

Town and Country Planning Act 1990 (As Amended)

## Planning Statement

Proposed Erection of Detached Residential Property and  
Garage

At

Side Garden of 90 Downs Road, Istead Rise, Gravesend,  
Kent DA13 9HQ

Client: Alder Homes Limited

Consilium Town Planning Services Limited  
Northdown House  
Lower Street  
Leeds  
Maidstone  
Kent  
ME17 1RJ

August 2025

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DA13 9HQ

Date: August 2025

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# 1 INTRODUCTION

- 1.1 This Planning Statement has been prepared on behalf of Alder Homes Limited (referred to as 'the Applicant') and is submitted in support of a full planning application for the proposed erection of a residential property including garage off Downs Road utilising the existing access onto the site.
- 1.2 The site is referred to as land to the side of 90 Downs Road, Istead Rise, Nr Gravesend, Kent. The site forms part of the existing side garden at the property and currently comprises of a grass (or lawn) area that is set in a slightly elevated position above the adjoining Downs Road (see photographs).
- 1.3 The site lies within the administrative boundary of Gravesham Borough Council and is situated on the edge of the Istead Rise village which is identified as a 'tier 2 settlement' in the adopted local plan. The site area (the red lined area) is approximately 0.1 hectares.
- 1.4 The site is within the Metropolitan Greenbelt (MGB). As the site comprises of an existing garden the site and located in a sustainable location plus there is a housing need (housing shortfall) within the Borough Council's area the site can also be identified as a 'grey belt' site. It has previously been accepted that the site is a brownfield or PDL site.
- 1.5 The following drawings are submitted for approval:
  - Planning Applications Forms
  - Ownership Certificate Form (Certificate B)
  - 90-DRG-1001 B Site Location Plan
  - 90-DRG-001 Proposed Plans
  - 90-DRG-002 Proposed Elevations
  - 90-DRG-003 Proposed Garage and Floor Plans
  - 90-DRG-010 B Site Layout Plan with Topographic Survey
  - 90-DRG-011 B Site Layout Plan
- 1.6 The following reports are also attached with this submission:
  - Design and Access Statement
  - Planning Statement
  - Preliminary Ecology Report (Eco Assistance)
  - BNG Report (Eco Assistance)
- 1.10 The layout shows car parking for two vehicles that includes an EV charging point. There is an existing access shown off Downs Road

minor road onto the site. Cycle provision can be provided within the proposed garages shown on the drawings.

- 1.11 This report continues in Section 2 by providing a summary of the site's location and its context, with a brief summary of the planning history for the site within Section 3. Details of the proposal are set out in Section 4 and the accompanying Design and Access Statement, including a detailed description of the layout and designs offered upon the site. A summary of the planning policy position at national and local level is contained within Section 5. Section 6 sets out the justification for the proposal in the context of national requirements, local need, and the policy position with the conclusions/ summary set out in Section 7.

## 2 SITE AND SURROUNDING AREA

- 2.1 The application site is an infill site located adjacent to the village boundary of Istead Rise (a second-tier settlement within the Council's area) situated between the existing residential properties 88 and 90 Downs Road. The site area is approximately 0.1 hectares and is currently a residential garden to the side of 90 Downs Road.
- 2.2 The existing dwellings along Downs Road have a traditional style of Architecture and highlight a range of traditional Kentish materials. Most dwellings tend to have weatherboarding or tile hanging.
- 2.3 The existing site is reasonably well screened by mature trees and vegetation along the western boundary. Vehicle and pedestrian access is already formed off Downs Road. The site has the benefit of being self contained by virtue of its surrounding trees to the west and adjoining properties to the north and south. As such it is well screened to and from its surroundings
- 2.4 Istead Rise itself is approximately 3 miles to the south of Gravesend Town Centre, with the Medway Towns approximately 7 miles to the east and Dartford 8 miles to the west.
- 2.5 Istead Rise sits within an attractive landscape of agricultural land and woodland. The village has good connections to the strategic highway road and is situated a short distance from the A2 connecting with links to the M25 motorway at Darenth and offering good connectivity by road to London and the south east of England.
- 2.6 There are mainline railway stations offering regular services to London located in Ebbsfleet, Gravesend and the nearby village

of Meopham. Regular bus services also connect Istead Rise to Gravesend, Bluewater and Sevenoaks. The nearest bus stops are located on Downs Road served by bus routes 308 and 418.

- 2.7 Istead Rise village has a number of local amenities including a church, doctors, dentist, post office, a community centre and a number of local shops. There is a primary school in Istead Rise and a number of secondary schools within a five-mile radius of the site, mostly located in the nearby town of Gravesend. For these reasons Istead Rise can therefore be considered a sustainable location by virtue of its facilities and its connectivity both locally and to the wider region.

### 3 RELEVANT PLANNING HISTORY

- 3.1 There are a number of planning applications submitted over a period of time relating to this site:

- 20190372. Erection of four bedroom dwelling with associated parking and landscaping.  
Refused 5.07.2019
- 20130911- Erection of detached two storey, three-bedroom dwelling with detached double garage.  
Refused 15.01.2014
- 19990615- Outline application for the erection of detached dwelling and garage.  
Refused 01.11.1999
- 19860594- Change of use of land to residential garden and formation of vehicular access on land between 88 and 90 Downs Road.  
Permitted 29.09.1986
- 19800403 - Outline application for the erection of two detached two storey dwellings with garages.  
Refused 24.06.1980
- 19800153- Outline application for the erection of 5 detached two storey dwellings with garages.  
Refused 15.04.1980

## 4 PROPOSAL

- 4.1 The proposal will comprise of a detached three-bedroom chalet style property. The proposed new dwelling consists of a detached house of traditional Kentish design. The proposed dwelling will be consistent in size and style with the surrounding area.
- 4.2 The overall height of the property will be 7 metres to ridge height. To the eave height will be approximately 2.5 metres.
- 4.3 Access will be provided via an existing access off of Downs Road. The new dwelling will be provided with a total of 2 parking spaces with turning space provided on site.
- 4.4 The property has been designed with the recommended national technical space standards and is in excess of the minimum space standards for the internal room layouts and overall size.
- 4.5 Appearance and Materials An assessment of the surrounding area has revealed a wide variety of architectural styles and materials. A pallet of materials and architectural detailing has therefore been adopted within the design of the curent proposals. The following materials are envisaged for the development:

Roof Materials:	Clay Tiles Terreal Rustique
Elevation Wall Materials	Brickwork Safier Tile Hanging Terreal Priory
Rainwater Goods	Black uPVC
Windows and Doors	uPVC windows and doors
Hardstanding surfaces	Porous Block Paving to paths and parking areas Brett Alpha Permeable Brick Patio Indian Sandstone

- 4.6 A full description of the proposal is set out in the Design and Access Statement.

## 5 PLANNING POLICY

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that the determination of planning applications must be made in accordance with the Development Plan unless '*material considerations*' indicate otherwise.
- 5.2 The site is situated within the metropolitan greenbelt. The most up to date policy and guidance relating to this proposal is the latest version of the National Planning Policy Framework (2024).
- 5.3 The relevant Development Plan for the proposal and site comprises the following:
- Gravesham Local Plan Core Strategy (2014)
  - Gravesham Local Plan First Review (1994) - saved policies
- 5.4 Other material considerations relevant to this application include the following documents: •
- National Planning Policy Framework (2024);
  - Kent Design Guide
  - Kent County Council Parking Standards

### Gravesham Local Plan Core Strategy (2014)

- 5.5 The Gravesham Borough Council (GBC) Core Strategy was adopted in 2014. However, the plan was found to be 'sound' on the basis an early review of housing needs was undertaken along with a requirement to undertake a review of Green Belt boundaries. That was 13 years ago.
- 5.6 To date, despite various consultation stages been undertaken progress has been slow. Currently progress on the emerging Local Plan Core Strategy Partial Review has continued to be delayed and there is currently no indication as to when the Regulation 19 Local Plan Core Strategy Partial Review will be submitted for consultation.
- 5.7 The NPPF (2024) published changes to the Standard Method Calculation and the five-year housing requirement for Gravesham is 3,360 dwellings. This equates to 672 dwellings per annum. There has been an under-delivery which has resulted in a significant shortfall of housing within the Borough. The Council cannot currently demonstrate a five-year Housing Land Supply. Therefore, the '*tilted balance*' applies in the determination of this planning application.



5.8 The policies relevant to the proposed development are as follows:

- Policy CS01: Sustainable Development
- Policy CS02: Scale and Distribution of Development

*Note: Istead Rise is classified as a Second Tier Settlement within the Settlement Hierarchy of CS02*

- Policy CS11: Transport
- Policy CS15: Housing Density
- Policy CS18: Climate Change
- Policy CS19: Design and Development

#### **Saved Policies in the Gravesham Local Plan First Review 1994**

- Policy P3 - Vehicle Parking Standards
- Policy T1 - Impact of Development on the Highway Network

#### **Planning Policy Framework (2024)**

5.9 At the national level, the revised version of the National Planning Policy Framework ('NPPF') was published in December 2024. It provides the national planning policy context for the preparation of Development Plans and the determination of planning applications and states that the purpose of the planning system is to contribute to the achievement of sustainable development.

5.10 The NPPF sets out the Government's approach for delivering the homes, infrastructure and places that are needed whilst both protecting and enhancing the natural and historic environment. NPPF paragraph 2 confirms that the NPPF is a material consideration in planning decisions. Planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise.

5.11 The NPPF directs that Councils should approach decision making in a 'positive way' (NPPF paragraph 39). Councils should therefore work positively with applicants to find solutions and to deliver sustainable developments that secure improvements to the economic, social and environmental conditions of an area.

#### ***Achieving Sustainable Development***

5.12 Paragraph 8 of the NPPF identifies three overarching objectives to be pursued through the planning system in order to achieve sustainable development: an economic, social and

environmental objective. The NPPF recognises that these objectives are not criteria against which every decision can or should be judged but planning decisions should guide development towards sustainable solutions whilst taking account of local circumstances, including the character, needs and opportunities of each area.

5.13 Paragraph 10 of the NPPF states that '*so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development*'.

5.14 Paragraph 11 sets out how, for plans and decisions, the presumption in favour of sustainable development should be approached. *For decision making this means:*

- c) approving development proposals that accord with an up-to-date development plan without delay; or*
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes, individually or in combination.*

### ***Green Belt***

5.15 Chapter 13 (Protecting Greenbelt) confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Green Belt serves five purposes:

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

(Paragraph 143)

- 5.16 Paragraph 153 states that local planning authorities should ensure substantial weight is given to any harm to the Green Belt, including harm to its openness. Footnote 55 confirms the exception to this is in the case of previously developed or **grey belt land**, where development is 'not inappropriate'.
- 5.17 'Grey Belt' is defined in Annex 2: Glossary as: '*...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.*'
- 5.18 'Grey belt land' 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.
- 5.19 Paragraph 154 sets out a number of exceptions where development in the Green Belt will not be considered inappropriate. Paragraph 155 confirms that 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 proposed;
  - c. The development would be in a sustainable location, with particular reference to [paragraphs 110 and 115 of this Framework]; and
  - d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below. **(Note: (d) is not applicable to this proposal as it is minor development**

### *Promoting Sustainable Transport*

- 5.20 Paragraph 110 acknowledges that 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 (linked with para 83). When determining local

parking requirements for residential developments, para 112 sets out that Councils should consider the accessibility, type, mix and use of a development, availability of public transport, local car ownership levels and overall need to reduce vehicle emissions.

### ***Making Effective Use of Land***

- 5.21 Paragraph 124 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 5.22 Paragraph 125 states that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. Paragraph 129 confirms that development should be supported where it makes efficient use of land taking into account matters include the need for different types of housing and other forms of development, local market conditions and viability, the desirability of maintaining an area's prevailing character and setting and the importance of securing well-designed, attractive and health places.

## 6 PLANNING APPRAISAL

### *Principle of Development*

- 6.1 Section 38 of the Planning and Compulsory Purchase Act (2004) states that planning decisions must be made in accordance with the relevant development plan unless '*material considerations*' indicate otherwise.
- 6.2 It is an important consideration to set out that the planning application is to be considered under a different set of '*material considerations*' or circumstances than the previously refused planning applications on the site. This is principally due to the latest change in Government policy set out in the National Planning Policy Framework (December 2024) and the introduction of the term grey belt land.
- 6.2 As stated, the site consists of a small 'infill' plot of land located between Nos. 88 and 90 Downs Road, Istead Rise. The Gravesham Local Plan Core Strategy Local Plan (2014) identifies the settlement boundary of Istead Rise extending to No. 88 Downs Road, with the site outside of the settlement boundary (including No 90 Downs Road).
- 6.3 The proposed development is considered 'infill', being on land between other existing built development to the north and south. Taking into consideration the site-specific circumstances, including the existing built form and that the site is seen as infill between continual frontage in the confines of the village, adjoining residential/built development to the north and south, the proposed development meets the 'infill' criteria.

### *Grey Belt Land*

- 6.4 The application site is therefore located within the Metropolitan Green Belt (MGB). However, we consider this proposal complies with the criteria for grey belt land.
- 6.5 As referenced in Section 5, the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 6.6 Paragraph 143 states that the Green Belt serves five purposes. **Highlighted in bold are sub-criterion (a) (b) and (d) which are applicable to the test of whether the site is considered to be grey belt land.** They are as follows:

- a) To check 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;**
- e) To assist in urban regeneration, by encouraging the recycling of derelict land and other urban land.

6.7 Paragraph 155 of the Framework states that the development of homes, commercial and other development in the Green Belt should not be regarded as inappropriate where 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 proposed;*
- c) *the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework;.*

Note: criteria (d) does not apply to this proposal as it is minor development

6.8 The December 2024 version of the National Planning Policy Framework (the NPPF) set out by Government introduced the term ‘grey belt land’.

6.9 The term ‘grey belt’ is defined in Annex 2 Glossary as.

*‘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 is not applicable in this case*

6.11 **We comply with this criteria set out in Annex 2.** The site is by definition brownfield or ‘previously developed land’ (PDL) as this is a side garden of 90 Downs Road and therefore meets the definition of PDL (Case Law (Dartford Borough Council v SSCLG [2017] (14 March 2017)). The previous planning application 2019/0372 has also confirmed this was the case (see Planning Committee report 4 September 2019).

6.12 The proposal is also compliant with criteria (a)(b) and (d) of paragraph 143 as follows:

*(a) To check unrestricted sprawl of large built-up areas;*

6.13 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 site appears to be part of the village. It is clear that, as a matter of fact on the ground, No. 90 Downs Road (outside the Development Boundary) appears in the same context of No. 88 Downs Road (inside the Development Boundary).

6.14 The proposed dwelling on the site will not lead to the sprawl of any defined built-up area and therefore the site does not contribute strongly to purpose and does not seriously undermine the purpose of the greenbelt. The area lost would be small in relation to the totality of Green Belt which covers the Borough Council's area.

*(b) To prevent neighbouring towns merging into one another;*

6.15 Firstly, Istead Rise is a village and not a town (it is a Tier 2 settlement). Irrespective, of this, the proposal does not result in the merging of neighbouring towns with the Istead Rise settlement.

*(d) To preserve the setting and special character of historic towns*

6.16 Again, Istead Rise is not a town or an historic town. The village is a tier 2 settlement set a considerable distance from the neighbouring town of Gravesend. This proposal will not cause any harm on the setting of special character of Gravesend or heritage asset contained within the town.

6.17 With regard to paragraph 155 this sets out criteria and relates to grey belt land and makes reference to the development of homes in the Green Belt should 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;*

6.18 The proposal utilises grey belt land (the site is also previously developed land as previously accepted by the Local Planning Authority). As it is an infill garden site the proposal does not

undermine the purposes of the greenbelt designation and surrounding green belt land within the Council's area.

*a) there is a demonstrable unmet need for the type of development proposed;*

- 6.19 Within the Borough Council's area it has been confirmed in the latest Annual Housing Monitoring Report (AMR) (February 2025) there is a housing shortfall (3 year HLS). If an authority cannot demonstrate a 5 year housing land supply, including any appropriate buffer, the presumption in favour of development will apply, as set out in paragraph 11 (d) of the National Planning Policy Framework.

*b) the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework;*

- 6.20 This proposal is in a sustainable location on the edge of Istead Rise village as set out below (see section entitled Sustainable Development).

#### ***Previous Planning History***

- 6.21 As stated, there have been four previous refusals for residential development on this site between 1980 to 2019 and this recommendation is consistent with the previous 4 refusals.
- 6.23 As mentioned, whilst the planning application history identified a number of refused planning applications there has been a material change in circumstance that justifies why planning permission should now be granted.
- 6.24 Notwithstanding the fact that the NPPF has been updated in December 2024, the earlier planning applications (pre 2014) were refused on policies GB1 and GB2 of the Local Plan First Review. These policies were 'deleted' in September 2014 and therefore are no longer material considerations.
- 6.25 Since 2014 there was a further planning application submitted in 2019, Policy CS02 of the adopted Gravesham Local Plan Core Strategy (September 2014) identifies that development outside of the boundaries of rural settlements inset from the Green Belt will be supported where it is compatible with national policies for the protection of the Green Belt. This is a material change since the 2019 refusal of planning permission.



- 6.26 With the changes to national policy set out in the latest version of the NPPF (2024), relating to grey belt land this proposal is now compliant with policy CS02 of the local plan.
- 6.27 Also, the test is whether the site appears to be part of the village. It is clear that on the ground, No. 90 Downs Road (outside the Development Boundary) appears in the same context of No. 88 Downs Road (inside the development boundary). Given the application site lies between No. 90 and No. 88, and fronts Downs Road, the site is considered 'infill' development.
- 6.28 The planning application can therefore to be considered under a different set of material circumstances than the most recent dismissed planning application.

### *Sustainable Development*

- 6.29 Paragraph 8 of the NPPF provides the Government's overarching objectives for achieving 'sustainable development', which includes and economic, social and environmental objectives. These objectives are not criteria for which every decision should be judged but provide an active role in guiding sustainable solutions.
- 6.30 When considering the immediate economic benefits, along with the broader social and environmental benefits resulting from the proposed scheme, it is considered that the development accords fully with the policy objectives of the NPPF, namely:
- An Economic Role: The Proposed Development will accommodate a growing workforce which will deliver economic output. The Council will gain income from increased Council Tax Revenue plus additional jobs will be created through construction of the site and the introduction of a new labour force into the area. The delivery of a scheme by an SME housebuilder (Alder Homes Limited) will also employ local people for local jobs including sourcing local materials.
  - A Social Role: The provision of a new dwelling will help meets the housing needs in an area which is currently not being met. The proposal will also support the rural economy the development of a bespoke three bedroom chalet style dwelling not been met by larger national housebuilders in the area.
  - An Environmental Role: The site will create enhanced biodiversity area resulting in a net gain on the site. Additional boundary treatment will be provided as part of the

development proposals within and on the boundary of the site. Recommendations contained in the preliminary ecology report attached with this submission can be implemented.

- 6.31 As previously stated, the village has good connections to the strategic highway road and is situated a short distance from the A2 connecting with links to the M25 motorway at Darenth and offering good connectivity by road to London and the south east of England.
- 6.32 There are mainline railway stations offering regular services to London located in Ebbsfleet, Gravesend and the nearby village of Meopham. Regular bus services also connect Istead Rise to Gravesend, Bluewater and Sevenoaks. The nearest bus stops are located on Downs Road served by bus routes 308 and 418.
- 6.33 Istead Rise village has a number of local amenities including a church, doctors, dentist, post office, a community centre and a number of local shops. There is a primary school in Istead Rise and a number of secondary schools within a five-mile radius of the site, mostly located in the nearby town of Gravesend. For these reasons Istead Rise can therefore be considered a wholly sustainable location by virtue of its facilities and its connectivity both locally and to the wider region.

### **Neighbouring Properties**

- 6.34 The separation distance between the proposed dwelling and the surrounding properties have been carefully considered so as to protect the privacy of the existing properties and the future occupants of the property.
- 6.35 With this in mind, the siting of the new dwelling has been carefully thought through so that there are no overlooking issues. And existing boundary trees are to be retained to assist in securing the privacy of any future occupant.

### **Living environment for future occupiers**

- 6.36 Planning Policy requires that development provides adequate living conditions for future occupiers and this is reinforced by the way the scheme compares to the Nationally Described Space Standards. The internal room sizes and overall size of the three-bedroom dwelling is compliant with the guidance.
- 6.37 In this case, the proposed dwelling also provides adequate levels of sunlight, daylight and outlook, and has acceptable garden

depth/area in terms of size requirements as set out in residential layout guidelines.

## Drainage

- 6.38 The proposed dwelling will discharge foul water to the Southern Water Services sewerage network that is located on Downs Road.
- 6.39 It is proposed that a Sustainable Urban Drainage System (SUDS) will be incorporated to allow for the surface water drainage. The design will implement the use of permeable paving to delay runoff
- 6.40 A below-ground soakaway system will be provided to ensure there is no flooding generated by runoff from the new catchment area for all storm events up to and including the 1:100year (+30% climate change allowance) peak storm event.

## Ecology

- 6.41 The application site falls within 6km of the Thames Estuary and Marshes Special Protection Area (SPA) classified in accordance with the European Birds Directive which requires Member States to classify sites that are important for bird species listed on Annex 1 of the European Directive, which are rare and/or vulnerable in a European context, and also sites that form a critically important network for birds on migration.
- 6.42 The Local Planning Authority has mitigated out the impacts of this on each and every planning application for a new residential development of one or more units within the 6km zone since September 2015 by accepting a Strategic Access Mitigation and Monitoring Strategy (SAMMS) (tariff) payment (currently £337.49 per dwelling). This approach is approved by Natural England for all new residential developments.
- 6.43 This proposal is considered to be comply with Paragraphs 175 and 176 of the NPPF and Policy CS12 (LPCS).

## Ecology

### *Ecology Report*

- 6.44 A preliminary ecology appraisal (PEA) has been prepared by Eco Assistance to identify the potential for protected habitats and

species present in relation to the proposed development and to provide a baseline assessment of current site conditions and provide recommendations.

6.45 As a result of the findings of the PEA, no further surveys are recommended to be undertaken for botany/habitats, reptiles, breeding birds, bats and Hazel Dormouse.

6.46 Enhancements to increase biodiversity at the site in line with national planning policy include:

- Native species hedgerow planting;
- A bat box;
- Wildflower enhanced grass seed areas; and
- Log and brash habitat piles.

#### *Biodiversity Net Gain*

6.47 A baseline BNG assessment is provided with this planning submission prepared by Eco Assistance. See Eco Assist report attached. The purchase of off-site credits will be undertaken to facilitate this proposal and to provide the required 10% nett gain.

## 7 CONCLUSION

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that the determination of planning applications must be made in accordance with the Development Plan unless '*material considerations*' indicates otherwise.
- 7.2 The site is located on the edge of Istead Rise within the Green Belt. However, it is demonstrated that the site constitutes 'Grey Belt' land, as defined in Annex 2 of the NPPF (2024). Development of homes in the Green Belt should not be regarded as '*inappropriate development*' where it utilises Grey Belt land and meets all the tests set out within Paragraph 155 of the NPPF.
- 7.3 Whilst this application seeks a departure from the adopted Development Plan (2014), it does so on the basis that the corresponding housing policies are 'out of date' and preventing the Local Planning Authority to meet its housing need. It is confirmed the Council has a 3 year HLS as reported in February 2025.
- 7.5 Therefore, the relevant test for granting planning permission is Paragraph 11(d)(ii), which sets out a presumption in favour of granting planning permission.
- 7.6 This Planning Statement has demonstrated that the housing shortfall across Gravesham Borough is significant and persistent. In such situations, Paragraph 11d) of the NPPF should be engaged and the application approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 7.7 The statement has also demonstrated that the proposed development is in keeping with the principles of sustainable development and will deliver a wide range of economic, social and environmental benefits.
- 7.8 The development proposals provide a significant number of benefits which should be weighed in favour of granting permission. These include the following:
- Provides much needed market housing for local people in a sustainable location;
  - Provides a high-quality scheme of an appropriate scale and nature to the existing residential urban environment;
  - Will make efficient and effective use of a grey belt site;
  - Is being brought forward by a SME housebuilder;

- Will be sensitively designed to respect the local ecology and biodiversity of the Site and protect and enhance the local ecology via enhancements to the natural landscape; Will not have a severe impact on existing highways and drainage infrastructure.

7.9 The supporting documents and plans submitted as part of this application have demonstrated that the proposal represents a high-quality sustainable development that accords with the relevant planning policies of the Development Plan and other material considerations including the NPPF and, as such, that the proposal should be supported.