered that the change of use from the residential annexe to sole residential use will not give rise to any amenity concerns.
- 5.4.4 In light of this, it is considered that there is no likely harm to neighbouring amenity as a result of the proposed development and it will indeed provide a high standard of amenity for future occupiers.

5.5 ECOLOGY AND BIODIVERSITY NET GAIN

Ecology

- 5.5.1 By virtue of the development as proposed (i.e., the re-use of a residential annexe alongside an internal garage to a residential dwelling) it is therefore noted that there are no overriding ecological constraints that would prevent the proposed works to the building from coming forward and is concluded that this Application is not required to be supported by an Ecological Report.

Biodiversity Net Gain

- 5.5.2 NPPF Paragraph 180(d) is clear that new development should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by established coherent ecological networks that are more resilient to current and future pressures.
- 5.5.3 For developments in England, Biodiversity Net Gain (BNG) became mandatory from 12th February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). As a result of this, developers must deliver a BNG of 10%, ensuring the development will result in more or better quality natural habitat than there was prior to the development. Within this, there a number of development types that are exempt from the mandatory BNG requirements as a set out in the Biodiversity Gain Requirements (Exemptions) Regulations 2024.
- 5.5.4 In this regard, it is highlighted that the Biodiversity Gain condition does not apply to developments that are subject to the *de minimis* exemption, this exemption covers developments that do not impact a priority habitat and impact less than 25 square metres of onsite habitat, or 5 metres of linear habitats such as hedgerows.
- 5.5.5 In this regard, and as noted above, the parking proposals will lead to the removal of 12.5 square metres of the existing vegetation on Site, and therefore the development complies with the *de minimis* exemption.
- 5.5.6 In view of the above, it is considered that the development as proposed is entirely in accordance with all relevant National and Local Policy.

5.6 HIGHWAYS, PARKING, AND ACCESS

- 5.6.1 Core Strategy Policy CS11 (transport) is clear that new development should mitigate their impact on the highway and public transport networks as required, with sufficient parking in new development provided in accordance with adopted parking standards which will reflect the availability of alternative means of transport and accessibility to services and facilities.

- 5.6.2 Local Plan saved Policy P3 noted that the Council will expect development to make provision for vehicle parking in accordance with the Kent County Council Parking standards, with vehicle parking normally made on the development site.
- 5.6.3 Additionally, saved Local Plan Policy P5 is clear that in considering applications for the change of use of buildings, the Council will seek to ensure that the Vehicle Parking Standards are met, however, should this be prejudicial to the townscape or likely lead to the building being unused or underutilised then the Council may be prepared to consider a relaxation of the standards.
- 5.6.4 Vehicular access to the Site exists via the established private road from the Three Crutches slip road which serves the wider Knights Place Farm, the development will therefore make use of the vehicular access as existing.
- 5.6.5 By virtue of the scale of the proposed development, it is not expected that the proposals would generate significant additional trips and therefore would not demonstrably impact on Local Highway capacity, amenity, or operation, or would it have any severe impact on the Local Highway Network in line with NPPF Paragraph 115.

As note previously, the parking for the property will be provided in the form of hardstanding located immediately adjacent to the building to the south. The hardstanding provides two formal car parking spaces in accordance with the KCC Interim Guidance Note 3 (IGN3) vehicle access parking standards for residential development in rural locations. The parking provision and access to the Site are considered to be acceptable, it is additionally highlighted that the Site as existing benefits from access to two vehicle parking spaces.

6 SUMMARY AND CONCLUSION

6.1 SUMMARY

- 6.1.1 This Statement has been prepared on behalf of Mr. C. Thompson in respect of a Full Planning Application for the change of use of a residential annexe to create a new 3-bedroom dwelling at Oak Tree Cottage, Knights Place Farm, ME2 3UB.
- 6.1.2 The Site is situated within the Metropolitan Green Belt and so careful consideration has been given to the design approach to ensure that the development would not result in any adverse impacts to openness. It is additionally highlighted that the in-principle re-use of an existing building is an 'appropriate' form of development within the Countryside as defined by the Development Plan and NPPF.
- 6.1.3 The importance of the ability to deliver new family homes in the short-term is reiterated, given the extent of the housing shortfall in the Borough. Indeed, based on the Government's standard methodology for calculating housing need, Gravesham's annual requirement of 707 dwellings, which is nearly double the current 363 houses per year target contained within the out-of-date Core Strategy. Furthermore, the latest Housing Delivery Test results require the Council to apply the presumption in favour of sustainable development owing to recent under delivery. National Planning Policy further reflects the importance of housing need and supply, which requires Local Authorities to provide a five-year housing land supply, where authorities are unable to do so, circumstances significantly tilt decision making in favour of the grant of permission.
- 6.1.4 It is noted that the principle of the change of use of the residential annexe to a standalone residential dwelling is supported by the Development Plan. The building is additionally structurally sound and capable of change of use.

6.2 CONCLUSION

- 6.2.1 In consider the above context, the development comprises a well-informed, high-quality, sensitive, and well-planned re-development proposal. The proposed development entirely accords with the Development Plan, and additionally, wider material considerations support the proposed change of use and therefore it is respectfully requested that Planning Permission be granted.



Section 106 Agreement Attached to Gravesham Borough Council
Planning Application Reference: 20141209.

Dated

26th May 2015/16

GRAVESHAM BOROUGH COUNCIL (1)

and

COMPLETE MOLING SERVICES LIMITED (2)

and

LLOYDS BANK PLC (3)

S106 AGREEMENT

Made pursuant to S106 of the Town and Country
Planning Act 1990 relating to:-
1 and 2 Oak Tree Cottages, Knights Place Farm,
Strood, Rochester

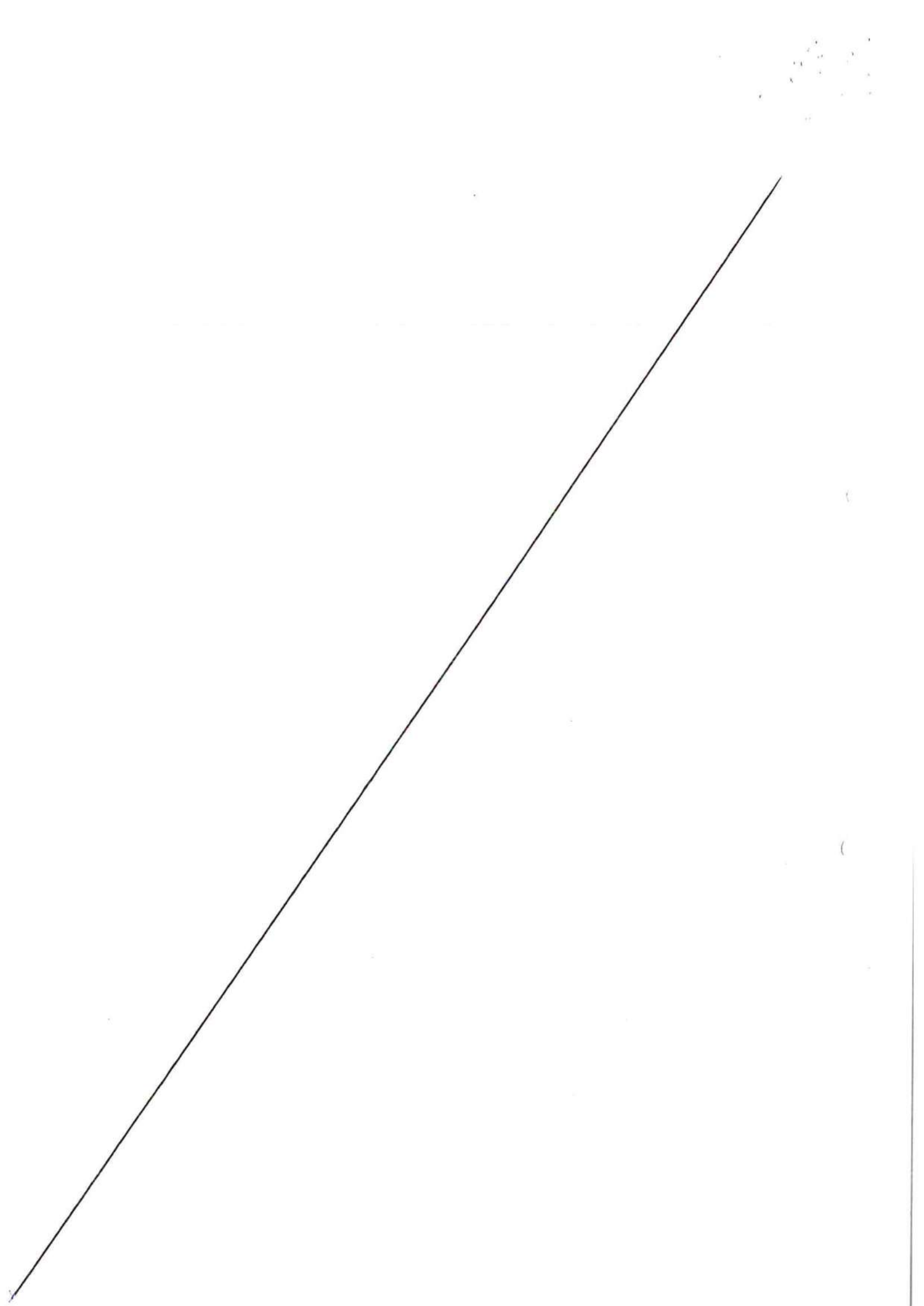
S.106 TOWN & COUNTRY PLANNING ACT 1990
AS SUBSTITUTED BY SECTION 12 OF THE PLANNING AND
COMPENSATION ACT 1991

THIS DEED OF PLANNING OBLIGATIONS is made the 26th day of May 2015 BETWEEN GRAVESHAM BOROUGH COUNCIL of Civic Centre Windmill Street Gravesend Kent ("the Council") of the first part and **COMPLETE MOLING SERVICES LIMITED** (Co.Regn.No. 03325720) of 1 and 2 Oak Tree Cottages, Knights Place Farm, Watling Street, Strood, Rochester, Kent ME2 3UB ("the Owner) of the second part and **LLOYDS BANK PLC** (Co.Regn.No 2065) of Penderford Securities Centre, Penderford Business Park, Wobaston Road, Wolverhampton, WV9 5HZ ("the Mortgagee") of the third part

Definition and Interpretation

(1) In this Agreement the following words and expressions shall where the context so admits have the following meaning:-

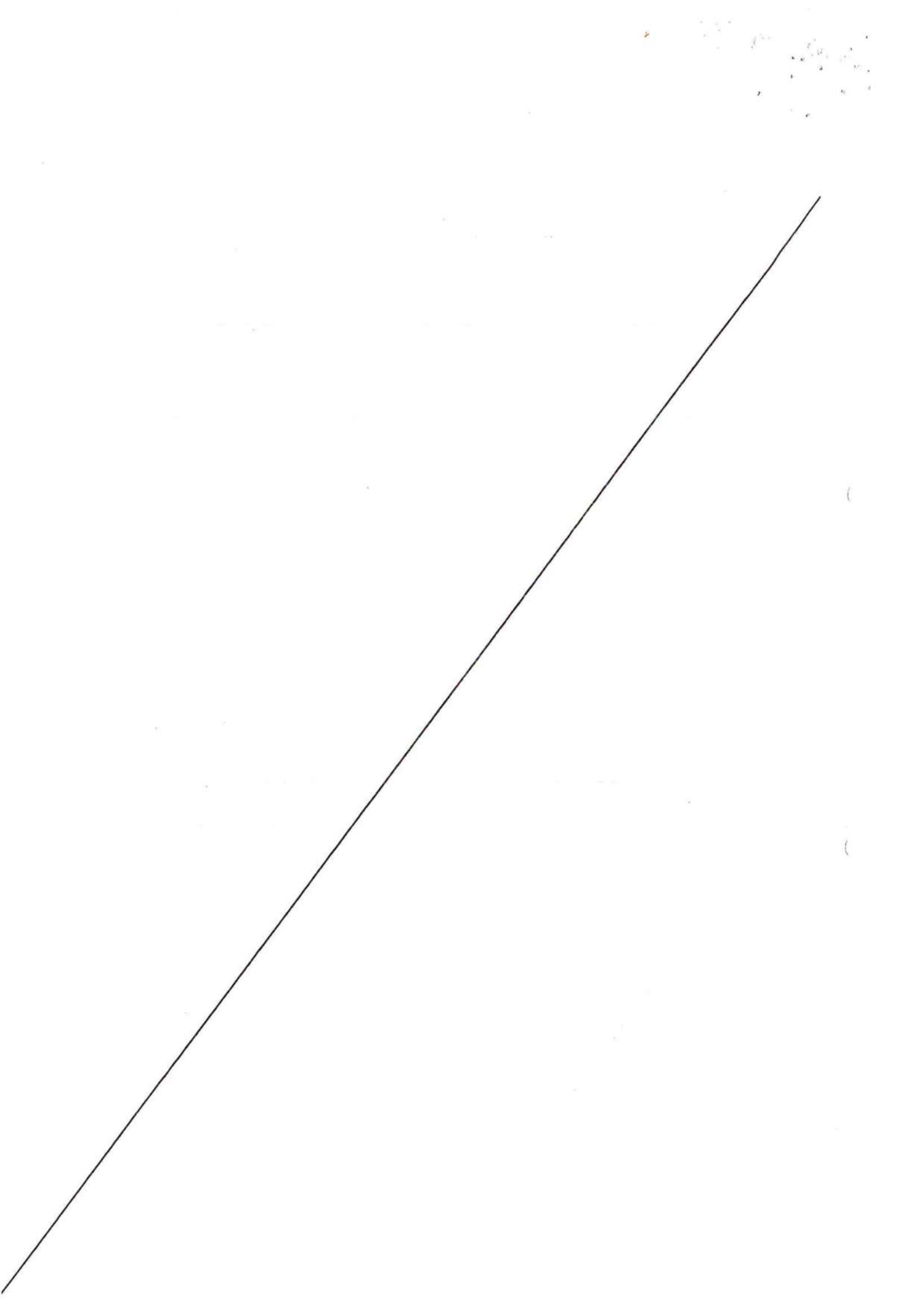
Act	The Town & Country Planning Act 1990 (as amended)
Application	The application for planning permission dated 23 December 2014 submitted to the Council for the Development and allocated reference number 20141209
Development	Application for the variation of conditions 3 and 5 attached to planning permission reference number 20060917 to allow the retention of internal and external alterations and the conversion of two of the garages to residential use.
Main Dwelling	1 and 2 Oak Tree Cottages, Knights Place Farm, Watling Street, Strood, Rochester, ME2 3UB shown edged blue on the Plan
Detached Outbuilding	The garage shown edged green on the Plan
Occupiers	The person or persons occupying the Main Dwelling as their only or principal home.



Plan	The plan annexed to this Deed
Planning Permission	The detailed planning permission for the Development and granted pursuant to the Application
Site	The land shown edged red on the Plan

(2) In this Agreement:-

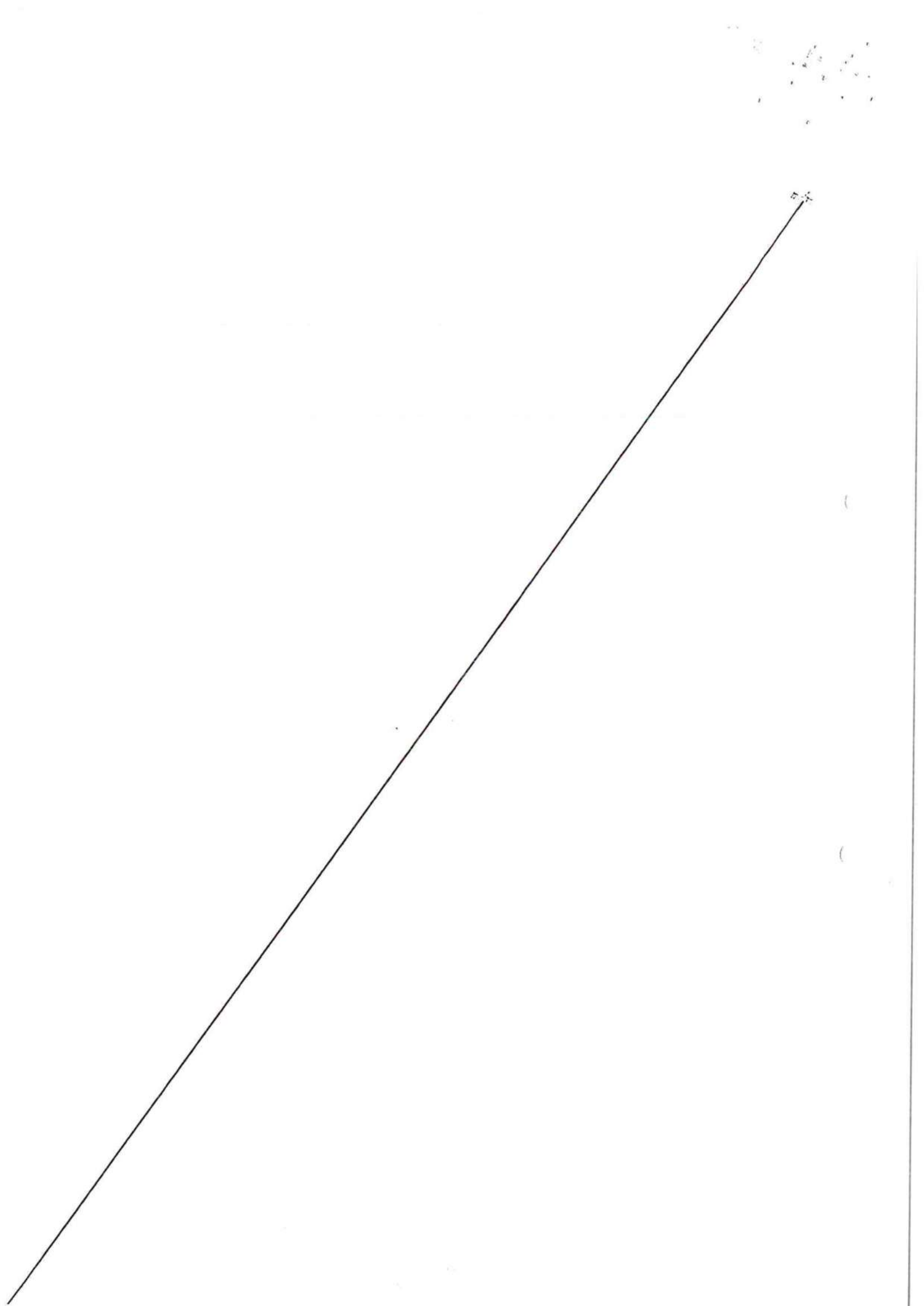
- (i) references to any statute or any section thereof include any statutory extension or modification amendment or re-enactment of such statutes and include all instruments orders bye-laws and regulations for the time being made issued or given thereunder or deriving validity therefrom and all other legislation of the European Community that is directly applicable to the United Kingdom
- (ii) references to any clause sub-clause paragraph sub-paragraph or schedule without further designation shall be construed as a reference to the clause sub-clause paragraph sub-paragraph or schedule to this Agreement so numbered.
- (iii) words importing one gender shall include both genders and the singular shall include the plural and vice versa
- (iv) where there are two or more persons included in the expressions "the Owner" "the Council" and the Mortgagee covenants expressly to be made by any of them shall be deemed to be made by such persons jointly and severally
- (v) any covenant by a party to this Agreement not to do an act or thing shall be deemed to include an obligation not to permit or knowingly suffer such act or thing to be done by another person
- (vi) if at any time any of the provisions of this Agreement become illegal invalid or unenforceable in any respect under any law or regulation of any jurisdiction neither the legality validity or enforceability of the remaining provisions of this Agreement shall be in any way affected or impaired as a result



- (vii) nothing contained in or done under this Agreement shall prejudice the rights powers or duties and/or obligations of the Council in the exercise of its functions or under any statutes bye-laws instruments order or regulations
 - (viii) no waiver (whether expressed or implied) by the Council of any breach or default by the Owner in performing or observing any of the terms and conditions of this Agreement shall constitute a continuing waiver and no such waiver shall prevent the Council from enforcing any of the said terms or conditions or from acting upon any subsequent breach or default in respect thereto by the Owner
 - (ix) where the agreement approval or consent is required by the Owner under the terms of this Agreement from the Council that agreement approval or consent shall be given in writing and shall not be unreasonably withheld or delayed
- (3) This Agreement:-
- (i) shall be governed by and construed in accordance with the Law of England
 - (ii) does not create any right enforceable by any person not a party to it nor does it create any right enforceable by a third party under the Contracts (Rights of Third Parties) Act 1999

WHEREAS

- (1) The Owner is registered as proprietor with Title Absolute under Title Numbers K819391 and K519888 of the Site
- (2) The Council is the Local Planning Authority for the purposes of the Act for the area within which the Site is situate and the Council is also a planning authority for the purpose of enforcement of the obligations herein
- (3) The Site is charged by way of legal mortgage to the Mortgagee
- (4) The Owner has by the Application applied for planning permission to carry out the Development on the Site



- (5) The parties have agreed to enter into this Agreement in manner hereinafter appearing and the Council is satisfied that subject thereto the Development is such as may be approved by the Council under the Act
- (6) The covenants herein contained are planning obligations for the purposes of Section 106 of the Act

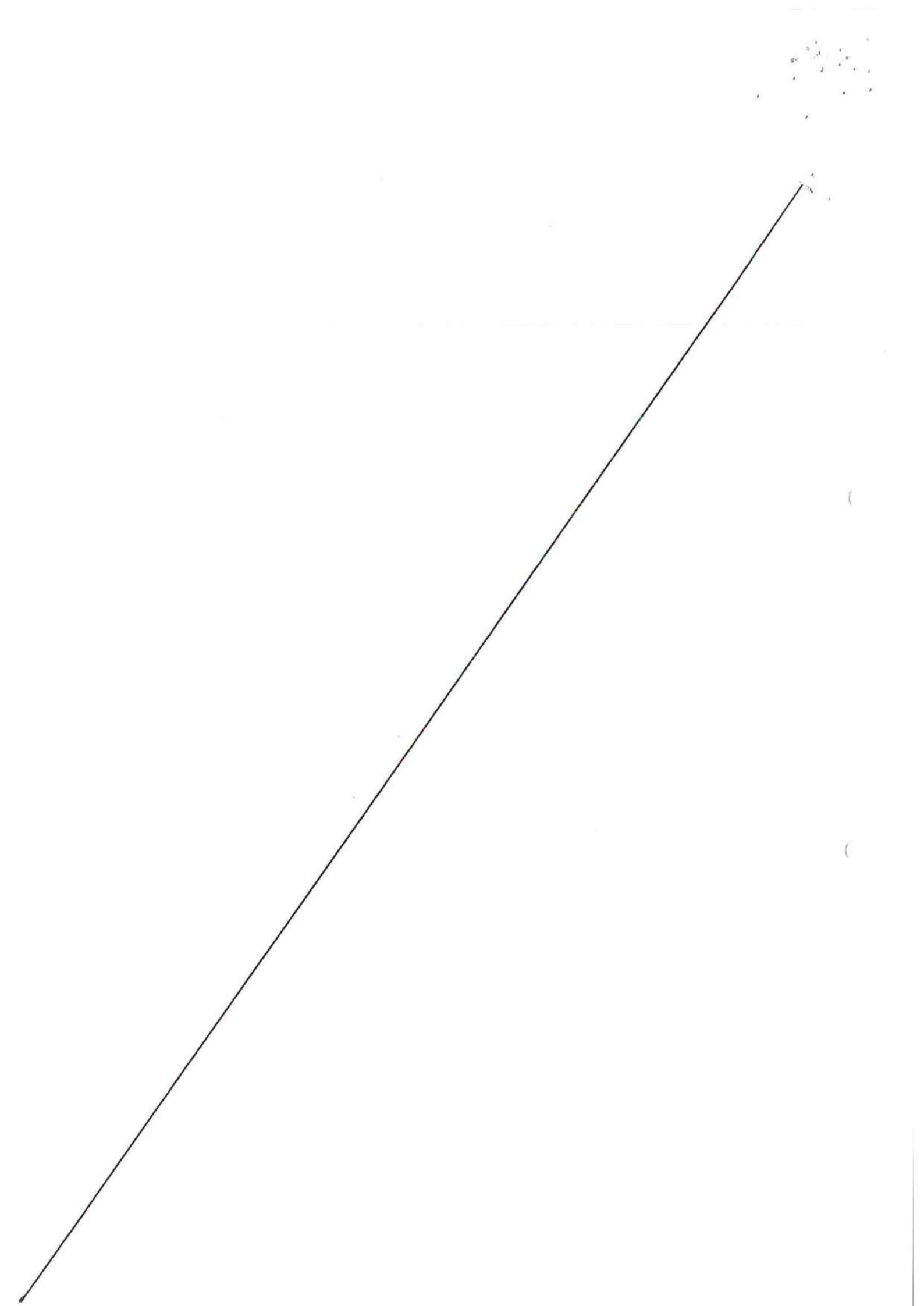
NOW THIS AGREEMENT WITNESSES as follows:-

- 1.1 This Agreement constitutes a planning obligation for the purposes of and is made in pursuance of Section 106 of the Act and Section 111 of the Local Government Act 1972
- 1.2 The Council is the Local Planning Authority entitled to enforce the provisions of this Agreement
- 1.3 This Agreement is entered into in respect of the Site
- 1.4 This Agreement shall be binding on all successors and assigns in title of the parties hereto
- 1.5 Nothing in this Agreement is or amounts to or shall be construed as a planning permission or approval
- 1.6 This Deed is conditional upon:-
- (i) the grant of the Planning Permission; and
 - (ii) the commencement of Development save for the provisions of Clause 3.1

2. Owners Covenants

The Owners hereby covenant with the Council:-

- 2.1 Not to use the Detached Outbuilding for any purpose other than for an annexe ancillary to the Main Dwelling
- 2.2 Not to permit nor cause to be permitted the occupation of the Detached Outbuilding by any person other than close family members (meaning the Occupiers children over the age of 18 years and/or brothers, sisters and grandparents of the Occupiers) and the Occupiers visitors



2.3 Not to sell part with let or exchange part or whole of the Detached Outbuilding as a separate dwelling from the Main Dwelling

3. The Owner hereby covenants with the Council:-

3.1 On completion of this Agreement to pay the Council's reasonable costs for the preparation and completion of this Agreement

3.2 Not to claim any compensation in consequence of the making of this Agreement or the conditions and restrictions imposed hereby

3.3 To release and indemnify and keep indemnified the Council from and against all actions claims compensation costs demands and expenses at any time incurred or as the case may be arising out of the carrying out by the Owner of the Development required to be done under the terms of this Agreement

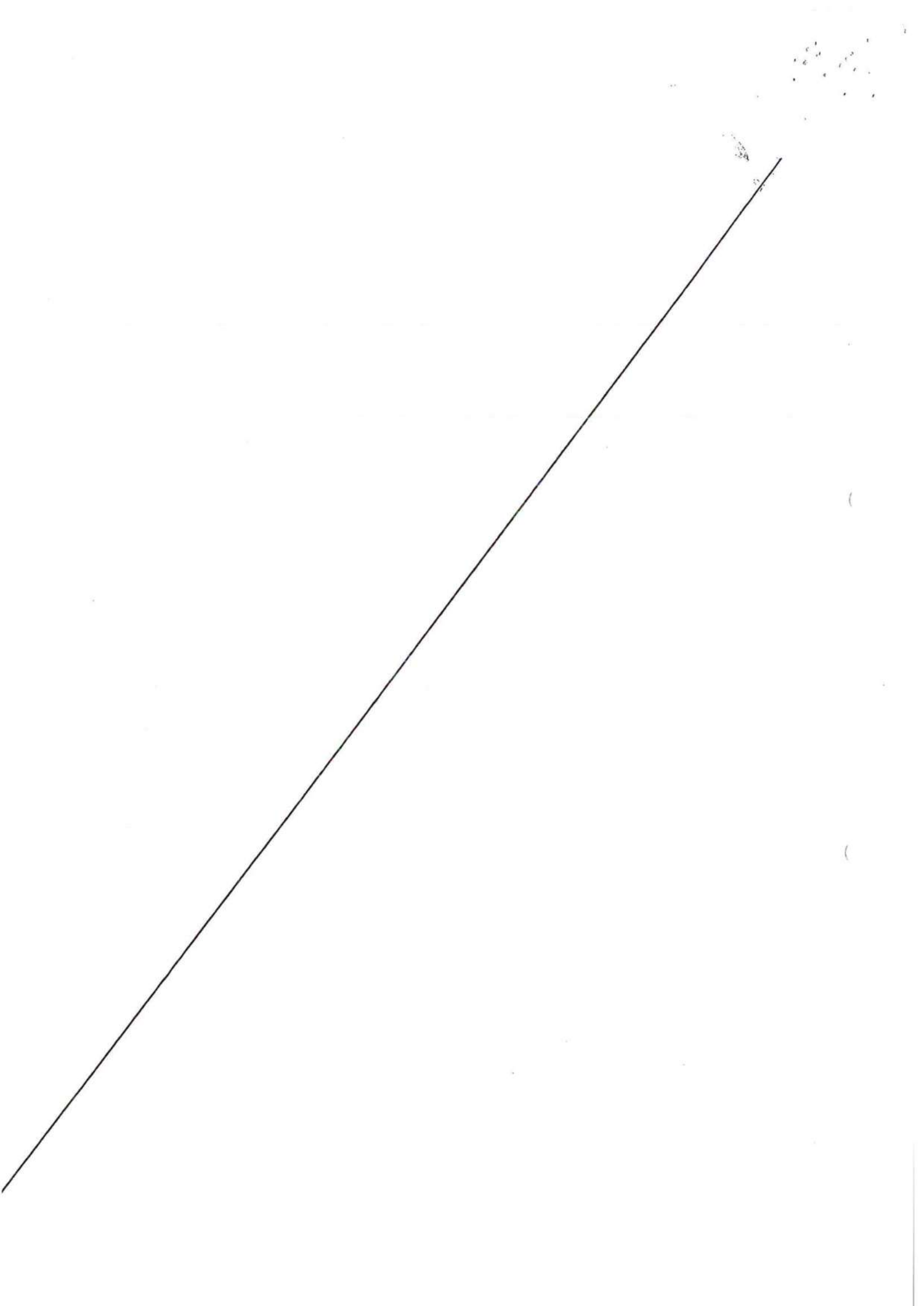
4. The Mortgagee hereby consents to the completion of this Agreement and acknowledges that from the date of the Agreement the Site shall be bound by the covenants and obligations provided that the Mortgagee shall only be liable for any breach of this Agreement if it has itself caused the breach whilst mortgagee in possession and shall not be liable for any pre-existing breach of this Agreement nor for any breach after it has parted with or released its interest in the Site

5. The expressions "the Council" "the Owner" and "the Mortgagee" shall include their respective successors in title and assigns **PROVIDED** that no person shall be liable hereunder after they no longer have any estate of interest in the Site or the Development

6. This Agreement shall be registered in the Council's Register of Local Land Charges within 14 days of the completion of this Agreement

7. **Contracts (Rights of Third Parties) Act 1999**

Nothing in this Agreement confers any rights on any person pursuant to the Contracts (Rights of Third Parties) Act 1999



IN WITNESS whereof the Council and the Mortgagee have caused their respective common seals to be hereunto affixed and the Owner has signed this instrument as his deed the day and year first before written

THE COMMON SEAL OF THE)
GRAVESHAM BOROUGH COUNCIL)
was hereunto affixed (but this Deed is)
not delivered until the date hereof) on)
the authority of:-)



Authorised Sealing Officer



THE COMMON SEAL OF THE)
LLOYDS BANK PLC was hereunto)
affixed on the date hereof)

SIGNED AS A DEED	
BY THOMAS OLIVER BELFORT as authorised signatory for Lloyds Bank plc in the presence of (signature of witness)	} Per Pro Lloyds Bank plc
_____ Webaston Rd, Wolverhampton WV9 5HZ	

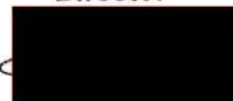
Executed as a Deed by)
COMPLETE MOLING SERVICES)
LIMITED acting by two Directors)

Signature



Director

Signature



Director

The following is a list of the
 names of the persons who
 were present at the meeting
 held on the 1st day of
 the month of May, 1900.

The following is a list of the
 names of the persons who
 were present at the meeting
 held on the 1st day of
 the month of May, 1900.

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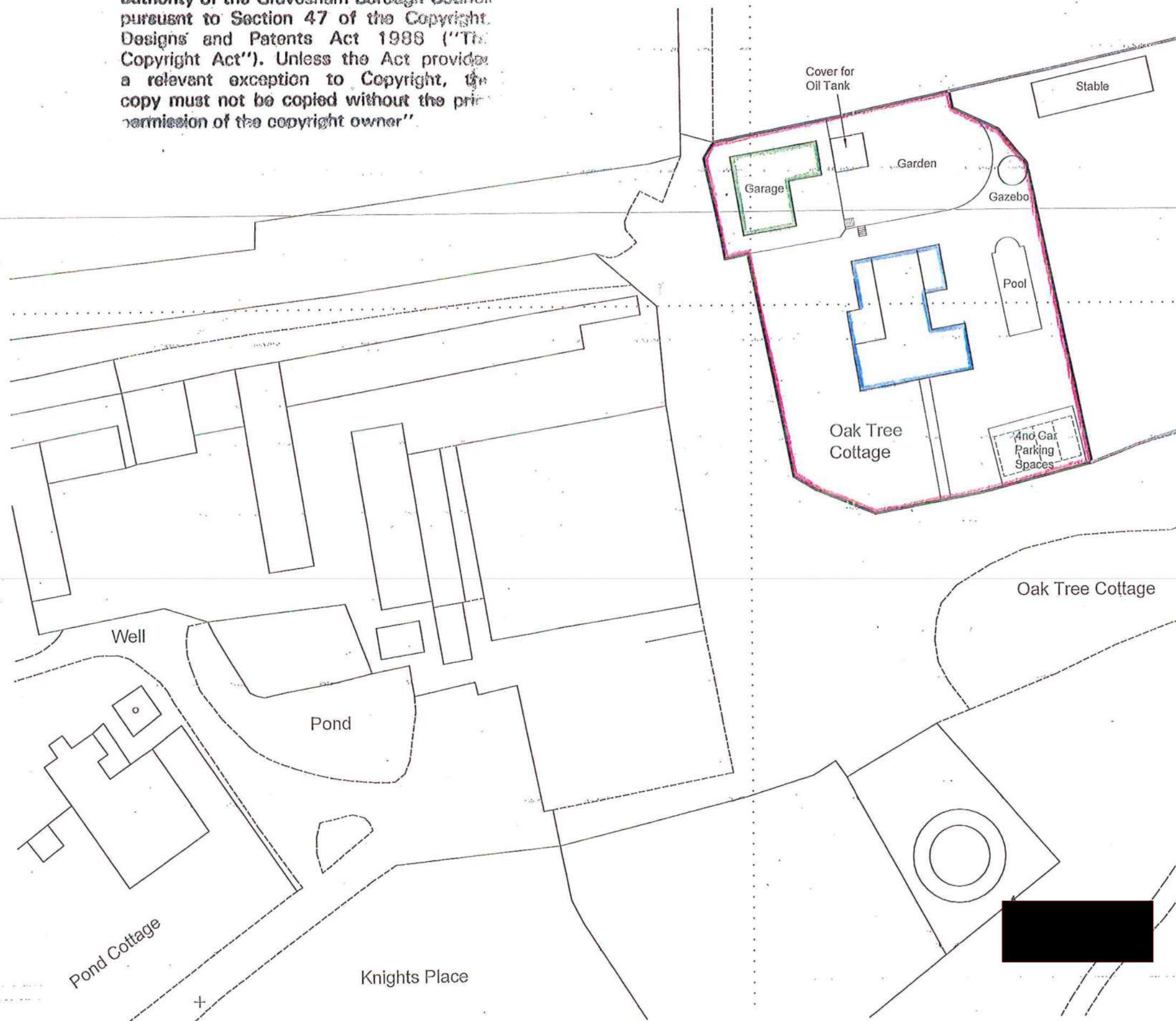
Plan to S106



THOMAS OLIVER BELFORT

29 FEB 2015

20141209



GSP
Graham Simpkin Planning

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Longfield, Kent DA3 8BG

Tel: 01474 703705
www.grahamsimpkinplanning.co.uk
Email: webmail@grahamsimpkinplanning.co.uk

Project Title Oak Tree Cottage, Knights Place Farm Rochester ME2 3BU		Job No 2403
Drawing Title Site Layout Plan	Drawing No 7	Revision
Date 19.02.2015	Drawn by LW	Checked by GKS
Scale 1:500 @ A3	Note	
0 5 10 15 20 25 30 1:500 metres		N

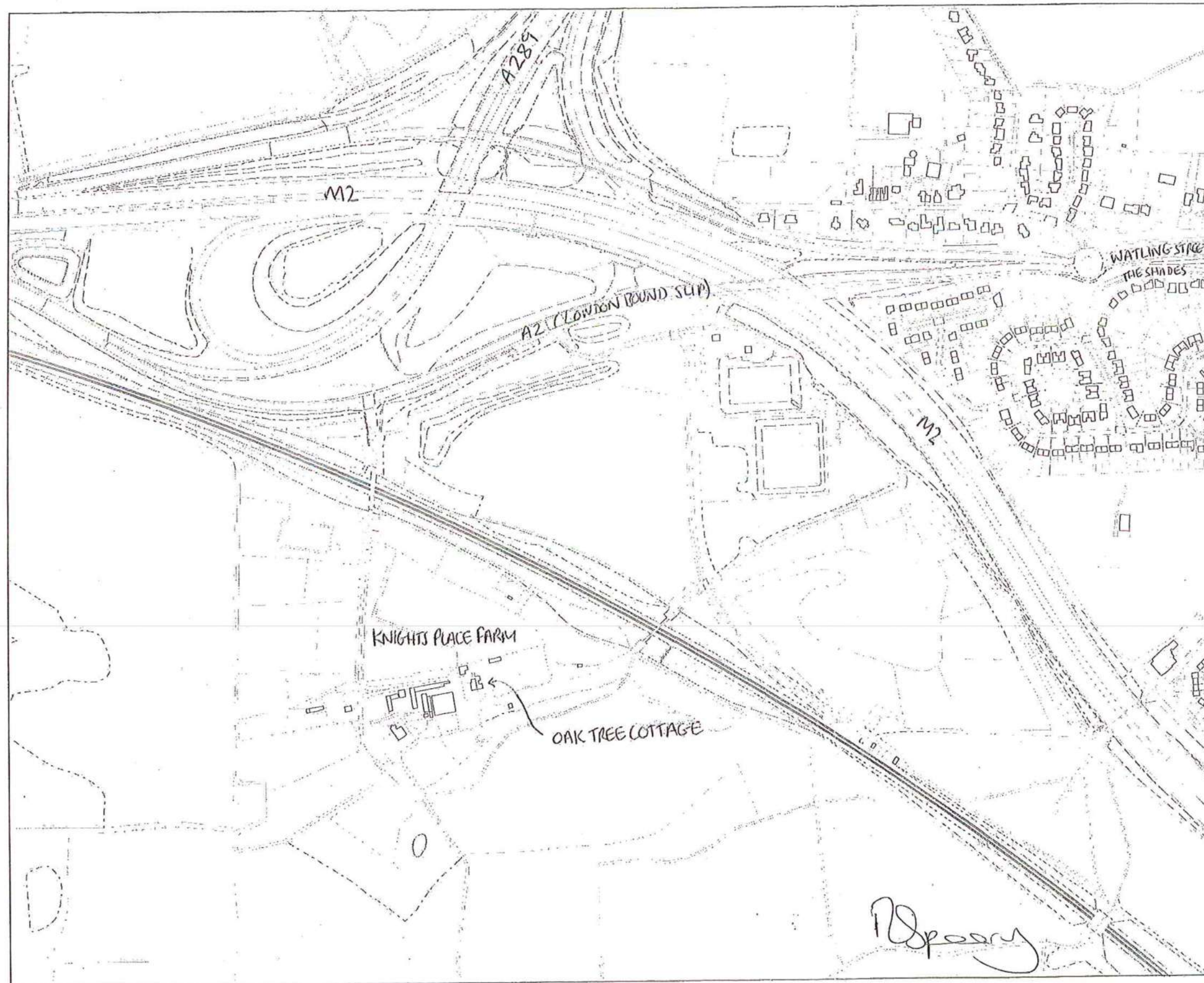
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PLAN FOR
S.106.



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THOMAS OLIVER BELFORT

Organisation	Gravesham Borough Council
Department	Planning and Regeneration
Comments	Not Set
Date	06 May 2015
SLA Number	100019166

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