

Delegated Report

Planning Application

Planning Application No: 20260076

Location: Homelea Farm Green Farm Lane Shorne Gravesend

Description: Retrospective application for change of use from agricultural land to commercial vehicle park with reduction of ground levels and addition of hard standing.

Applicant: Mr Nick Brown

Site Visit Date: 10th February 2026

Submitted Documents/Plans

Application Form
25-30-01 – Location Plan
25-30-02 – Site layout plan previously existing
25-30-03 – site layout plan now existing and proposed
Design and Access Statement

Relevant Planning History

No relevant planning history.

Development Plan

Gravesham Local Plan Core Strategy (2014)

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

Gravesham Local Plan: First Review (1994)

- T1 – Impact of Development on the Highway Network
- T5 – Access to the identified Highway Network
- P3 – Vehicle Parking Standards

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 11 – Making Effective Use of Land
- Section 12 – Achieving Well-Designed Places
- Section 13 – Protecting Green Belt Land
- Section 15 – Conserving and Enhancing the Natural Environment

Supplementary Planning Guidance

- SPG 4 – KCC Parking Standards (2006)
- Design for Gravesham – Design Code (2024)
- 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

Consultees



Ward Councillors

No comments received.

Shorne Parish Council

The Parish Council has no objection in principle to this application from a locally based business although is disappointed that it is retrospective.

The land concerned was formerly part of the neighbouring field (see 2018 aerial view from Google Earth).



A means of keeping the area secure and monitored might warrant consideration. No exterior lighting is shown on the plans.

Conditions should be attached stating that the parking area is private and only to be used for vehicles in direct connection with the adjacent business premises, and cannot be modified, built on or further expanded without specific advance planning permission.

KCC Highways

The application proposes a change of use of 300 square metres of the field to form a commercial vehicle parking area, as shown on the site layout plan (drawing number 25 30 03). This is not expected to lead to any intensification of the existing access, as the parking area is intended solely for the commercial operations already taking place on the site. No alterations to the current packing or distribution activities are proposed as part of this application.

KCC Highways acknowledges and supports Shorne Parish Council's position that the parking area should be restricted to vehicles associated with the adjacent business, and that no construction or further expansion should occur without obtaining the appropriate planning permission.

Conclusion:

I refer to the above planning application and confirm that provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority:-

- Provision and permanent retention of the vehicle parking spaces shown on the submitted plans (drawing number: 25-30-03) prior to the use of the site commencing.
- Use of a bound surface for a minimum of the first 10 metres of the access from the edge of the highway.
- Provision of measures to prevent the discharge of surface water onto the highway.

KCC Heritage

In this instance I suggest that no archaeological measures are required.



Dickens Protection Society

The Society would suggest that conditions are imposed limiting the number and size/weight of vehicles using the facility – in the interest of amenity and to limit traffic hazard. The planting of trees to screen the site should also be considered.

Neighbouring properties

A site notice was placed and 1no. surrounding property was consulted and 0 comments were received from members of the public. The final date to submit comments ended on 5th May 2026.

Officer's Analysis

Proposal

This application seeks permission for the retrospective change of use of part agricultural land to commercial vehicle park, with reduced ground levels and addition of hardstanding. The below Site plan (Not to Scale), shows the extent of the change:





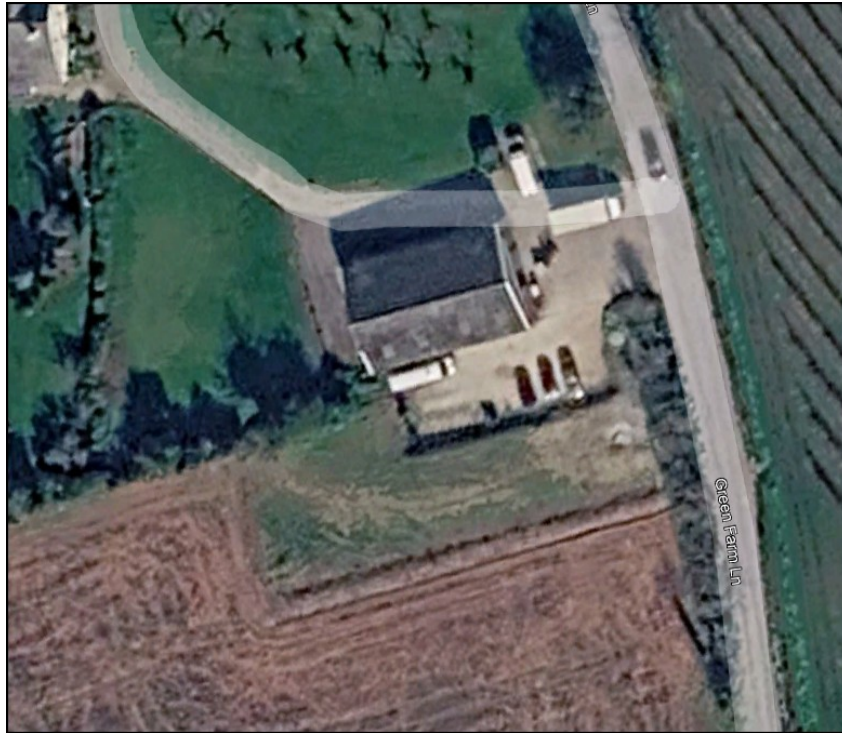
The below image was taken on site on the 10th February 2026:



The below Google Earth image from 2020 shows the site in its former layout:



The 2026 Google Earth image below shows the site as altered:



An area of approximately 302m² to the south of the site which was agricultural has been hard surfaced and incorporated into the parking area of Homelea farm to the North, which contains an existing commercial shed used for fruit and vegetable packing and distribution. The land has also been lowered by 1m in height to allow level access.

Principle of Development

The proposal involves extended parking provision for the existing fruit packing and distribution site.. Paragraphs 88 and 89 of the NPPF 2024 relate to supporting a prosperous rural economy. The development and diversification of agricultural rural businesses should be enabled, and it should be recognised that proposals to meet local business needs may be required in such areas, in locations that are not well served by public transport. It will be important, however, to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport).

Policy CS07 of the Core Strategy 2014 also supports proposals that promote the appropriate expansion and diversification of the rural area economy. Policy CS02 supports development outside rural settlements, including proposals to diversify and maintain the rural economy, where it is compatible with national policies for protecting the Green Belt and policies in this plan.

National and local policy is generally supportive of rural business development and expansion, subject to compatibility with policies for protecting the Green Belt and other policies in the development plan. In this case, the principle of the commercial vehicle park supporting the existing fruit packing and distribution enterprise, is considered acceptable.

This proposal site is located in the countryside, outside any rural settlement, in the Green Belt and in the Higham Arable Farmlands Landscape Character Area. The site is surrounded by open arable fields around the site to the north and south and there is a commercial orchard to the east, known as New Green Farm.

The Thames Estuary and Marshes Special Protection Area (SPA) and Ramsar sites and South Thames Estuary and Marshes Site of Special Scientific Interest (SSSI) lie approximately 1-2km to the north of the site.

Green Belt

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.

The application seeks permission to change the use of the land from agricultural to commercial vehicle car park. Paragraph 145 (h) is as follows:

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.

As highlighted, it would allow both engineering operations and material changes in the use of land, provided they would preserve its openness and not conflict with the purposes of including land within it.

The proposal can be considered under this exemption, as it involves a change of use of land and engineering operations, including the levelling and hard surfacing of the area of agricultural land for commercial parking use associated with the existing business to the north. Whether this is acceptable in the Green Belt therefore depends upon whether it would preserve the openness of the Green Belt.

These matters will be considered further below.

Green Belt Purposes

Paragraph 143 of the NPPF 2024 sets out the five purposes of the Green Belt:

- 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.

The proposal would not conflict with the majority of these points (it would not cause an expansion of a large built-up area; it would not cause towns to merge; it does not affect a historic town; and is not related to urban regeneration), but there is a conflict with point c). The proposal will involve a proportion of this currently open, undeveloped countryside site being developed with a section of hard-surfacing, which would result in an encroachment into the countryside.

Preservation of Openness

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 proposal.

As previously stated, the application site is currently (or rather pre-development in this retrospective case), open agricultural land, void of development.

Although the existing vehicular access is visible, the area of proposed site is bounded by greener from a public perspective, limiting views of the extended hard surfacing, the visual impact of the proposal would therefore be discernible from a limited public vantage point. However, it is recognised that there is an existing commercial structure and hard surfacing to which this development would connect to, and so it is appropriate in relation to the existing and commercial, rural nature of the area and the extension to the hard surfacing would be visible within this context.

In terms of the spatial impact of the current proposal, there is no increase in physical structures. The proposed development is sited in close proximity to the rural building associated with Homelea Farm and its commercial storage, and appropriate boundary treatment would screen the hard surfacing from the south east and west of the site, making it only visible from within the site itself, and to the south the openness would be retained.

On the basis of the spatial, visual and activity impacts, it is considered that the proposal would not have a significant impact on the openness of the site.

Conclusion on Green Belt

Paragraph 154 of the NPPF 2024 states that development in the Green Belt is inappropriate unless one of the listed exceptions apply. In this case, due to the fact that the reduced proposal would comprise an appropriate use with associated facilities for outdoor sport and recreation, and would sufficiently preserve the openness of the site, it would meet the relevant exception criteria and as a result the Green Belt would not be harmed. The previous refusal ground is considered to have been addressed.

Landscape Impact

Paragraph 135 of the NPPF 2024 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.

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.

The application site is located in the Higham Arable Farmlands Landscape Character Area within the Gravesham Landscape Character Assessment (GLCA) and as such, Policy CS12 of the Core Strategy 2014 is also relevant. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the Gravesham LCA will be taken into account in determining applications.

In relation to the Higham Arable Farmlands Landscape Character Area, one of the key characteristics of the area is the open, gently undulating farmland, which provides high visibility across the area. The overall condition of the landscape is poor and has moderate sensitivity. It is recommended that key landscape elements should be restored and created. Proposals that introduce extensive or obtrusive elements within visually sensitive areas of the open landscape should be resisted.

The scale and extent of the proposal will result in an increase in hard landscaping and vehicle presence. The site is well contained by existing boundary planting, which would be enhanced once the proposed planting is installed, which can be conditioned to be retained and enhanced to help screen the changes. The proposed use is appropriate for the rural area and will retain openness across a large part of the area. This would comply with the landscape guidelines for the area.

On this basis, the revised proposal is considered to have addressed the previous refusal ground and would comply with the requirements of Paragraphs 135 and 187 of the NPPF 2024, Policy CS12 of the Core Strategy 2014 and the GLCA (2009).

Conclusion on Green Belt

Paragraph 154 of the NPPF 2024 states that development in the Green Belt is inappropriate unless one of the listed exceptions apply. In this case, due to the fact that the proposal would comprise an appropriate use with minor increase in hard landscaping for a use which contributes to the rural economy and there would be no built structures, and would sufficiently preserve the openness of the site, it would meet the relevant exception criteria and as a result the Green Belt would not be harmed.

Landscape Impact

Paragraph 135 of the NPPF 2024 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.

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.

The application site is located in the Higham Arable Farmlands Landscape Character Area within the Gravesham Landscape Character Assessment (GLCA) and as such, Policy CS12 of the Core Strategy 2014 is also relevant. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the Gravesham LCA will be taken into account in determining applications.

In relation to the Higham Arable Farmlands Landscape Character Area, one of the key characteristics of the area is the open, gently undulating farmland, which provides high visibility across the area. The overall condition of the landscape is poor and has moderate sensitivity. It is recommended that key landscape elements should be restored and created. Proposals that introduce extensive or obtrusive elements within visually sensitive areas of the open landscape should be resisted.

The scale and extent of the revised proposal will result in a limited spread of development across the site, with a 300m² increase in hard surfacing. The site is well contained by existing boundary planting and

fencing, which can be conditioned to be retained and enhanced to help screen the building. The proposed use is appropriate for the rural area and will retain openness across a large part of the site. This would comply with the landscape guidelines for the area.

On this basis, the revised proposal is considered to have addressed the previous refusal ground and would comply with the requirements of Paragraphs 135 and 187 of the NPPF 2024, Policy CS12 of the Core Strategy 2014 and the GLCA (2009).

Design, Character and Appearance

The hard landscaped area has little visibility from the public perspective, given its discreet location, the existing planting to the boundary with Green Farm Lane. It is noted that the access remains unchanged. As a result of this from a visual perspective as a pedestrian or driver, there is little apparent change.

On balance, the proposed development would comply with the requirements of Policy CS19 of the Core Strategy 2014 and paragraph 135 of the NPPF (2024) in terms of design, character and appearance.

Neighbouring Amenity

It is important that any development safeguards the amenity of neighbouring properties and land. Following a period of consultation with neighbouring properties, no objection to the proposal was received.

The proposed landscaping is in a rural area, located between agricultural land and a commercial packing and distribution building. Given its low scale of development and isolated position away from residential buildings, it would not likely result in harm to any residential neighbours.

The proposal is therefore considered to safeguard the amenity of neighbouring properties in compliance with policy CS19 of the Core Strategy 2014.

Parking and Highways

The application proposes a change of use of 300 square metres of the field to form a commercial vehicle parking area. KCC Highways were consulted on this application and consider that this change is not expected to lead to any intensification of the existing access, as the parking area is intended solely for the commercial operations already taking place on the site. They advise that the parking area should be restricted to vehicles associated with the adjacent business, and that no construction or further expansion should occur without obtaining the appropriate planning permission. They raise no objection subject to the inclusion of conditions.

Adequate vehicle parking provision is therefore available in accordance with paragraphs 109 to 114 of the National Planning Policy Framework (2024), Saved Policies T1 and P3 of the Local Plan First Review (1994) and Policies CS11 and CS19 of the Core Strategy 2014 subject to further details of cycle parking provision.

Biodiversity

Biodiversity Net Gain

Paragraph 187 of the NPPF 2024 states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity. Policy CS12 of the Core Strategy seeks to protect sites designated for their biodiversity value based on their level of importance and enhance, restore, recreate and maintain habitats.

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications for development (unless exempt 59,60) must deliver at least a 10% biodiversity net gain (BNG), shown via use of the Statutory Biodiversity Metric prior to commencement of any development.

The Biodiversity Net gain requirement does not apply to Section 73A applications for retrospective development and so therefore cannot be applied to this application. However, it is noted that despite the increase in hard landscaping, the scheme does proposed to introduce a 40m length native hedge surrounding, which would consist of 30% *Coryllus avellana*, 30% *Cretagus monogyny*, 25% *Acer campestre*, 5% *Sorbus torminalis*, and 10% *Viburnum opulus*. This would mitigate somewhat for 300m² loss of agricultural landscape.

The proposal is considered to comply with the requirements of paragraphs 187 and 193 of the NPPF 2024 and CS12 of the Gravesham Core Strategy 2014.

Conclusion

The proposal would preserve the openness of the site and would not conflict Green Belt purposes. As a result, the proposal would meet the paragraph 154 exception criteria set out in the National Planning Policy Framework 2024, and would not be inappropriate development in the Green Belt. The proposal would therefore comply with the relevant requirements of Section 13 of the National Planning Policy Framework 2024, including paragraphs 142, 143, 153 and 154, and Policies CS02 and CS17 of the Gravesham Local Plan Core Strategy 2014.

The scale and nature of the development would have limited impact across the site, and subject to landscaping and boundary treatment conditions, will be appropriate within the open farmland surroundings. This would comply with the landscape guidelines for the Higham Arable Farmlands Landscape Character Area set out in the Gravesham Landscape Character Assessment 2009. The proposal would therefore comply with the requirements of Paragraphs 135 and 187 of the National Planning Policy Framework 2024 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

The development would not result in significant harm to the character and appearance of the area. The proposal would therefore comply with the requirements of Policy CS19 of the Core Strategy 2014 and paragraph 135 of the NPPF (2024).

The proposal is considered to safeguard the amenity of neighbouring properties. The proposal would therefore comply in this regard, with policy CS19 of the Core Strategy 2014.

The scheme would provide adequate parking provision. The proposed would therefore comply with the requirements of paragraphs 187 and 193 of the NPPF 2024 and CS12 of the Gravesham Core Strategy 2014.

This is a Section 73A application for retrospective permission, for which the BNG requirement does not comply. The proposal is considered to comply with the requirements of paragraphs 187 and 193 of the NPPF 2024 and CS12 of the Gravesham Core Strategy 2014.

Recommendation

The recommendation is to approve the application.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Lisa Fisher	Team Leader:	Richard Hart
Signed:		Signed:	R Hart
Dated:	11th March 2026	Dated:	28 th May 2026