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Planning Statement

(Inc Water Efficiency Statement and Residential Space Standards)

**Barn at Benlin Farm, Trolling Down Hill,
Dartford DA2 6NR**

CLIENT: Mr & Mrs J Ayres

November 2023
DHA/32689



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1 INTRODUCTION

1.1 OVERVIEW

- 1.1.1 This statement has been prepared on behalf of Mr & Mrs J Ayres in respect of a retrospective planning application for the partial conversion/partial reconstruction of an existing barn at Benlin Farm (hereby referred to as 'Benlin Barn' or the Site'). The development will retain a near complete three-bedroom dwelling with associated parking, private garden and landscaping.
- 1.1.2 The application follows the grant of planning consent DA/22/01355/FUL, which allowed the conversion of the barn to a dwelling.
- 1.1.3 Following the grant of this consent and the subsequent discharge of conditions works to the conversion commenced in line with the agreed parameters outlined within the structural survey that was presented as part of the conversion approval.
- 1.1.4 During construction it has become apparent that many of the dimensions of the original application drawings were based on inaccurate OS data and not underpinned by an adequate topographical survey. Accordingly, there was major disparity between the plans and what physically existed on site.
- 1.1.5 Whilst the applicant now knows that work should have stopped and the matters remedied before advancing, at the time the applicant assumed that the disparity was not uncommon on a building site and would not constitute a formal planning breach. Accordingly, they sought to complete the works in the most practical and sensible manner possible.
- 1.1.6 In addition, whilst underpinning the building and laying foundations (with the agreed parameters outlined within the structural survey) it became necessary to reconstruct some aspects of the building and alterations to the agreed window positions.
- 1.1.7 This application therefore seeks to regularise the building in its current form, which is largely a re-use of the original structure but with some adaptation of the external edges.
- 1.1.8 For the avoidance of any doubt the majority of existing building has been always retained and much of the original fabric maintained and re-used. At no time has the building been demolished in its entirety and whilst some 'squaring' has taken place, the building is not materially larger than the consented scheme.

1.2 CONTEXT

- 1.2.1 The site is situated within the Metropolitan Green Belt ('MGB' or 'the Green Belt') and is within an edge-of-settlement location south of Dartford and so careful

consideration has been given to the design approach, to ensure the development would not result in any adverse impacts.

- 1.2.2 In principle, the re-use of an existing building is an 'appropriate' form of development within the countryside as defined by both the National Planning Policy Framework ('NPPF' or 'the Framework') and the Development Plan. Furthermore, the existing barn, whilst originally agricultural, has been used for external storage of materials and various domestic paraphernalia since the applicant purchased it in February 2012. That domestic/non agricultural use is now lawful owing to the passage of time and so by definition the building is previously developed and redevelopment is appropriate in Green Belt terms by virtue of paragraph 149(g) of the framework.
- 1.2.3 Witness statements confirming in excess of ten years non agricultural use can be provided if required, but it should also be noted that the Council's own records confirm that a Class Q application was rejected on the basis of it being a non conforming agricultural use.
- 1.2.4 Considering the above context, we acknowledge that there has been an inadvertent and non-deliberate breach of planning controls but this is a consequence of the applicant being unaware of the process and seeking to deliver the best family home possible. The resultant impact does not result in harm and so we firmly consider circumstances justify the matter being remedied.

1.3 DOCUMENT STRUCTURE

- 1.3.1 This statement provides an overview of the application site and proposals. It assesses the planning merits of the scheme, having regard to the relevant planning history and the applicable planning policy framework. It concludes that the proposal is appropriate in planning terms and accordingly requests that planning permission be granted.
- 1.3.2 This statement forms part of the application and should be made available for inspection with the other application details.
- 1.3.3 Section 2 of this statement sets out the context of the Site and immediate surroundings, including the site history.
- 1.3.4 Sections 3 and 4 have regard to the proposal and planning policy context by which the application will be considered respectively.
- 1.3.5 Section 5 considers the principle of development and other relevant planning considerations.
- 1.3.6 Section 6 draws conclusions to justify the suitability of the development.

1.4 SUPPORTING DOCUMENTS

1.4.1 The application is supported by the following documents and plans:

REFERENCE	INFORMATION PROVIDED
APP1	Application Form (completed online)
CIL Form	CIL Questions Form (completed online)
Reports	
DHA/17280	Planning Statement (DHA Planning)
5005E/22/01	Preliminary Ecological Appraisal (PJC Consultancy)
May 2022	Structural Statement (R A Engineering Solutions)
Plans	
2346 01	Site Location Plan
2346 02	Block Plan
2346 03	Proposed Site Plan
2346 04	Existing Ground Floor Plan
2346 05	Existing Elevations
2346 06	Proposed (As Built) Ground Floor Plan
2346 07	Proposed Elevations
2346 08	Proposed Roof Plan

TABLE 1: LIST OF SUPPORTING DOCUMENTS AND PLANS

2 SITE CONTEXT

2.1 SITE OVERVIEW

- 2.1.1 The application site area relates to a parcel of land comprising the underutilised barn, open storage, hardstanding and an existing workshop building on land at Benlin Farm.
- 2.1.2 Benlin Barn is situated in an edge-of-settlement location south of Dartford with agricultural fields to the south. The northern boundary of the site is a shared private road serving properties in proximity to the site and the application site itself.
- 2.1.3 The site is located within the Metropolitan Green Belt and lies wholly within the administrative area of Dartford Borough Council.

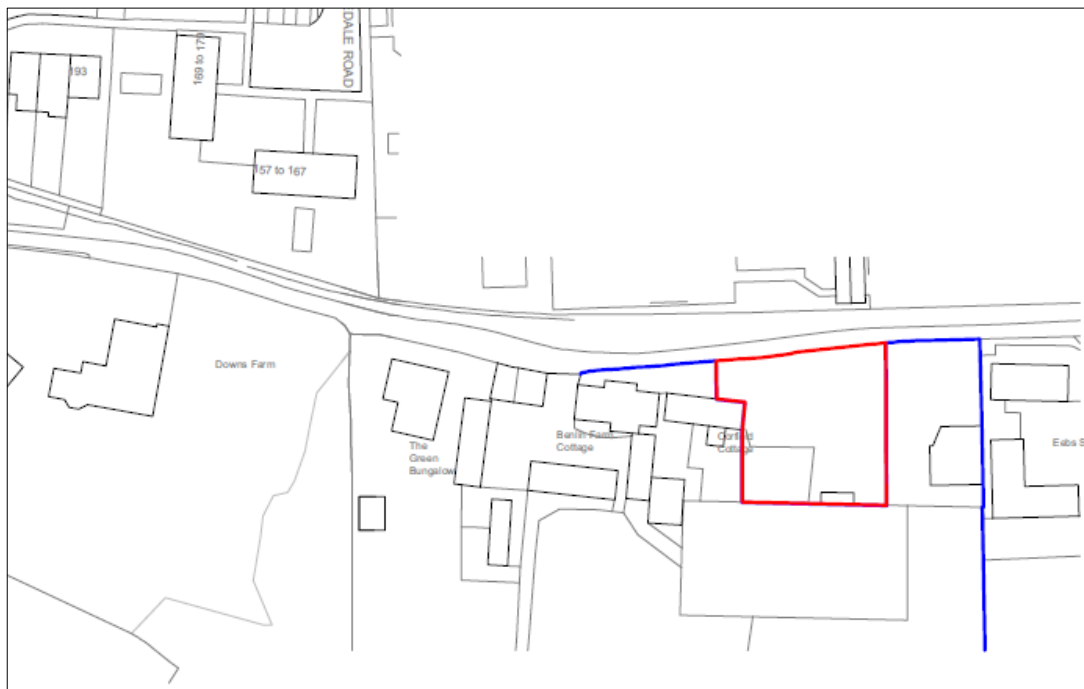


FIGURE 2.1: SITE LOCATION (NOT TO SCALE)

- 2.1.4 The original barn was single storey and of typically simple form and construction, with a timber frame and roofing comprised of pitched and monopitch roof sections.
- 2.1.5 The building is accessed via a private road linked to Trolling Down Hill.
- 2.1.6 In terms of environmental constraints, the site falls entirely within Flood Zone 1 (least likely zone to flood) according to the Environment Agency Flood Risk Map and is not subject to any wider landscape or ecological designations. With respect

to heritage, there are no heritage assets located on or in reasonable proximity to the site. Finally, there are no Public Rights of Way that would be impacted by the proposed development.

2.2 PLANNING HISTORY

2.2.1 Online records held by Dartford Borough Council indicates that there have been a number of planning applications on the site and the immediate surrounding land, including multiple agricultural conversions permitted via Class Q of the General Permitted Development Order 2015, conversion of a storage workshop to self-contained residential accommodation and

REFERENCE	DESCRIPTION	DECISION
11/00958	Demolition of existing property and erection of a two-bedroom detached bungalow.	Approved 2011
14/01508/COU	Conversion of storage workshop to self-contained two bedroom accommodation ancillary to main house with associated alterations to elevations	Approved 2015
17/00453/OUT	Outline application for demolition of existing storage outbuilding and erection of a dwelling house	Refused 2017
19/01238/LDC	Application for a Lawful Development Certificate for proposed siting of a log cabin within the residential curtilage of the dwelling	Withdrawn 2019
20/00666/LDC	Application for a Lawful Development Certificate for demolition of existing building and proposed stationing of log cabin (falling within the definition of a caravan)	Appeal Dismissed 2021
21/00966/P3Q	Application under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 as to whether prior approval is required for change of use and conversion of existing barn from agricultural building to provide a single residential dwelling with associated alterations to elevations. As well as associated parking provision	Approved 2021
21/01584/LDC	Application for a Lawful Development Certificate for proposed siting of log cabin within domestic curtilage to form residential annexe (falling within the definition of a caravan)	Refused 2021

TABLE 2: RELEVANT SITE AND WIDER SITE PLANNING HISTORY

- 2.2.2 Planning consent DA/22/01355/FUL approved the initial conversion of the building and established the principle of a new home on the site. The current proposal adheres to all of these original parameters.

3 PROPOSED DEVELOPMENT

3.1 OVERVIEW OF THE PROPOSAL

3.1.1 This application seeks full planning permission for the following:

'Change of use and partial conversion/partial retrospective repair/reconstruction of an existing barn to create a residential dwelling, with associated amenity space, parking and landscaping.'

3.1.2 The proposed development comprises the change of use of the land and the creation of a new family home. This will predominantly be via the re-use of the existing structure but seeks to also remedy where external walls have been removed and rebuilt in slightly differing forms.



Proposed East (flank) Elevation

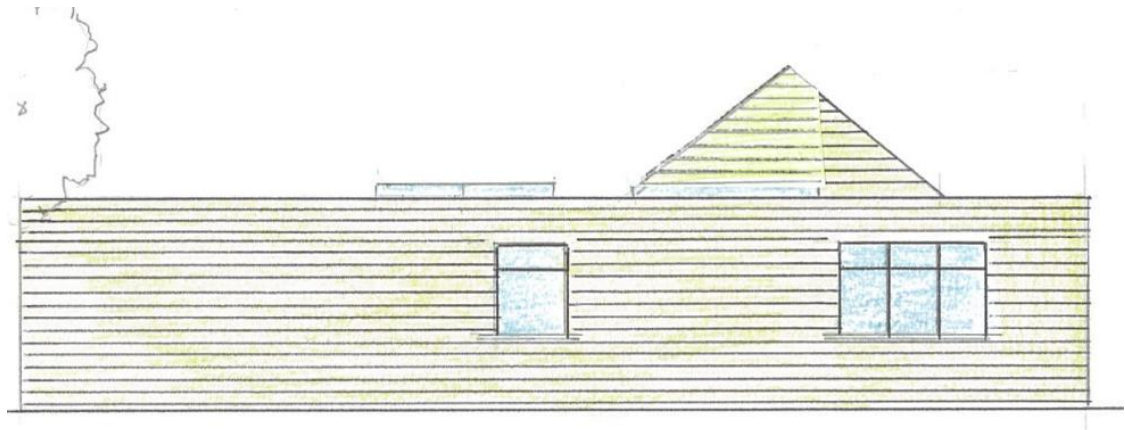


FIGURE 3.1: EXTRACT OF PROPOSED AND APPROVED EAST ELEVATION

- 3.1.3 The proposals include the clearance of the wider site structures and open storage of equipment to provide an attractive landscaped amenity space. For the avoidance of doubt, the existing workshop building is to remain unaltered.
- 3.1.4 The proposed development is underpinned by a clear design rationale, which seeks to retain the rural characteristic of the area, whilst providing a sustainable re-use of the building.
- 3.1.5 There is an existing vehicle access from the private road with an area of existing hardstanding for provision of on-site parking and turning for 2no. vehicles.
- 3.1.6 In addition to the above works, the applications proposed the creation of attractively modestly sized landscaped curtilage to form a private amenity space to the property.

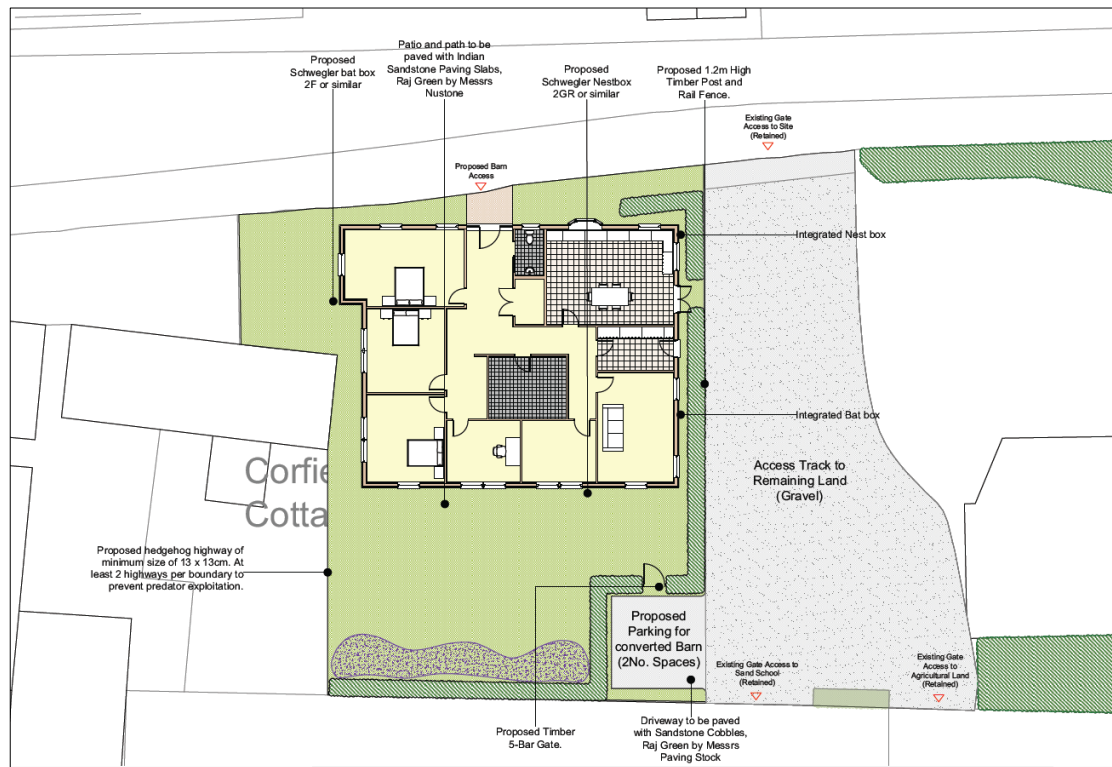


FIGURE 3.2: EXTRACT OF PROPOSED SITE PLAN


3.2 STRUCTURAL CONDITION OF THE EXISTING BARN

- 3.2.1 The proposal is supported by the original structural assessment. The report should be read in full; however, it concluded that the building is generally in good structural condition through and the loadbearing elements of the existing structure are adequate and serviceable for its present purpose and sets out where substantial new works were needed.

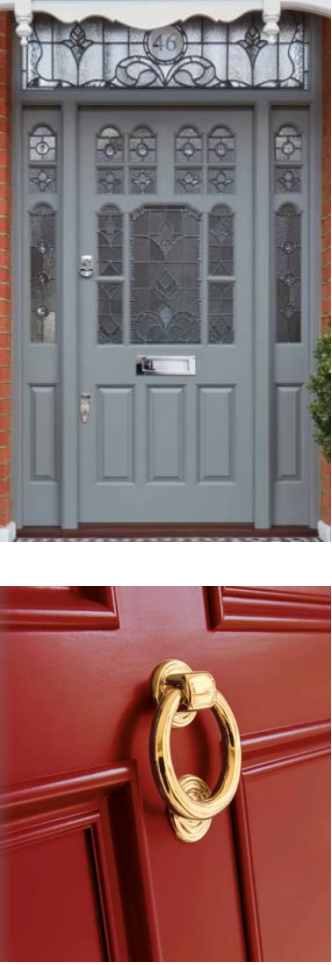
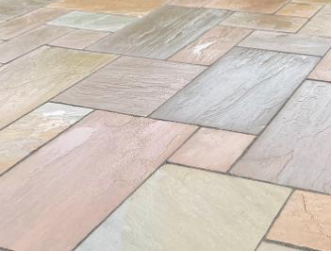

3.2.2 Notwithstanding the evidence provided, regard should also be had to the appeal decision at Vine Cottage in Penshurst APP/G2245/W/17/3181949, which also related to the conversion of a barn to a dwelling. As part of the appeal decision, the Planning Inspector considered that the complete recladding of the whole building, underpinning, the inclusion of a plinth and additional supports to the frame and roof did not amount to major reconstruction, but are just alterations. The only part of the barn that remained was the portal metal frame and ground slab which significantly exceeded the retention of 75% as set out within policy GB7 and concluded that the building was capable of conversion without major reconstruction. This therefore sets a clear benchmark that the current proposal falls patently within the scope of a building capable of conversion.

3.3 MATERIALS

3.3.1 our client seeks to utilise the following materials.

Type	Materials	Example	Link to Website/Specification
Roof	<p>Tiles: Thrutone Smooth.</p> <p>Colour 'blue black'</p> <p>Single Ply Flat Roof system</p>		<p>https://www.cedral.world/en-gb/roofing/fibre-cement-slates/thrutone-smooth/</p> <p>https://www.builtwithbailey.com/en/flat-roofing/single-ply-systems/single-ply-roofing-membranes/single-ply-membrane-bailey-atlantic-tpo-20mm-fleece-backed</p>

Fascia and Soffit Boards	White upvc		https://www.eurocell.co.uk/fascia-boards/replacement-fascia-18mm/175mm-x-18mm-fascia-board-in-white-x-5m
Guttering	White upvc	 <i>Image for reference, white image is not available.</i>	https://www.floplast.co.uk/rainwater/112mm-half-round
Cladding	Ruby Waney Edge Larch Cladding 150mm x 22mm		https://www.ruby-group.co.uk/collections/cladding
Brickwork	Ibstock Brick: Ivanhoe Westminster multi reds (around the base of the house – no higher than 700mm from dpc)		https://www.ibstockbrick.co.uk/brick-selector/ https://www.ibstockbrick.co.uk/brick-selector/?p=A0825A
Windows	White grain sash windows with Georgian bars		https://hukeltd.co.uk/windows/sash-window-manufacturers/

<p>Front Door</p>	<p>Burnt red</p>		<p>https://736506f1.flowpaper.com/LondonDoorCompanyBrochure/#page=4</p> <p>(front door p.14 colour p.29)</p>
<p>Patio Slabs</p>	<p>Sandstone, riven, mixed size.</p> <p>Colour: raj green</p>		<p>https://nustone.co.uk/product/raj-green-sandstone-paving-patio-kit-calibrated-22mm/</p>
<p>Drive</p>	<p>Sandstone cobbles.</p> <p>Colour: raj green</p>		<p>https://pavingstock.co.uk/products/rajgreen-sandstone-cobbles</p>

4 PLANNING POLICY CONTEXT

4.1 DEVELOPMENT PLAN

- 4.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.1.2 The Development Plan comprises the adopted Dartford ***Core Strategy (2011)*** and the Dartford ***Development Policies Plan (2017)***.
- 4.1.3 The ***National Planning Policy Framework*** represents a material consideration in the determining of the application along with further guidance set out in the ***National Planning Policy Guidance (NPPG)***.

4.2 CORE STRATEGY (2011)

- 4.2.1 Policy CS1 states that to maximise regeneration benefits, promote sustainable patterns of development and protect less appropriate areas from development, the focus of development will be in three priority areas:
- (a) Dartford Town Centre & Northern Gateway - revitalisation of the town centre as a shopping, leisure and service centre for the surrounding communities, and complementary redevelopment of redundant land at the Northern Gateway to create a mixed community of homes and jobs supporting the town centre.
 - (b) Ebbsfleet to Stone - bringing back into productive use former chalk quarries and integrating existing communities with the new facilities these developments can provide.
 - (c) The Thames Waterfront - bringing life and activity to the riverside through redevelopment of sites no longer required for their former uses, and creating attractive mixed use development that provides public access to the river.
- 4.2.2 Policy CS10 outlines that in order to meet housing needs and to provide an impetus for regeneration of the Borough, land is allocated for housing in accordance with the spatial strategy set out in Policy CS1. The policy identifies that windfall development, will be assessed in the following manner:
- (a) The sustainability of the site for housing development;
 - (b) Whether benefits of development outweigh disbenefits;
 - (c) The capacity of the current and proposed infrastructure to serve the development taking into account committed and planned housing development;

- (d) Where spare capacity is not available, the ability of the site to provide for the requirements it generates.

4.2.3 Policy CS13 states that in order to protect the openness of the Green Belt the Council will:

- (a) Resist inappropriate development, in accordance with PPG2, through its development control decisions.
- (b) Work with its partners to actively manage the Green Belt as a recreational and ecological resource, through the provision of green recreational and biodiversity networks linked with the urban area. The following projects will be implemented:
 - (i) Enhancement of rural reaches of the Darenth Valley
 - (ii) New Countryside Gateway at South Darenth Lakes
 - (iii) Dartford Heath –restoration of heathland
 - (iv) Darenth Country Park improvements
 - (v) Darenth Woods natural habitat enhancements
 - (vi) Beacon Woods Country Park improvements
 - (vii) Former Mabledon Hospital – enhancement of areas of ecological value • Better connectivity between Dartford and Gravesham countryside through Ebbsfleet Valley and A2 corridor

- (2) Agricultural land uses within the Green Belt will be protected. More detailed policies will be set out in the Development Management DPD.

4.2.4 Policy CS17 outlines that to achieve living environments that enrich the quality of life and provide the conditions for communities to flourish the Council will:

- (a) Require the application of the principles of the Kent Design Guide in developing housing proposals
- (b) Require that the criteria identified as locally important are addressed in the design of homes. These include:
 - (i) Internal spaces that are appropriate and fit for purpose
 - (ii) Adequate internal storage and recycling storage space
 - (iii) Garages, where provided, are of a fit for purpose size
 - (iv) Secure arrangements for management and maintenance of communal areas.
 - (v) Useable private amenity space, usually provided as a garden in family houses and a balcony, patio or roof garden in flats.
 - (vi) High quality communal open space
 - (vii) Priority for those on foot or bicycle in internal estate roads

4.3 DEVELOPMENT POLICIES PLAN (2017)

- 4.3.1 Policy DP1 states that planning applications that accord with the policies in the Dartford Core Strategy and this Plan, and policies in neighbourhood plans (where relevant), will be approved wherever possible, unless material considerations indicate otherwise. A positive approach to considering development proposals will be taken in Dartford Borough, reflecting the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF).
- 4.3.2 Policy DP2 seeks to ensure that development responds positively to aspect of the locality, creating high-quality places.
- 4.3.3 Policy DP3 states that development will only be permitted where it is appropriately located and makes suitable provision to minimise and manage the arising transport impacts.
- 4.3.4 Policy DP5 states that development will only be permitted where it does not result in unacceptable material impacts, individually or cumulatively, on neighbouring uses.
- 4.3.5 Policy DP6 outlines that unplanned windfall residential development may be permitted following assessment in accordance with Core Strategy Policy CS10:4&5, other development plan policies and material considerations (including the Dartford Housing Windfall SPD). Consistent with CS10, all windfall developments for five or more dwellings will be permitted only where they demonstrate that the following criteria are fully satisfied:
- (a) Windfall residential development should be located on 'brownfield' land to ensure unplanned development does not prejudice achievement of the Core Strategy target of 80%. Greenfield windfall sites will only be permitted if highly sustainably located in all respects of clause b) below, and if the site is needed to rectify an absence of five year housing land supply.
 - (b) To reduce transport demand and minimise car use, proposals must be within easy walking distance of a range of community facilities including schools, shops, leisure and recreation facilities on safe and attractive walking routes; and well located with respect to walking/cycling and public transport to employment opportunities in the Borough. The assessment of pedestrian access shall be based on applying appropriate walking distance thresholds suitable in the Dartford context that will assist in substantial modal shifts from car use.
 - (c) The proposal is designed and planned to contain specific measures and improvements to reduce car use and promote alternative transport options. These should, as appropriate:

- (i) encourage the use of existing walking, cycling and public transport provision;
- (ii) contribute to the operation of feasible, efficient and effective sustainable transportation systems and capacity. This may on large developments require support to deliver new or improved public transport facilities, routes or services.

4.3.6 Policy DP7 states that development should maintain and provide for an appropriate range of housing stock and garden sizes, retention or enhancement of the character, local environment and amenity of established residential areas, and achieve satisfactory quality of residential/ householder development, and accord with policies including DP2, DP4, DP5 and DP8. The extension or creation (for instance by conversion or infill) of residential dwellings will be permitted where supported by development plan policies, including criterion 1 above, material considerations, and where ensuring that:

- (a) the historical pattern and form of development is preserved, and the design proposed is not visually obtrusive, with existing significant landscape features retained and/ or any loss is mitigated.
- (b) access into the development is safe and facilitates ease of pedestrian movement,
- (c) access into the development does not create an undue disruption to the character and appearance of an existing road frontage or unacceptable disturbance to adjacent properties.
- (d) the proposal does not materially harm existing residential amenity, including through overlooking, loss of privacy, overshadowing, noise, increased level of activity and disturbance, or increased on-street parking.

4.3.7 Policy DP8 states that the design of new residential development will only be permitted where the quality, scale, and form of internal and external spaces created within the development provide for a choice of garden / amenity space sizes and accessible/ adaptable dwellings.

4.3.8 Policy DP22 states that Dartford's Green Belt is shown on the Policies Map, and its essential characteristics are its openness and permanence. Inappropriate development in the Green Belt will be resisted in accordance with national planning policy. Inappropriate development is by definition harmful to the Green Belt and will only be approved in very special circumstances. Very special circumstances will not exist unless potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In assessing other harm, the Local Planning Authority will use the following criteria:

- (a) the extent of intensification of the use of the site;

- (b) the impact of an increase in activity and disturbance resulting from the development, both on and off the site, including traffic movement and parking, light pollution and noise;
- (c) the impact on biodiversity and wildlife;
- (d) the impact on visual amenity or character taking into account the extent of screening required;
- (e) impacts arising from infrastructure required by the development.

4.3.9 Where developments are considered not inappropriate in line with national planning policy, they will be supported where they contribute to the Core Strategy (CS13) policy objective of conserving the Green Belt as a recreational, ecological and agricultural resource. Such developments will also be assessed against the following clauses where applicable. Applications for re-use should relate to lawful permanent buildings of substantial construction. They should take into account the character and scale of the existing building(s). In circumstances where character and scale are important to the local setting, excessive external alterations and additions will not be permitted.

4.4 NATIONAL PLANNING POLICY FRAMEWORK (2023)

- 4.4.1 The latest version of the NPPF was published in September 2023.
- 4.4.2 Paragraph 2 of the NPPF states that it is a material consideration in planning decisions and Appendix 1 states that the policies in the Framework should be taken into account in dealing with applications from the day of its publication. It is recognised that plans may also need to be revised to reflect policy changes which the replacement Framework has made and that this should be progressed as quickly as possible, either through a partial revision or by preparing a new plan.
- 4.4.3 The NPPF sets out at Paragraph 11 that 'plans and decisions should apply a presumption in favour of sustainable development' whereby development proposals that accord with an up-to-date development plan should be approved without delay. It notes that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless 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 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.
- 4.4.4 Paragraph 8 of the NPPF states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). The three overarching objectives are as follows:

- (1) An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- (2) A social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- (3) An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.4.5 Paragraph 79 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. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

4.4.6 Paragraph 80 outlines 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) The development would re-use redundant or disused buildings and enhance its immediate setting.

4.4.7 Paragraph 105 outlines that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

4.4.8 The NPPF attaches great weight to the creation of high-quality buildings and places. Paragraph 130 outlines how planning policies and decisions should ensure that developments:

- (1) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (2) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

- (3) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (4) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- (5) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (6) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

4.4.9 Paragraph 132 sets out how design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests.

4.4.10 The NPPF states that the Government attaches great importance to Green Belts as fundamental in preventing urban sprawl by keeping land permanently open. Further to this, the NPPF states that the Green Belt serves five purposes (Paragraph 138):

- (1) To check the unrestricted sprawl of large built-up areas;
- (2) To prevent neighbouring towns merging into one another;
- (3) To assist in safeguarding the countryside from encroachment;
- (4) To preserve the setting and special character of historic towns; and
- (5) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

4.4.11 NPPF paragraph 147 states that inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances. When considering planning applications, Local Planning Authorities should ensure substantial weight is given to any harm to the Green Belt. 'Very Special Circumstances' will not exist unless the potential harm, by reason of appropriateness is clearly outweighed by other considerations.

4.4.12 Paragraph 148 outlines that when considering planning applications, 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.

4.4.13 Certain forms of development are not inappropriate in the Green Belt provided they preserve the openness and do not conflict with the purpose of the Green Belt. Paragraph 149 states that these exceptions are:

- (1) Buildings for agriculture and forestry;
- (2) 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;
- (3) 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;
- (4) The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- (5) Limited infilling in villages;
- (6) Limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- (7) 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.**

4.4.14 Additionally, as set out in paragraph 150 providing that there is no impact on the openness of the Green Belt and do not conflict with the purposes of the land, the following exceptions are deemed acceptable;

- (1) Mineral Extraction;
- (2) Engineering operations;
- (3) Local transport infrastructure which can demonstrate a requirement for a Green Belt location;

(4) The re-use of buildings provided that the buildings are of a permanent and substantial construction; *(my emphasis)*

(5) Material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial ground) and

(6) Development brought forward under a Community Right to Build Order.

4.4.15 Paragraph 170 sets out how planning policies and decisions should contribute to and enhance the natural and local environment.

4.2.26 With respect to habitats and biodiversity, paragraph 175 says that when determining applications, local planning authorities should apply the principles that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

4.2.27 Equally proposals that conserve or enhance biodiversity to seeking net gains should be supported and encouraged.

5 CONSIDERATION OF THE PLANNING ISSUES

5.1 PRINCIPLE OF DEVELOPMENT

- 5.1.1 Section 38(6) of the Planning Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.1.2 For the purpose of this application, the key aspect of the development plan relates to policy CS13 of the Core Strategy (2011) and DP22 of the Development Policies Plan (2017).
- 5.1.3 Policy CS13 and DP22 serve to resist 'inappropriate development' in the Green Belt in accordance with national planning policy. Policy DP22 allows the re-use of buildings which are lawful, permanent and of substantial construction through applications which take into account the character and scale of the existing building.
- 5.1.4 Having regard to these criteria, the existing building has been largely retained and where the external walls have been modified this has been to 'square' the building and offer substantial benefit. For example moving the building slightly off the public highway for the safety of the access.
- 5.1.5 The existing barn, whilst historically agricultural has been used for external storage of materials and various domestic paraphernalia since the applicant purchased it in February 2012. That use is now lawful owing to the passage of time and by definition the building is previously developed and so redevelopment is also appropriate by virtue of paragraph 149(g) of the framework.
- 5.1.6 The curtilage associated to the building would not result in any creep or undue domestication. As such, there would be no demonstrable impact upon the open character of the Green Belt.
- 5.1.7 In respect of wider matters, policy CS17 and DP2 of the Core Strategy and Development Policies Plan respectively have regard to core design principles and states that proposals that create high quality design and meet certain criteria will be permitted. In response to these criteria, the form of the proposed converted building would retain the scale, height and site coverage as it exists and would not result in over development. To the contrary, the proposals include the clearance and 'tidying' of the site's present structures and external storage of equipment and various paraphernalia. The proposals also demonstrate the use of appropriate and sympathetic materials in the design, given the sensitive rural characteristic of the proposal site.
- 5.1.8 Based on this assessment, we consider the proposal full accords with the development plan and that planning permission should be granted, without delay, in line with the Governments presumption in favour of sustainable development.

- 5.1.9 Turning to wider material considerations, paragraphs 149 (g) and 150 of the NPPF states that certain forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These include the re-use of buildings provided that the buildings are of permanent and substantial construction and the redevelopment of brownfield land. The proposal complies with this element of national Green Belt policy.
- 5.1.10 In the absence of any identified conflict with the most relevant policies, the application must be considered in accordance with the presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with the development plan without delay.
- 5.1.11 The benefits of the proposal are the creation of a modest new home in an area already characterised by rural residential uses, the prudent use of an underutilised but structurally sound building and the associated environmental benefits associated with re-use and a range of modest enhancements (i.e. ecological and visual betterment). In contrast, there would be little or no resultant harm as a consequence of the minor changes and certainly nothing to a level that would demonstrably outweigh the clear and tangible benefits.
- 5.1.12 In summary, the applicants are profoundly sorry that there has been a breach of planning control and a variation of the original approvals. However, the amended proposal is consistent with the wider strategic objectives of the development plan and the policies set out within the Framework. The principle of development is therefore acceptable.

5.2 SUSTAINABILITY

- 5.2.1 There is a need to foster sustainable development which is the concept that underpins the Government's planning policy.
- 5.2.2 In terms of housing, it is confirmed that housing applications should be considered in the context of the presumption in favour of sustainable development and that there are three dimensions to sustainable development, 'economic, social and environmental'.
- 5.2.3 Socially, the proposed development would replace an underutilised building with a new home. This is particularly important in the context of the growing housing need both within the borough and nationally.
- 5.2.4 Consideration has been given to the environmental value of this site in terms of its landscape quality, agricultural potential, ecology, residential amenity, land contamination, air quality, noise impact, flood risk and locational sustainability. The site is not of high ecological or agricultural potential, the site is not subject to flooding or excess impacts of noise.
- 5.2.5 Moreover, the proposal represents the prudent use of a disused building and accordingly includes the energy and material savings associated with re-use of

buildings for new homes and the re-development of a 'functional' site, reducing the need to development into more ecologically sensitive greenfield locations.

- 5.2.6 In terms of impact on the rural setting, currently the existing building does not contribute to the distinct character or quality of the land to any great degree. The proposed development, therefore, seeks to provide visual betterment by enhancing the building's appearance with no demonstrably greater degree of bulk or building volume and also includes the clearance and 'tidying' of the wider site structures and externally stored equipment and materials.

5.3 DESIGN CONCEPTS

- 5.3.1 Paragraph 130 of the NPPF highlights the importance of good design, stating 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 The core design concept has been to utilise its original structure to create an open and attractive living space. The design reflects local materials and results in an enhancement to the immediate setting with contemporary sustainable architecture set within an attractively landscaped plot.

5.4 FLOOD RISK

- 5.4.1 Paragraph 159 of the NPPF states inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 5.4.2 According to Environment Agency Flood Risk Mapping the site falls within Flood Zone 1 which has the lowest risk of flooding. Accordingly, a Flood Risk and Drainage Assessment is not required to support this application.

5.5 THE CHARACTER AND APPEARANCE OF THE COUNTRYSIDE

- 5.5.1 Policy DP2 of the DPD states that development should respond positively to the locality, creating high-quality places.
- 5.5.2 The site is situated in an edge-of-settlement location within the countryside. However, the site is surrounded by a mix of residential uses and as existing, the site itself is in poor visual condition with low-quality structures and storage of materials and equipment present on-site.
- 5.5.3 Accordingly, the prudent re-use of an existing building, which is well established within the context of the existing landscape, will not have a demonstrable impact upon the open or natural character. Furthermore, the modest amount of residential curtilage proposed would not lead to any increased harm. By contrast, the proposed development comprising the high-quality and sensitive conversion

of the barn and the clearance of the wider site and replacement with an attractively landscaped amenity space represents a significant visual betterment within the countryside and includes opportunities for ecological enhancement.

5.6 CAPABILITY FOR CONVERSION

- 5.6.1 A structural report is submitted with this application to demonstrate its suitability for conversion.
- 5.6.2 The structural report has considered the roof, walls, structure and floor of the building, confirming that the existing timber structure possesses enough integrity to be retained in order to convert the building into a habitable space.

5.7 RESIDENTIAL AMENITY

- 5.7.1 Policy DP5 of the DPD states that the development should not result in unacceptable material impacts individually or cumulatively, on neighbouring uses. Given that the proposed use is for residential and will sit comfortably alongside adjacent existing residential development, it is considered that there would be no unacceptable impacts on either use. Given the distance between the proposals and neighbouring development it is considered that more than adequate amenity levels for both future and neighbouring occupants will be retained.
- 5.7.2 It is also noted that DPD Policy DP8 outlines that the design of new residential development will only be permitted where the quality, scale, and form of internal and external spaces created provide for a choice of garden and/or amenity space sizes and accessible/adaptable dwellings. It is the case that the proposed amenity space fully accords with the requirements of Policy DP8.
- 5.7.3 The internal access through Benlin Farm is in an existing residential, commercial and agricultural use serving the existing properties and buildings along the road including the application site. The addition of one further residential dwelling on a site already in an active use with associated vehicle movements is not considered to significantly affect the intensity of the access road, such that there would be detrimental levels of noise or pollution.

5.8 RESIDENTIAL SPACE STANDARDS

- 5.8.1 For avoidance of doubt, the proposed development complies with nationally described space standards. A completed DBC Residential Space Standard Statement is provided below.

SITE NAME/ADDRESS	PROPOSAL DESCRIPTION
Barn at Benlin Farm, Trolling Down Hill, Dartford DA2 6NR	'Change of use and conversion of existing barn to create a residential dwelling, with associated amenity space, parking and landscaping.'

Plot	Type	Bedrooms	bed spaces	storeys	Bedroom Size(s)	Unit Size	Storage area:	Compliance with NDSS	Part	Part
									M4(2)	M4(3)
1	House	3	4p	1	Bedroom 1 = 2 person (17.5sqm)	209.4sqm	2.5sq m	YES	YES	YES

SPACE STANDARDS TABLE

5.9 TRANSPORT IMPACTS

- 5.9.1 Vehicle and pedestrian access to the site exists from B260 (Trolling Down Hill) via a private road leading to Trolling Down Hill. Access from the private road is proposed to be retained and continue to serve the new unit.
- 5.9.2 The proposed development would not be expected to generate significant additional vehicle trips and would not demonstrably impact upon local highway capacity, amenity or operation nor would it have any severe impact on the local highway network in line with paragraph 111 of the NPPF.
- 5.9.3 Parking for the new dwelling will be provided within the plot. 2no. car parking spaces will be provided in accordance with the KCC Interim Guidance Note 3 (IGN3) vehicle parking standards for residential development in rural locations.

5.10 ECOLOGY

- 5.10.1 A preliminary ecology appraisal was undertaken by PJC in October 2022. The results of the survey have been submitted with the application and advice followed during construction.
- 5.10.2 The report concludes that the site does have limited habitat suitability to support commuting bats and foraging bats. It is recommended that a sensitive lighting strategy should be adopted during both the construction and operational phases of the proposed development.
- 5.10.3 In addition, the site was identified as having some limited potential to support reptiles providing foraging, commuting, basking and hibernating opportunities. The report instructs that a sensitive habitat clearance strategy shall be implemented during any habitat clearance works and habitat clearance works

must be undertaken between April and October inclusive in air temperatures of 9°C or above.

- 5.10.4 The site was recognised as having potential to support nesting birds. It is recommended that habitat clearance works should be undertaken outside the main nesting bird season. Should this not be possible, all trees and buildings must be inspected by an ecologist to determine the presence/absence of any nesting birds immediately prior to clearance.

5.11 CONTAMINATION

- 5.11.1 Given the historic uses of the site, it is identified that there is a likelihood of some degree of contamination on the site. The submitted Structural Statement recommends a preliminary geotechnical assessment to be undertaken. It is anticipated that further site investigations such as a geotechnical report can be secured via suitably worded condition should the application be approved.

5.12 WATER EFFICIENCY STATEMENT

- 5.12.1 Policy CS25: Water Management states that the Council will manage the supply and quality of water and wastewater to protect the quality of surface and groundwaters to move towards 'water neutrality' in the Thames Gateway by requiring all new homes to achieve at least level 4 of the Code of Sustainable Homes regarding the use of water, with the aim of 105 litres per person per day.

- 5.12.2 Policy DP11: Sustainable Technology and Construction builds on this by stating that any new development should be sensitively designed and constructed to minimise the use of natural resources and flood risk, tackle the impacts of climate change with the main aim of increasing water efficiency within the district. Paragraph 1 of this policy states the following:

"Reflecting water scarcity and development levels in the region, and to deliver the aims of Core Strategy Policy CS25, all dwellings (Class C3) created in Dartford will be permitted only where they demonstrate delivery of the water efficiency requirement level of 110 litres per person per day."

- 5.12.3 The proposed development has been designed to ensure the conversion is capable of compliance with the relevant standards of water efficiency and recycling, outlined in the Dartford development plan documents. In the event that planning permission is granted, the proposal will nevertheless be required to demonstrate compliance with the applicable Building Regulations including water efficiency.
- 5.12.4 Within the development, there are opportunities for measures such as systems for greywater reuse, aerated washbasin/kitchen taps and shower heads, tapered and low-capacity baths, sensor and low flush toilets, shower timers, and water efficient white goods and appliances such as washing machines and dishwashers.

- 5.12.5 Measures for water efficiency can also be included during construction, including low volume high pressure hoses, closed loop or waterless wheel washing.
- 5.12.6 The above details are considered sufficient to grant planning permission, however for completeness, it is anticipated that should the Council consider necessary, the submission of further details regarding water efficiency measures could be secured via an appropriately worded condition and can build upon the commitments stated within this statement.

5.13 DEVELOPER CONTRIBUTIONS

- 5.13.1 In accordance with paragraph 56 of the NPPF, planning obligations should only be sought where they meet all the following tests:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
- 5.13.2 National Planning Practice Guidance also advises that there are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from non-major development.
- 5.13.3 As the development is not major, no contributions should be sought in this instance.

6 CONCLUSIONS

6.1 SUMMARY

- 6.1.1 This statement has been prepared by DHA Planning on behalf of Mr & Mrs J Ayres in respect of a retrospective planning application for the partial conversion/partial reconstruction of an existing barn at Benlin Farm (hereby referred to as 'Benlin Barn' or the Site') to create new three-bedroom dwelling with associated parking, private garden and landscaping.
- 6.1.2 The application follows the grant of planning consent DA/22/01355/FUL, which allowed the conversion of the barn to a dwelling.
- 6.1.3 Following the grant of this consent and the subsequent discharge of conditions works to the conversion commenced in line with the agreed parameters outlined within the structural survey presented as part of the conversion application.
- 6.1.4 During construction it has become apparent that many of the dimensions of the original application drawings were based on inaccurate OS data and not underpinned by an adequate topographical survey. Accordingly, there was major disparity between the plans and what physically existed on site.
- 6.1.5 Whilst the applicant now knows that work should have stopped and the matters remedied before advancing, at the time the applicant assumed that the disparity was not uncommon on a building site and would not constitute a formal planning breach.
- 6.1.6 In addition, whilst underpinning the building and laying foundations (with the agreed parameters outlined within the structural survey) it became necessary to reconstruct some aspects of the building and alterations to the agreed window positions have been allowed for.
- 6.1.7 This application therefore seeks to regularise the building in its current form.
- 6.1.8 For the avoidance of any doubt the existing building has been always retained and much of the original fabric maintained and re-used. At no time has the building been demolished and whilst some 'squaring' has taken place, the building is not materially larger than the consented scheme.

6.2 CONCLUSION

- 6.2.1 Taking all of the above into consideration, we consider the proposal accords with the development plan. Furthermore, wider material considerations support the proposed conversion. We therefore respectfully request that planning permission be granted.