



Delegated Report

Permission in Principle

Planning Application No: 20260630

Location: Land Adjacent To 4 Cheneys Cottages, Thong Lane, Shorne DA12 4AA

Description: Permission in principle application; For erection of 1no. dwelling and associated works.

Applicant: Mr Marc Rees

Site Visit Date: 30 June 2026

Submitted Documents/Plans

Planning Statement

Drawing no. P-01 rev A (site location plan)

Drawing no. P-02 rev A (existing site plan and section)

Drawing no. P-03 rev B (proposed site plan and section)

Drawing no. P-04 rev A (proposed plans)

Drawing no. P-05 rev A (proposed site location plan)

Relevant Planning History

19820247	Outline application for the erection of a dwelling. Refused, appeal dismissed	09.06.1982
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Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 - Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 - Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1, T3, T4 – Impact of Development on the Highway Network
- T5 – Access to the Identified Highway Network
- TC3 – Development Affecting Conservation Areas

Paragraph 34 of the NPPF (2024) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- 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 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- Design for Gravesham: Design Code (2024)
- SPG 4 - KCC Parking Standards (2006)
- Permission in Principle Guidance (updated 2019)
- Thong Rural Conservation Area Appraisal (2017)
- Gravesham Landscape Character Assessment (2009)

Emerging Local Plan as a Material Consideration

Paragraph 48 of the Framework makes it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise. An emerging Local Plan, does not form part of the Development. The Framework, at Paragraph 49 allows local planning authorities to give weight to relevant policies in emerging Local Plans, according to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the Framework, the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given to those policies.

West Oxfordshire District Council v Secretary of State for Housing, Communities and Local Government & Rosconn Strategic Land Ltd [2018] EWHC 3065 (Admin) is a High Court judgement that deals with the weight to be given to a Regulation 19 Local Plan. In this judgement the Court found that the weight to be given to an emerging Local Plan, was a matter of planning judgement, which had to be reached having fully considered the relevant part (Paragraph 49) of the Framework.

The Council's emerging Local Plan, is in the process of being consulted upon (it has reached Regulation 19 stage), the Council is not yet aware of whether third parties will support or object to specific policies within the Plan, or whether they will consider the policies with the emerging Local Plan to be broadly sound and consistent with the NPPF (2024). Taking this into consideration, one can only conclude that at this stage of the process, **limited (i.e. minimal) weight should be afforded to the emerging Regulation 19 Local Plan**. This position would only change once the emerging Local Plan has progressed towards submission and examination, with the Council being fully aware of policies that are subject to unresolved objections and with knowledge of policies that have had their soundness and conformity against the Framework challenged.

This approach accords with the approach taken in a separate High Court case, Gladman Developments Ltd v SSHCLG & Corby Borough Council; & Uttlesford DC [2020] EWHC 518 (Admin) and Court of Appeal [2021] EWCA Civ 104, which was also the subject of a Court of Appeal Ruling [2021] EWCA Civ 104.

Consultations, Publicity and Representations

Part 2A, Paragraph 5J of The Town and Country Planning (Permission in Principle) (Amendment) Order 2017 sets out the consultation requirements of applications for Permission in Principle (PiP). It states that consultations should be undertaken for 14 days prior to a decision notice being issued and that the relevant consultees are set out in the Table in Schedule 4 to the Town and Country Planning (development Management Procedure) (England) Order 2015.

Consultees

Natural England

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

The proposed development has the potential to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and those Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin.

Natural England's statutory advice on these potential impacts is set out below.

Designated sites

Further information required - recreational pressure impacts to European Sites (habitats sites)

This development site is within the zone of influence (Zol) for recreational pressure impacts to one or more European Sites (habitats sites).

Within this Zol, proposals for any net increase in residential units will have a likely significant effect on the qualifying features of the European Site(s) (habitats site(s)) through increased recreational pressure when considered either alone or in combination with other plans and projects.

Your authority has measures in place to manage these potential impacts through a strategic solution which Natural England considers will be effective in preventing adverse impacts on the integrity of the site(s).

Notwithstanding this, Natural England advises that these measures should be formally checked and confirmed by your authority, as the competent authority, via an appropriate assessment in view of the Natural England Access to Evidence - Conservation Objectives for European Sites and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

Providing the appropriate assessment concludes that the measures can be secured, it is likely that Natural England will be satisfied that there will be no adverse effect on the integrity of the European Site(s) (habitats site(s)) in relation to recreational disturbance.

Where the proposal includes bespoke mitigation that falls outside of the strategic solution, Natural England should be consulted.

Reserved Matters applications, and in some cases the discharge/removal/variation of conditions, where the permission was granted prior to the introduction of the strategic approach, should also be subject to the requirements of the Conservation of Habitats & Species Regulations 2017 (as amended) and our advice above applies.

Discretionary Advice

Natural England may provide further advice to the applicant through the discretionary advice service (DAS). Refer to Developers: get environmental advice on your planning proposals - GOV.UK (www.gov.uk) for more information.

Impact Risk Zones for Sites of Special Scientific Interest

We strongly recommend that local planning authorities (LPAs) use Natural England's Impact Risk Zones for Sites of Special Scientific Interest (SSSI IRZs) (available from the Natural England Open Data Geoportal (arcgis.com) and to use on MAGIC (defra.gov.uk) along with guidance) to decide when to consult Natural England on development proposals that might affect a SSSI.

The SSSI IRZs tool is quick and simple to use and gives instant planning advice as a formal consultation response in certain circumstances. Use of the SSSI IRZs avoids the need for a formal email consultation on some development proposals, reducing unnecessary delays in the planning process. In turn this allows Natural England to concentrate resources on development proposals with the highest risks and opportunities for nature recovery.

Planning and transport authorities: get environmental advice on planning - GOV.UK (www.gov.uk) provides further guidance on when LPAs must consult Natural England on development proposals.

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

Shorne Parish Council

The Parish Council has some comments and concerns as follows:

Location:

- This piece of land is located in Shorne Parish, in the Thong Conservation Area.
- It is located in the Green Belt where new dwellings would not normally be permitted, and would be considered inappropriate by definition. No "very special circumstances" to warrant overriding this restriction have not been put forward by the applicant.
- The piece of land has always been open, and therefore contributes positively to the overall ambience of the area and the streetscene, as well as it being located close to other historic buildings which will be affected.

Proposed design:

- The proposed design is wider than adjacent existing buildings and set slightly further back from the roadway.
- The design is broadly similar to, but not exactly the same as that of the cottages and other local buildings. The design could be improved so as to be more compatible, particularly the roofline, shape of the front dormers and possibly removal of the barn hips which are out of character.
- Materials used should also be equivalent to existing, with more detail needed.

Other aspects:

- Permitted development rights should be withdrawn from any permission.
- The Supporting statement refers to demolition of "the rear outbuilding and shed" of No.4 as part of the proposals. It needs to be clarified as to which structures are included before a decision on acceptability can be made.

Dickens' Country Protection Society

The Society would wish to comment that the site is in an area where Green Belt policies apply and the Thong Conservation Area.

The Society has no objection since it is considered the development could be regarded as infilling in the hamlet. However, the Society is concerned that the side garden of Nn.4 Cheneys Cottages in the same ownership should remain undeveloped.

Neighbouring properties

A site notice was displayed on site, which expired on 21 July 2026.

No neighbour representations were received.

Officer's Analysis

The application is made under the provisions of the Town and Country Planning (Permission in Principle) (Amendment) Order as amended. The proposal seeks permission in principle for residential development.

This consent route has two stages. The first stage establishes whether a site is suitable in principle. The second stage, i.e. the technical details consent, is where the detailed development proposals are assessed.

The current proposal relates to the first stage and therefore only the principle of the proposal in respect of its location, land use and amount of development can be considered. Issues relevant to these 'in principle' matters can be considered at this stage. All other matters should be considered at the technical details consent stage.

The Local Planning Authority can inform applicants what they expect to see at the technical details consent stage but cannot impose planning conditions.

Site Description

The application site is a piece of land to the north of 4 Cheneys Cottages which appears to have been incorporated within the residential curtilage of the property at some stage; although partly used as an allotment. The site is bounded by hedging to the west, north and east and laid to lawn with some trees. The properties in the close vicinity differ in design and type but were constructed around the same time and share features such as pitched roofs and red brick. Opposite the site is large barn and surrounding land is agricultural in nature.

The site is shown below roughly outlined in red (Google 2024):



The photo below shows the site currently:



There is a residential property to the north and a terrace of dwellings to the south. There is a detached property opposite to the west. Beyond the site to the east are fields.

The site is rectangular in shape, is approximately 26m in width and extends back some 44m. The site is void of development.

Proposal

The proposal seeks permission in principle for the erection of one dwelling. Plans have been submitted with the application showing a proposed layout and appearance.

Permission in Principle Limitations

The scope of consideration for this Permission in Principle application is limited to location, land use and amount of development proposed, with reference to the Development Plan and other material

considerations, including the National Planning Policy Framework (NPPF) 2024.

There are certain limitations set out in the Town and Country Planning (Permission in Principle) (Amendment) Order 2017 in relation to the types of development that a local planning authority may not grant permission in principle. For the avoidance of doubt the proposed development must not be:

- (a) Major development
- (b) Habitats development
- (c) Householder development
- (d) Schedule 1 development

With regards to (b) habitats development, the site falls within the 6km Thames Estuary and Marshes SPA/Ramsar sites Strategic Access Management and Monitoring Strategy (SAMMS) buffer zone and is therefore considered habitats development. This is dealt within the Ecology section below.

The proposed development is not major development, householder development or considered to be Schedule 1 or 2 development within the meaning of the Environmental Impact Assessment Regulations.

Location and Land Use

The site lies outside the nearest settlement boundary of Gravesend, and has a number of constraints, including being within the Green Belt (as defined in the Local Plan Core Strategy Proposals Map), in the Shorne Woodlands Landscape Character Area, Thong Conservation Area and in an Archaeological Notification Area, Lower Thames Crossing Buffer Safeguarding Zone and HSE Consulting Zone. With regard to the latter three constraints, matters relating to these would not be considered as 'in principle' issues and would be considered at the technical details consent stage.

The discussion below will consider the in principle matters relating to the proposed change of use and development of the site for one dwelling.

Location – Green Belt

The site has historically been used as agricultural land and the Cheneys Cottages were constructed for workers for the Darnley Estate. Aerial photos show the parcel of land, complete with its allotment, unseparated from 4 Cheneys Cottage in the 1990s and used as a garden. However, as stated in the submitted Planning Statement, the land was historically in agricultural use. There is no planning history to suggest that a change of use has been granted from agricultural use to residential. As the site is located within the Green Belt, this is the main starting point for the consideration of the principle of the proposal.

Firstly, the use of the land must be considered. The site forms garden land and is void of any built development, which creates a sense of openness across the site characteristic of the Green Belt.

As the site is located in the Green Belt, paragraphs 142 and 143 and 153-156 of the NPPF (2024) and Policy CS02 of the Core Strategy (2014) are most relevant.

Policy CS02 of the Core Strategy 2014 prioritises development in the urban area as a sustainable location for development. In the rural area it states that development will be supported within rural settlements that are inset from the Green Belt and defined on the Policies Map. Development outside those settlements (which is the case here), will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the Core Strategy 2014.

Green Belts are of great importance. The fundamental aim of Green Belt policy is to prevent urban sprawl by preserving the open and permanent characteristics of Green Belts (paragraph 142 of the NPPF 2024). Paragraph 153 of the NPPF 2024 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. '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

Any harm to the Green Belt should be given substantial weight. Development in the Green Belt is inappropriate unless either one of the exceptions in paragraph 154 applies:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
 - i. mineral extraction;
 - ii. engineering operations;
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

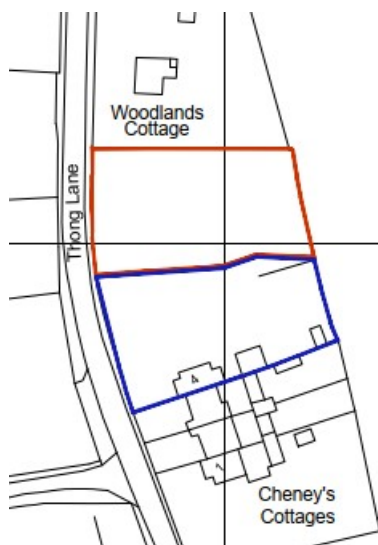
The submitted Planning Statement does not reference which exception the applicant believes applies to this planning application. However, the conclusion mentions the proposal of an 'infill dwelling' which implies 154g may be the exception they consider to be applicable. None of the other exceptions are applicable to this site.

The definition of previously developed land is set out in the NPPF (2024):

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

The definition specifically states that only land which has been lawfully developed can be classed as previously developed. The land in question was agricultural land and the boundary between this and the residential curtilage is still clear to see on the ground. Whilst it may now be used as garden area, and this may now be immune from enforcement action due to the passage of time, it has not lawfully changed use. The last use of the land was agricultural, as corroborated in the submitted Planning Statement, and this is excluded from the definition of previously developed land.

It would appear that the residential curtilage is outlined in the site plan below in blue and the application site is outside of the residential curtilage albeit within the same ownership:



In summary, the application site does not meet the definition of previously developed land and does not therefore meet the first part of the paragraph 154(g) exception.

Regardless of the above conclusion about PDL, with regard to the second part of paragraph 154(g), there needs to be a consideration about whether the proposal causes substantial harm to the openness of the Green Belt.

Paragraph 142 of the NPPF 2024 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It also states that the essential characteristics of Green Belts are their openness and permanence. Paragraph 013 of the Planning Practice Guidance 2025 on Green Belts looks to assess the impact of a proposal on the openness of the Green Belt by taking into account the spatial and visual aspects of a development, its duration and remediability, and the activity levels generated. These matters must be considered in relation to the proposed development of a dwelling on the site.

As previously stated, the application site is currently open and void of development. Whilst the details of the layout, scale and appearance of the proposed dwellings would be assessed at the technical details consent stage, it is possible to consider the principle of a development of a dwelling on the site at this 'in principle' stage.

In terms of the spatial impact, a dwelling would be likely to cover over a large portion of the site due to the built footprint and building heights, together with associated hardstanding and domestic paraphernalia. The applicant's have submitted an illustrative plan of the type of dwelling they would like on the site as shown below:



The indicative plan shows the proposed dwelling in relation to the neighbouring properties:



This will have a significant impact and change on the current openness of the site, and a clear visual impact from the road.

Given the nature of the proposed development, there would be no potential for remediation as the building would be permanent and the activity levels generated from a dwelling and its associated comings and goings would have a significantly higher impact than the current undeveloped nature of the site.

On the basis of these spatial, visual and activity impacts, it is considered that the proposal would have a significant impact on the openness of the site that would cause substantial harm.

In conclusion, the proposal would not meet the relevant exception criterion under paragraph 154(g) of the NPPF (2024), which renders the development inappropriate in the Green Belt.

No mention is made within the Planning Statement of paragraph 155 of the NPPF however, for completeness, this is addressed below:

Paragraph 155 of the NPPF (2024) states:

The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b) There is a demonstrable unmet need for the type of development proposed⁵⁶;
- c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework⁵⁷; and
- d) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.

[Note – (d) is not relevant to this proposal as it does not meet the threshold for major development.]

The proposal relates to the development of one dwelling and can therefore be considered under this paragraph. Each point will be considered in turn below:

(a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan

The definition of 'grey belt land' is set out in the Glossary (Annexe 2) of the NPPF (2024) and is defined as:

Grey belt: For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development."

Footnote 7 states:

The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.

The proposal is not considered to be on land where the application of policies related to the areas or assets in footnote 7 of the NPPF (2024) provide a strong reason for refusing or restricting development; the only applicable asset would relate to heritage as the site is within an archaeological notification area and Thong Lane Conservation Area but this would be considered at the technical details consent stage in terms of design.

Whether the site is Grey Belt Land?

Paragraph 155 (a) has two parts. One is the assessment of the land as grey belt and the second part is a determination of whether the development would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.

In relation to whether the site is Grey Belt land, firstly, as discussed above, the site is not considered to be PDL and therefore fails this part of 155(a). However, the definition also considers any other land that does not contribute to the Green Belt purposes set out in paragraph 143 of the NPPF (2024). This paragraph sets out the five purposes of the Green Belt (with the relevant points highlighted in relation to the Grey Belt definition):

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

In the Gravesham Stage 2 Green Belt Study the application site can be identified within parcel GR6. The Study sets out the contribution of the parcel to the Green Belt purposes. The largest built-up area closest to the application site is the town of Gravesend. In terms of checking the unrestricted sprawl of this large built-up area (a), the application site is considered to have relatively significant contribution. The land adjoins the large built-up area of Gravesend and is open and largely uncontained by development. The absence of any strong distinction between the parcel and the urban area, and the presence of washed-over development at Thong, do however cause some weakening of contribution, but overall the land relates more strongly to the countryside than to the urban area.

In terms of preventing towns merging into one another (b) the land is considered to have relatively limited contribution. The land lies in the gap between the towns of Gravesend and Strood which is diminished by the intervening rural settlements but which has significant separating features including large woodlands and the valley along which the A289 passes. The land relates more strongly to the countryside than to the urban area, but the extensive woodlands to the east of the parcel play a much stronger role in maintaining separation.

In terms of preserving the setting and special character of historic towns (d) the land makes limited/no contribution as it is not close to any historic town. Point (e) is not relevant to this application as the site is not urban land.

In relation to point (c) the Green Belt Study states:

The parcel lacks strong distinction from the inset edge of Gravesham and has some limited containment as a result of the presence of washed-over development at Thong, but is largely open countryside. Overall the

land relates more strongly to the countryside than to the urban area.

The Study finds that this parcel of land does provide a relatively significant contribution to the wider Green Belt in terms of safeguarding the countryside from encroachment. The proposal would impact on this purpose, as the development of a house on this site would involve a spread of built development that would encroach on the countryside. However, it is recognised that the development of one dwelling on this site alone would not fundamentally undermine the purposes of the remaining Green Belt across the whole area of the plan, and point (a) of paragraph 155 is therefore met.

(b) There is a demonstrable unmet need for the type of development proposed

In relation to criterion (b) of paragraph 155, paragraph 34 of the NPPF (2024) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy (2014) is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need.

With regard to housing need, Policy CS02 of the Core Strategy (2014) sets out the Borough's objectively assessed need for housing over the Plan period (up to the year 2028) and finds that there is a need for at least 6,170 new dwellings to be delivered at variable rates over the plan period (2028).

Paragraph 78 of the NPPF 2024 states that the Borough's five-year land supply should be demonstrated against either the housing requirement set out in adopted strategic policies or against the local housing need where strategic policies are more than 5 years old. As the Borough's Local Plan Core Strategy (2014) is more than 5 years old, the Government's Standard Method now forms the basis of the Borough's housing need against which supply must be identified.

Evidence now available shows that the Council is not able to demonstrate a five-year housing supply. A 2.53 year supply has most recently been calculated within the Five Year Housing Land Supply Statement 2024-2029 (dated July 2026), and as the delivery of housing was substantially below that required by the Housing Delivery Test (less than 75%) at 59%, which engages the presumption in favour of sustainable development and requires a 20% buffer to be applied to the Borough's housing need figure. As set out in the 2024-2029 statement, the Borough's five-year local housing need figure with a 20% buffer is 4,056 dwellings which equates to an annual requirement of 811 dwellings.

This engages footnote 8 of the NPPF 2024, which means that, for decision taking, as set out in Paragraph 11(d) of the NPPF 2024, planning permission for applications involving the provision of housing should be granted, unless there are clear areas or asset protection reasons (including land designated as Green Belt, as is the case with the proposal site) for refusing the development or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole. A balancing exercise would therefore be undertaken when considering any future application for housing on these sites, to ensure that the correct weight is attached to the shortfall in meeting the five-year housing land supply requirement and the provisions within the NPPF.

In determining applications for planning permission involving housing, the Council will therefore apply a weighted balance in favour of granting planning permission in accordance with relevant case law and guidance, having regard to the acceptability or otherwise of the proposals when evaluated against development plan policy, the need to make efficient use of land (paragraph 129(c)) in context, the relative contribution the proposal makes towards the alleviation of any shortfall in housing delivery at that time and any other considerations material to the proposed development.

The proposed development would provide a net increase of 1 residential unit on the application site, which

would contribute towards meeting the identified unmet housing needs of the Borough. Consequently, it would comply with criterion (b) of paragraph 155.

(c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the NPPF (2024)

Paragraph 110 states:

The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, 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.

Paragraph 115 states:

In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- (a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;*
- (b) safe and suitable access to the site can be achieved for all users;*
- (c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*
- (d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.*

Paragraph 83 of the NPPF (2024) sets out that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Paragraph 84 also states that planning policies and decisions should avoid the development of isolated homes in the countryside unless particular circumstances apply.

The application site is located in the open countryside, outside of the settlement of Gravesend. The site is not close to local service/infrastructure. The nearest local centre is approx. 1.5km away along a country lane which has no pavements and is unlit. The leisure centre is approx. 1.2km away, again via unlit roads with no pavements. The nearest primary school is approx. 1.75km away along the same roads. These roads are not conducive for walking or cycling; a child would not be able to walk to school safely. There is no bus route that travels down this part of Thong Lane. All buses stop at Cascades Leisure Centre and there is also a bus stop in Vigilant Way approx. 800m away (which only serves London) and then it is a case of walking along unlit roads with no pavements to get to the application site. Therefore any potential residents would be heavily reliant on a private car. The Thong Conservation Appraisal also mentions the unsustainability of the area:

Thong has no public open spaces other than the highway and, where present, its verges. The latter are often in the form of narrow but nonetheless attractive rough and uneven grassed strips running up to the foot of the street boundary walls that are as noted earlier such a feature of the older part of the village. There are no footways to Thong Lane anywhere within the conservation area. It is a car rat-run and even in daylight it requires care and agility to travel safely on foot from one end of the village to the other, sharing the sometimes narrow and winding carriageway with drivers who are intent on getting quickly back and forth from suburban Gravesend to the M2 Motorway. In recognition of the problem, and in particular of a tight, narrow bend, the array of highway authority warning signs at the south end of the village (including a solar panel) is so high profile as to put other aspects of the conservation area here into the shade. It could be argued that as the place is now more or less a dormitory and week-end retreat, with inhabitants and visitors arriving and leaving by car, pedestrian safety is not an issue but for local bus passengers,

navigating a hostile environment on foot en route from bus stop to front gate must surely be problem.

It is recognised that paragraph 110 of the NPPF (2024) is less applicable to this proposed development of one dwelling, which would not be described as 'significant', but the general aim of this paragraph is to encourage the management of patterns of growth to support the objectives of promoting sustainable transport. However, more relevant in this case is paragraph 115, which in assessing applications for development, seeks to ensure in particular that sustainable transport modes are prioritised, and safe and suitable access to the site can be achieved for all users.

There are a number of appeal decisions where similar sites in and outside the area have been deemed unsustainable with respect to these aims.

In the case of an appeal at White Post Farm in Cobham (ref. APP/K2230/C/23/3328720 (Appendix 1)), which related to an enforcement notice for the change of use of the land from equestrian use to residential use including the stationing of mobile homes, the Inspector agreed that:

55 ...the site was located in an unsustainable location due to its location away from the nearest settlements and services, even accounting for the fact that the Framework recognises that sustainable transport options will vary between rural and urban areas... Whilst the site is part way between Sole Street and Meopham, as the crow flies, the road network of rural lanes is circuitous and the location of the site therefore weighs against the development in terms of accessibility to local services.

The Inspector concluded that the site:

59. ...is poorly located in terms of the distance from shops and services with limited travel choices beyond the private car. Those matters attract moderate weight of themselves. Consequently, there are a range of factors weighing against the grant of permission...

A more recent appeal at an adjacent site at White Post Farm (ref. APP/K2230/W/25/3363212 (Appendix 2)) for the change of use of the land to form a gypsy/traveller site, the Inspector stated:

18. The appeal site is located between Sole Street and Meopham which each contain some limited services and facilities, as well as public transport links. However, the site is linked to those settlements only by White Post Lane, which is narrow and unlit. I observed it to be a fairly busy route and it lacks any footpaths or significant verges. As such pedestrians would need to walk in the path of traffic and it would not provide a safe or attractive route for occupiers of the site, particularly with children. Cycling could provide an alternative, but is unlikely to be attractive throughout the year... it remains the case that [those individuals not travelling for work] would be heavily reliant on private vehicles for all day to day needs as a result of the site's location. For these reasons the site's location is not one which could be considered sustainable.

Another recent local appeal that discusses the matter of sustainability is APP/K2230/W/24/3356605 (Appendix 3). This related to a change of use of an agricultural building to holiday lets at a site at Abbey Farm Barn in Higham. The site is on an unlit country road with no demarcated footway, similar to this site on Thong Lane. The Inspector stated that:

12...The nature of this route would be likely to deter pedestrian and cycling access to the village, particularly in the evenings and during the winter months.

13. On balance, the proposal would not be located where future occupiers would be able to rely on accessible local services and facilities to serve their everyday needs without having to travel some distance and in all likelihood by car.

The above appeal examples are local, but there are various other examples further afield where similar sites were considered to be unsustainable. Appeal ref. APP/B1930/W/24/3349988 (Appendix 4) is a

recently dismissed appeal relating to an outline proposal for 9 dwellings at Moor Mill Tanker Depot in Hertfordshire. Whilst the Inspector recognised that some services around the site fell within acceptable, comfortable or realistic walking distances outlined in the Manual for Streets and other guidance:

20... pedestrian and cycle access to them would be via unlit paths, PROWs and lanes through a largely undeveloped rural area with some PROWs only being accessible by crossing the busy Smug Oak Lane.

21. Walking, cycling and the use of buses would be an option for some trips by some people, but the rural, unlit nature of the route and distances to bus stops and services would limit their attractiveness, particularly for older people, those with a disability or with children and at times of darkness and bad weather. As such, I consider that future occupiers of the proposed dwellings would be likely to be reliant on private vehicles to access services.

The Inspector concluded:

23. Consequently, the site would not be a suitable location for the proposed development, having regard to the accessibility of services and facilities. Therefore, it would fail to prioritise sustainable transport modes as required by the Framework. As the proposed development would not be in a sustainable location, it would not fall within the exception in paragraph 155 of the Framework.

Similarly, under appeal ref. APP/M1595/W/25/3360211 (Appendix 5), which related to an outline application for four dwellings on land adjacent to Starlight, Patricia Drive in Fobbing, the Inspector considered the paragraph 155 criteria. In relation to 155(c) the Inspector set out the following:

10. ...There is a farm shop in Fobbing, with a public house and church around a 20 minute walk from the site. There are no doctors or dentists close by. The nearest bus stops lie on High Road, providing limited bus services (comprising four buses a day) from Mondays to Fridays between Orsett Hospital and Basildon.

11. In this case, walking, cycling and use of buses would be an option for some trips by some people. However, the frequency of buses and the distance to services would limit their attractiveness, particularly for older people, those with reduced mobility or with children and at times of darkness and bad weather. As such, I consider that the future occupiers of the proposed dwellings would be likely to be reliant on private vehicles to access services. Consequently, the proposed development would not be in a sustainable location so would not fall within the exception in paragraph 155 of the Framework.

In the submitted Planning Statement the applicant has stated that the site has viable walking and cycling routes and sustainable transport modes including public transport however none of the bus routes they have cited stop further than Cascades Leisure Centre along Thong Lane. There are no bus routes serving the application site.

Drawing the above together, the current application proposal would not be in a sustainable location, having regard to the failure to ensure safe and suitable access for all users and to prioritise sustainable transport modes. The proposal would therefore not comply with the 155(c) exception regarding the development of Grey Belt land.

In the context of this application, the location of the site over 1.5km from the nearest local centre in Riverview Park would mean that future residents of the proposed dwellings would be likely to rely on private car(s) to reach essential local services and facilities, particularly as the country roads leading to them are not safe to walk or cycle on. It is therefore considered that the proposal would result in an unsustainable development in the countryside, contrary to paragraph 83 of the NPPF (2024).

Overall, as there are no pedestrian footways, street lighting or bus stops near to the site, because the available bus services are limited and because the distance from services and the absence of nearby infrastructure would severely limit travel choice, the occupants of the proposed development would be entirely dependent on use of a private motor vehicle to meet their day-to-day needs. For these reasons,

the proposal would not be in a sustainable location and as such, it would be contrary to paragraph 155(c) and paragraph 83 of the NPPF (2024).

To be considered as appropriate development, all the criteria of paragraph 155 of the NPPF (2024) must be met and therefore, by virtue of its unsustainable location, the proposed development would be inappropriate development in the Green Belt.

Conclusion on Green Belt

The relevant NPPF (2024) paragraphs have been considered in the assessment of the principle of one dwelling on this site in the Green Belt.

On the basis of the spatial, visual and activity impacts of such a development, it is considered that the proposal would have a significant impact on the openness of the site that would cause substantial harm to the openness of the Green Belt, and therefore the proposal would not meet the relevant exception criterion under paragraph 154(g) of the NPPF (2024), which would render the development inappropriate in the Green Belt.

Paragraph 155 of the NPPF (2024) states that the development of homes in the Green Belt should not be regarded as inappropriate where all the paragraph 155 criteria apply. In this case, the proposal would not meet all the applicable criteria and as a result of the unsustainable nature of the proposed development, it is also regarded as inappropriate in the Green Belt under this paragraph.

In conclusion, in relation to the narrow scope of consideration allowable when assessing and determining a PiP, in terms of the location of the site within the Green Belt, the proposed residential development is inappropriate and would therefore be harmful to the Green Belt. This is given substantial weight in accordance with paragraph 153 of the NPPF (2024). Such development should not be approved except in very special circumstances. There are no special circumstances that have been put forward that would outweigh the harm to the Green Belt by reason of inappropriateness, and therefore the application should be rejected on this basis.

Location – Landscape Character

The application site is located in the countryside and in the Shorne Woodlands Landscape Character Area within the Gravesham Landscape Character Assessment (GLCA) 2009 and as such, Policy CS12 of the Core Strategy 2014 is relevant. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the GLCA will be taken into account in determining applications. The GLCA states that the key characteristics of this landscape include undulating topography and varied building style and age. The condition is good and sensitivity is moderate. The guidelines are to conserve and reinforce.

Paragraph 187 of the NPPF 2024 aims for development to contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside.

Section 12 of the NPPF 2024 relates to achieving well-designed places and sets out the Government's requirements in relation to design issues. Paragraph 131 emphasises the importance of achieving high quality, beautiful and sustainable buildings and places. 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.

Paragraph 135 of the NPPF 2024 also seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 of the Core Strategy 2014 reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.

Whilst at this stage no plans showing the design of the dwelling are required the applicant has submitted indicative plans which show a detached chalet bungalow style dwelling. Notwithstanding this, the clearance of the site, construction of a new building, laying down hardstanding and parking of vehicles would significantly alter the visual appearance of the site from the existing open land to one of a semi-urban nature. The change would be discordant with the verdant rural surroundings and the effect of the development would be urbanising within the rural landscape setting. At this stage, there are concerns that the proposed development would result in the application site losing its undeveloped, natural appearance, undermining the character of the landscape and surrounding conservation area, contrary to paragraphs 135, 187 and 210 of the NPPF (2024) and Policies CS12, CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014).

Location - Thong Conservation Area

The application site is a former land-workers cottage which is part of a nineteenth century terrace of four. The character of the area is an agricultural settlement and the land adjacent to number 4 contributes to this. The Conservation Area Appraisal is clear that cars and SUV's parking within the front gardens of Cheney's Cottages damage the setting of the Conservation Area. The introduction of an additional dwelling, associated paraphernalia and off road parking will further neither preserve or enhance the setting.

Design is not a consideration for this application however it is noted that the Conservation Appraisal states:

The decorative Victorian form employing heavily emphasised chimney stacks and gables to help to animate a basically simple plan is found also in Cheney's Cottages. The roof pitch here is very pronounced, purely for effect. For variety, advantage of the arrangement of four is taken – the two central dwellings have their entrances on the front, the two end ones on the ends. All these features combine with ground-plan projections and recessions to produce rich visual character on the street frontage.

Therefore, if permission were to be granted at a later date, regard should be had to complementing the design of the existing dwellings.

A dwelling in this location would erode the spaciousness of the area which is a positive feature of the Conservation Area. The introduction of built form and associated paraphernalia will neither preserve or enhance the character of the area or make a positive contribution to local character and distinctiveness and therefore conflicts with Policies CS19 and CS20 of the Gravesham Core Strategy 2014 and paragraph 210 of the National Planning Policy Framework 2024.

Amount of Development

As discussed above, Section 12 of the NPPF 2024 relates to achieving well-designed places and Policy CS19 of the Core Strategy 2014 requires new development to be well designed and respectful of the character and appearance of the surrounding area.

Whilst it is recognised that development which makes effective use of land should be supported (paragraph 124 of the NPPF 2024), this comes with the proviso that it should safeguard and improve the environment and not conflict with other policies in the NPPF. Relevant to this proposal, paragraph 129 of the NPPF states that developments that makes efficient use of land should be supported, taking into account the identified need for different types of housing, the desirability of maintaining an area's prevailing character and setting (including residential gardens), and the importance of securing well-designed places.

In a similar vein, Policy CS14 of the Core Strategy 2014 sets out that new housing development is expected to provide a range of dwelling types and sizes, taking into account the existing character of the area and evidence of local need to create sustainable and balanced communities. The proposal would involve the erection of a dwelling in an area where neighbouring dwellings are mixed in design and type although are generally historic and related to agriculture such as farm workers cottages. Given the size of the site, the development would have the potential to sufficiently accommodate this amount of development that would be commensurate with existing surrounding uses.

Policy CS15 of the Core Strategy seeks to achieve a minimum density for residential development in the rural area of 30 dwellings per hectare (dph), subject to the overriding consideration that all new housing will be at a density that is consistent with achieving good design and does not compromise the distinctive character of the area. The application site measures approx. 0.104 hectares; 1 dwelling on this site would be below the density target of 30 dph at 9.6 dph.

In principle, the proposal for a dwelling would have the potential to be consistent with the general aims of Policies CS14 and CS15. However, the details of the layout, scale and appearance of the proposed dwelling would have to be properly assessed at the technical details consent stage.

Conclusion

The NPPF (2024) states that planning decisions should apply a presumption in favour of sustainable development (paragraph 11 of the NPPF (2024)). Paragraph 11(d) is relevant as the Council is currently unable to demonstrate a five year housing land supply, and it is stated that in such circumstances planning permission for housing should be granted unless the application of policies in the NPPF that protect areas of particular importance (such as land designated as Green Belt, which is the case here) provides a strong reason for refusing the development.

The proposed development would provide a net increase of one residential unit on the application site, which would contribute towards meeting the identified unmet housing needs of the Borough, and would carry weight in favour of the scheme.

However, in this application, the Green Belt policies in the NPPF provide a strong reason to refuse the development, and therefore the presumption in favour of sustainable development in paragraph 11(d) is not engaged.

The NPPF (2024) makes it clear that inappropriate development in the Green Belt should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the harm, by reason of inappropriateness and any other harm, is clearly outweighed by other circumstances.

In this case, there would be a significant impact on the openness of the site from the proposed development of a new dwelling that would cause substantial harm to the Green Belt, rendering this proposal inappropriate. Harm caused by inappropriateness carries substantial weight.

Furthermore, the site is not considered to be in a sustainable location and would not ensure the provision safe and suitable access for all users. In addition, such an urbanising development would fail to conserve the rural character of the landscape. Altogether, these adverse impacts would significantly and demonstrably outweigh the housing benefits of the scheme.

Consequently, the proposal conflicts with the Development Plan there are no material considerations, that indicate that the proposal should be decided other than in accordance with it.

When considering the location and land use of the proposed development, as the site is located within the Green Belt, its spatial, visual and activity impacts would have a significant impact on the openness of the site that would cause substantial harm and fail to align with the paragraph 154(g) exception. Furthermore, the development fails to meet all the requirements of paragraph 155 of the National Planning Policy Framework 2024 regarding the development of Green Belt land, as a result of its unsustainable location and failure to ensure the provision safe and suitable access for all users. The proposed residential development is regarded as inappropriate and would therefore be harmful to the Green Belt. This is given substantial weight in accordance with paragraph 153 of the National Planning Policy Framework 2024. Such development should not be approved except in very special circumstances. There are no special circumstances that would outweigh the harm to the Green Belt by reason of inappropriateness, and therefore permission in principle cannot be granted. The proposal would be contrary to the relevant

requirements of Section 13 of the National Planning Policy Framework 2024 and Policy CS02 of the Gravesham Local Plan Core Strategy 2014.

The proposed development would significantly alter the visual appearance of the site, which would be discordant with the verdant rural nature of the area, undermining the character of the Shorne Woodlands Landscape Character Area, and contrary to the requirements of the Gravesham Landscape Character Assessment (2009), paragraphs 135 and 187 of the NPPF (2024) and Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014).

Ecology and Biodiversity

SAMMS

The Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) are internationally important for nature conservation as the area is a wetland and supports important numbers of wintering waterbirds and migrating birds. There has been a decline in the number of birds using these sites in recent years. Studies show that this could be due to people using the estuary and marshes for recreation purposes. The North Kent Bird Disturbance Report concludes that all new housing development within 6km of the North Kent Ramsar Sites or Special Protection Areas (including the Thames Estuary and Marshes) and larger housing development beyond 6km from the sites could have an adverse impact on them. This is because new housing development is likely to lead to further increases in recreational use of the sites which means that further declines in the bird population cannot be ruled out. Possible mitigation measures are set out in the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy. Having considered a number of options, the Council have decided to impose a tariff on new housing development. Developers will need to pay £350.16 for every new dwelling provided within 6km of the Ramsar site and SPA and for larger housing developments beyond 6km from them. The money raised will be used to pay for schemes to avoid the adverse impacts of new housing development on the birds. The applicants have not paid towards the mitigation.

The submitted Planning Statement recognises that payment will be required and that it will be made prior to the second stage PIP approval. As this is a habitats site this payment is required before the determination of this application however it has not been requested due to other conflicts with adopted policy.

The proposal fails to secure a contribution towards strategic mitigation measures within Special Protection Areas, and therefore the development conflicts with the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 193 and 194) of the National Planning Policy Framework 2024 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

Biodiversity Net Gain

Biodiversity net gain (BNG) is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development.

In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10%. This means a development will result in more or better quality natural habitat than there was before development.

Conclusion

When considering the location and land use of the proposed development, as the site is located within the Green Belt, its spatial, visual and activity impacts would have a significant impact on the openness of the site that would cause substantial harm and fail to align with the paragraph 154(g) exception. Furthermore, the development fails to meet all the requirements of paragraph 155 of the National Planning Policy Framework 2024 regarding the development of Green Belt land, as a result of its unsustainable location and failure to ensure the provision safe and suitable access for all users. The proposed residential development

is regarded as inappropriate and would therefore be harmful to the Green Belt. This is given substantial weight in accordance with paragraph 153 of the National Planning Policy Framework 2024. Such development should not be approved except in very special circumstances. There are no special circumstances that would outweigh the harm to the Green Belt by reason of inappropriateness, and therefore permission in principle cannot be granted. The proposal would be contrary to the relevant requirements of Section 13 of the National Planning Policy Framework 2024 and Policy CS02 of the Gravesham Local Plan Core Strategy 2014.

The proposed development would significantly alter the visual appearance of the site, which would be discordant with the verdant rural nature of the area, undermining the character of the Shorne Woodlands Landscape Character Area and the Thong Conservation Area contrary to the requirements of the Gravesham Landscape Character Assessment (2009), Thong Rural Conservation Area Appraisal, paragraphs 135, 187 and 210 of the NPPF (2024) and Policies CS12, CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014).

The proposal fails to secure a contribution towards strategic mitigation measures within Special Protection Areas, and therefore the development conflicts with the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 193 and 194) of the National Planning Policy Framework 2024 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

Recommendation:

Refuse for the reasons above.

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

Case Officer:	Mrs Alison Webster	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	28 July 2026	Dated:	28th July 2026