

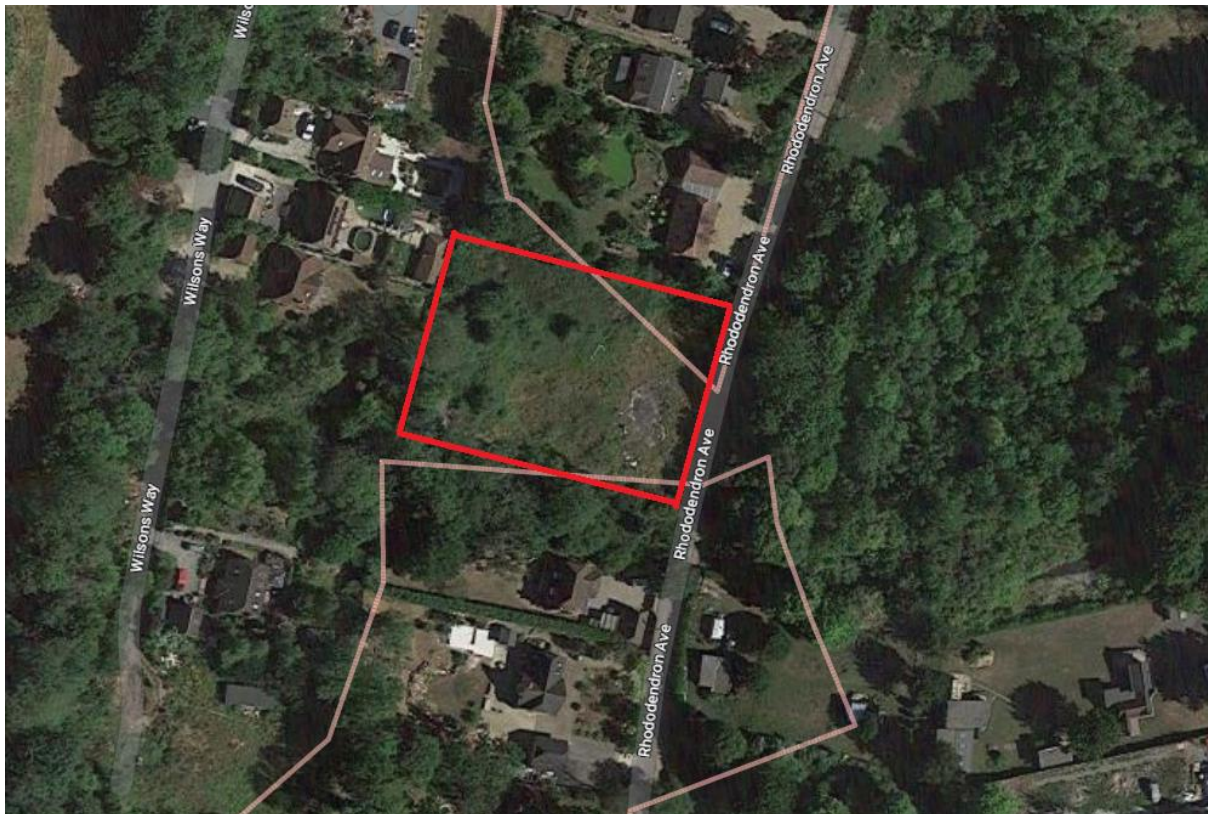
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GSP PROJECT REF: [3882.PN](#)

**PLANNING, DESIGN AND ACCESS STATEMENT**

**The Ravens, Rhododendron Avenue, Meopham, Gravesend, DA13 0TU**

**(Also known as Plot A19 or Plot 19 or Plots 7, 8, 9)**



**MARCH 2024**

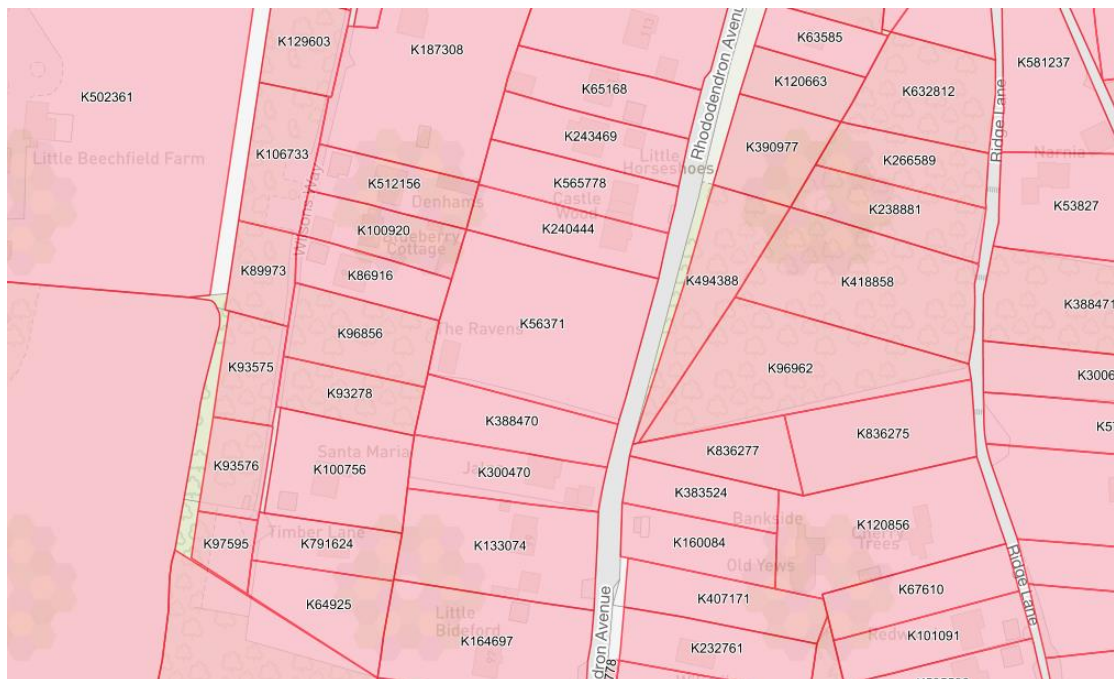
## 1.0 INTRODUCTION

- 1.1 This Statement is prepared in support of a planning application relating to the following proposed development at The Ravens, Rhododendron Avenue, Meopham, Gravesend, DA13 0TU (hereafter referred to as 'the Site'):

*Change of use of existing brick-built and timber clad stable block to create detached dwelling with two-bedrooms plus associated residential curtilage and use of existing vehicular access*

- 1.2 For the development under consideration, the following land title is relevant. An extract of the Land Registry map is included below:

1. K56371 (described as 'The Ravens, Rhododendron Avenue, Meopham, Gravesend, DA13 0TU').



- 1.3 Included with this submission are the following plans and documents:

- 3882-01 Site Location Plan;
- 3882-02 Existing Block Plan;
- 3882-03 Existing Floor Plan and Elevations;
- 3882-04 Proposed Block Plan;
- 3882-05 Proposed Floor Plan and Elevations;
- Contaminated Land Desk Study (Ron Carr);
- Planning, Design and Access Statement (GSP);
- Preliminary Ecological Appraisal (Native);
- Structural Assessment (TSC).

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## 2.0 SITE CONTEXT

- 2.1 The subject 0.1 hectare site is located to the western side of Rhododendron Avenue, at the northern end of the Culverstone Valley Area. On site is an existing timber-clad brick building comprising 2 No. stables and a hay store at the far western end of the plot facing eastwards. The land title is demarcated mainly by virtue of a solid 1.5m high timber fence with supplementary mature planting in places, particularly along the southern end of the plot. The Site benefits from a vehicular access on to Rhododendron Avenue. Within the applicant's wider land there is also a post and rail fence that runs north to south and at a distance of about a third of the plot's depth from the site's entrance to the east, which marks the extent of what is believed to be the previously approved sand menage. This segregated land appears more maintained, although it is not immediately obvious that the sand menage survives, whilst unmaintained paddock land beyond this exists to the west.
- 2.2 The Site backs on to a small cluster of large detached dwellings that front Wilsons Way to the west, as well as adjoins other plots comprising detached properties that line Rhododendron Avenue to the south, north and east.
- 2.3 The Site is within the Harvel Wooded Downs Landscape Character Area as well as being within the Metropolitan Green Belt. The site forms part of the Parish of Meopham. There are no known designated or non-designated heritage assets nearby. The site is also within Flood Zone 1 which means it has a low probability of flooding from rivers and the sea.

## 3.0 RELEVANT PLANNING HISTORY

- 3.1 The following records are understood to be relevant to the subject site:

- [Erection of a stable block comprising of hay store and two stables.](#)

Ref. No: 19930418 | Status: Application Permitted

- [Construction of sand manege.](#)

Ref. No: 19940507 | Status: Application Refused on grounds relating to it harming the Special Landscape Area and harming the character of the Culverstone Valley Area that was considered to be characterised by a mix of residential development set within a woodland environment. **Appeal later dismissed in combination with the allowed appeal below**

- [REVISED DESCRIPTION: Variation of condition \(iv\) granted planning permission under GR/93/418 to allow a maximum of 6 jumps to be](#)

[placed on the land for a maximum of 3 days per week for a temporary period of one year.](#)

Ref. No: 19940453 | Status: Application Refused on grounds relating to it harming the Special Landscape Area and harming the character of the Culverstone Valley Area that was considered to be characterised by a mix of residential development set within a woodland environment. **Appeal later allowed**

▪ [Construction of manage in part of existing paddock.](#)

Ref. No: 19970848 | Status: Application Permitted. This relates to a 40m wide by 20m deep sand manage at the front of the Site.

▪ [Outline application for the erection of a bungalow.](#)

Ref. No: 20020414 | Status: Application Refused. **Appeal later dismissed**

▪ [Outline application for the erection of a detached chalet bungalow.](#)

Ref. No: 20050994 | Status: Application Refused on grounds relating to harm to the Green Belt, not complying with a policy that permits replacement authorised chalets or caravans by bungalows not exceeding 92.9 square metres due to no authorised chalet or caravan and also due to harm to the Special Landscape Area.

## 4.0 PROPOSED DEVELOPMENT

4.1 The subject application entails the following elements:

- Change of use from 2 stables and tack room to a single detached dwelling;
- To comprise two bedrooms, a kitchen, living area and bathroom;
- To also include a concrete path linking the rear of the site with the front;
- To incorporate the existing vehicular access on to Rhododendron Avenue;
- To provide garden to the north of the converted stables;
- To change the use of the remaining land to meadow land.

## 5.0 PLANNING POLICY

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate

otherwise. The Court of Appeal has clarified that for a decision maker this means establishing whether a proposal is in accordance with the development plan as a whole. The question of compliance with one policy should not dictate the outcome of a proposal in the absence of considering compliance with all other relevant policies. Decision makers are therefore tasked with identifying and understanding all relevant policies and material considerations in order to reach a properly informed planning judgment on a proposal, and to avoid an irrational or vulnerable decision that may be subject to criticism in a public law challenge.

- 5.2 Paragraph 2 of the National Planning Policy Framework ('the Framework') reiterates what is said in Section 38(6), whilst paragraph 12 of the Framework is clear that the development plan is the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
- 5.3 Paragraph 38 of the Framework encourages local planning authorities to approach decisions on proposed development in a positive and creative way. It also encourages working proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area, adding that decision-makers should seek to approve applications for sustainable development where possible.
- 5.4 Annex 1 of the Framework confirms that for the purposes of decision-taking, the policies in the plan should not be considered out-of-date simply because they were adopted prior to the publication of the Framework. It adds that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, with greater weight being given to those policies that are closer to the policies in the Framework.

### **Development Plan**

- 5.5 In terms of the Development Plan for Gravesham (GBC), this comprises of the following documents that are relevant to this application:
- Adopted Core Strategy 2014 (CS);
  - Adopted Saved Policies from Local Plan Review 1994 (LPR).
- 5.6 In the CS, the following policies are considered relevant:
- CS01 - Sustainable Development
  - CS02 - Scale & Distribution of Development
  - CS12 - Green Infrastructure
  - CS18 - Climate Change
  - CS19 - Design & Development Principles

5.7 In the LPR, the following policies are considered relevant:

- P3: Vehicle parking standards.

### **Other Material Considerations**

- 5.8 Paragraph 11 sets out the circumstances where if the development plan is out of date there is a presumption in favour of granting planning permission. In this respect it is noted that the local authority is unable to demonstrate a five-year supply of housing land, meaning the development plan is out of date in respect of its housing policies. The provision of new housing carries significant weight. It is noted that the paragraph indicates that this is not the case within protected areas (such as Green Belts or AONB's) but only where the application of such policies elsewhere in the Framework provide a 'clear reason' for refusing the development proposed.
- 5.9 Paragraph 60 of the Framework notes that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.
- 5.10 Paragraph 70 of the revised Framework acknowledges that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should (amongst others) support the development of windfall sites through decisions.
- 5.11 Paragraph 83 states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.
- 5.12 Paragraph 123 states that decisions should promote an effective use of land in meeting the need for homes and making as much use as possible of previously developed land. Paragraph 124 expands on this point, adding support in respect of the use of brownfield land within settlements for homes, whilst also promoting and supporting the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing. It is noted that the application of these paragraphs from the Framework, along with paragraphs 60 and 70, are not dependent on whether an authority has a five-year housing land supply (5YHLS).
- 5.13 Paragraph 139 notes that "development that is not well designed should be refused."

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- 5.14 Paragraph 142 confirms that the Government attaches great importance to Green Belts and that the fundamental aim is to prevent urban sprawl by keeping land permanently open. Paragraph 143 sets out the five purposes of including land in the Green Belt. Paragraph 154 confirms that the construction of new buildings should be considered inappropriate in the Green Belt unless it is for (amongst others): (e) limited infilling in villages; (g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.
- 5.15 Paragraph 155 confirms that certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of the land within it. This includes the re-use of buildings provided that the buildings are of permanent and substantial construction, as well as material changes in the use of land.
- 5.16 Paragraph 180 of the Framework sets out several ways in which decisions should contribute to and enhance the natural and local environment. Given that the site is not on the coast and no environmental issues are expected to be raised, it is considered that the most relevant parts of this paragraph are as follows: (a) Protecting and enhancing valued landscapes... (in a manner commensurate with their statutory status or identified quality in the development plan); (b) Recognising the intrinsic character and beauty of the countryside; (d) Minimising impacts on and providing net gains for biodiversity; (f) Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- 5.17 Further material considerations include the following:
- Supplementary Planning Guidance 2: Residential layout guidelines (adopted February 1996, updated June 2020) (RLG);
  - Supplementary Planning Guidance 4: Kent County Council Parking Standards (2006);
  - Gravesham Landscape Character Assessment (2009) (LCA).
- 5.18 GBC often lists the Nationally Described Space Standards from 2015 (NDSS) as being a material consideration, but this pre-dates the last adopted development plan document. Such standards can only be applied where there is a local plan policy based on evidenced local need and where the viability of the development is not compromised. The RLG confirms that GBC would consider adopting the NDSS in their entirety through the Site Allocations and Development Management Policies Development Plan Document. With no such document having been adopted and no adopted development plan policy specifically referencing the NDSS, no aspect of the standards can be required in connection with development proposals in GBC, as per [paragraph 018: reference ID: 56-](#)
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[018-20150327](#) of the PPG. For clarification, Supplementary Planning Guidance, such as the RLG, is not a development plan document.

## **6.0 PLANNING ASSESSMENT**

6.1 The following are considered to be the key issues relating to the intended development:

1. Development in the Green Belt;
2. Character and landscape impact;
3. Sustainable Development;
4. Living conditions;
5. Traffic, parking and highway safety;
6. Ecological impact;
7. Housing land supply.

### **1. Development in the Green Belt**

6.2 Policy CS02 advises that in the rural area, development will be supported within those rural settlements inset from the Green Belt and defined on the Policies Map. Development outside those settlements (such as the subject Site), including affordable housing (but not exclusive to affordable housing) will be supported where it is compatible with national policies for protecting the Green Belt and policies in this plan.

6.3 For proposals that involve the re-use of buildings that lie within the Green Belt, the above suggests that the development plan relies on national guidance contained within the Framework. Paragraph 155(d) states that the re-use of buildings is appropriate subject to: (i) being of permanent and substantial construction; (ii) preserving the openness of the Green Belt, and; (iii) not conflicting with the purposes of including land within the Green Belt.

6.4 As confirmed above, the existing building benefitted from planning permission in 1993, and its presence is backed up by historical aerial photography. The recently surveyed building that is reflected in the existing plans supplied with this application reflect the approved structure with the addition of a pigeon loft to the front. On the first issue referred to in the preceding paragraph, and as supported by an appropriate structural survey, the building is permanent and can be re-used without substantial re-construction. This should be of little surprise given it is a brick-built building and is only 30 years old.

6.5 The detail of the structural survey confirms that the walls are formed from solid 215mm clay bricks in a cement mortar, whilst the pitched and tiled roof is formed from trussed rafters. A trial hole revealed foundations at around 600mm wide and 750mm deep, whilst there is a substantial

concrete floor slab of up to 150mm thick. The building is therefore said to be permanent. The structural survey confirms that only minor repairs are needed in respect of remedial works to tiles that have slipped and some repointing of the bricks. This work does not represent major or complete reconstruction. There should be no reason to doubt that the building is lawful, permanent and of substantial construction.

- 6.6 The next two tests in paragraph 155 of the Framework seek to ensure preservation of openness and no conflict with the purposes of including land within the Green Belt. Openness is an essential characteristic of the Green Belt. It can be considered to be the absence of building and development. The existing lawful Site is not devoid of buildings with the aforementioned stables and tack room present, whilst the planning history confirms that a number of associated structures could also exist to delineate the paddock from the previously approved sand menage as well as the track that leads to the stables.
- 6.7 Part (e) of paragraph 155 of the Framework includes a non-exhaustive list of examples that have resulted in appeals being allowed involving the change of use of undeveloped land to residential. This includes appeal decision 3235302 (Appendix GSP1), and whilst any argument for a new building at the Site would fall under a separate exception (paragraph 154 of the Framework), similar to this appeal decision, the Site would be enclosed on the majority of its sides, adjoining residential land and again on the opposite side of Rhododendron Avenue. Akin to the last sentence of paragraph 10 of appeal decision 3235302, inward views would be confined to a short section of Rhododendron Avenue, adjacent to the Site itself.
- 6.8 The subsequent paragraph (11) is also of some relevance, describing the 'combination of the road, hedge and buildings, and the limited visibility' as creating a strong sense of containment, which 'gives the appeal site a clear physical and visual association with the adjacent dwellings.' For the Site in question there is no adjacent farmland, unlike in the allowed appeal case. The paragraph adds 'the site is small in relation to the existing residential enclave as a whole, and is contained within the clear natural boundaries that I have described.' The Inspector concluded that there would be no significant nor noticeable encroachment into the countryside.
- 6.9 In judging the preservation of openness, the Inspector in this case noted that no structures or operational development were proposed. That is the case here. He also acknowledged that permitted development rights for incidental buildings, walls, fences and the like can be controlled by condition, adding that although vehicles might be parked on the land for some of the time, these would not be permanent fixtures, and their number and type would be controllable by reference to the purely

domestic nature of the use sought. He concluded that the openness of the GB would therefore be preserved.

- 6.10 The above points are entirely relevant to the subject proposal, but in addition, it is noteworthy that the lawful use would already create demand for off-street parking and an intensity of use that arguable would reduce as a result of the proposed change of use. Currently, the two stables is not the subject of a condition requiring them to be used by a single owner. This could mean that 2 horses owned by 2 different owners could be stabled here lawfully. Horse owners are typically expected to attend to their horses twice if not three times per day, this means that there is the potential for 12 trips to be associated with the lawful use of the Site. The applicants are able to confirm that an expected worst case daily trip rate as a result of this development will be around 6 for a single dwelling of the size proposed. This is significantly less than the existing likely daily trip rate of up to 12 all of which would be horse owners that do not live on the site.
- 6.11 It is the applicant's view that the associated change of use of land around the building to be converted should be considered acceptable in Green Belt terms, having demonstrated that the impact on the openness of the Site will be no worse than the Site's current lawful status in respect of buildings or structures, whilst the level of activity associated with the proposed use is likely to be materially less. Furthermore, as supported by appeal decision 3235302 such a change of use of the building and land would not conflict with the purposes of including land within the Green Belt. This is appropriate development in the Green Belt complying with parts (d) and (e) of paragraph 155 of the Framework.

## **2. Character and Landscape Impact**

- 6.12 Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The Framework states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Similarly, policy CS19 requires new development to be well designed and respectful of the character and appearance of the surrounding area.
- 6.13 The width of the proposed residential plot is akin to the adjoining residential plots within both the subject street (to the north and south) as well as those to the rear in Wilsons Way. As there is no built form proposed as part of this application, there is no risk that operational development will harm the character and landscape of the area. The change of use of part of the overall site to residential is more in keeping than the existing lawful use of the entire site.

- 6.14 The Site is within the Harvel Wooded Downs Landscape Character Area. The LCA states that one of the key characteristics of the landscape includes a haphazard mosaic of residential plots and small holdings set within the woodland. By introducing an additional residential plot, it will not result in the introduction of a land use that is in conflict with this prevailing character of the area. Added to this, there are no trees of any note within the subject Site, with key trees being located on adjoining land only, which, particularly given the absence of any proposed built form, means that there will be no materially harmful change to the landscape character of the intended residential plot, particularly when one considers that paraphernalia could also lawfully exist across the sand menage that fronts the Site. The requirement for a native landscaping scheme to be implemented as a result of a condition would further assist in maintaining and enhancing the Site's visual value. The development would accord with policy CS12.

### **3. Sustainable Development**

- 6.15 Regarding the potential issue for this to be considered an isolated dwelling in the countryside, the interpretation of what is now paragraph 80 of the Framework has been clarified in the Court of Appeal judgment in *Braintree DC v SSCLG* [2018] EWCA Civ. 610. In this judgment, LJ Lindblom stated that when taken in its particular context within the policy "the word 'isolated' in the phrase 'isolated homes in the countryside' simply connotes a dwelling that is physically separate or remote from a settlement. Whether a proposed new dwelling that is, or is not, "isolated" in this sense will be a matter of Officer Delegated Report fact and planning judgment for the decision-maker in the particular circumstances of the case in hand".
- 6.16 Although the Site lies outside any settlement boundary, there are a cluster of dwellings immediately to the south, the north and the west. It is the applicant's view that approving this change of use will not result in an 'isolated' dwelling. This would concur with the Inspector's decision in connection with an additional dwelling in nearby Ridge Lane (some 115m to the east of the Site) (reference: 3235446).
- 6.17 That same Inspector went on to determine that that site was not in a particularly accessible location. However, that site was located at the far southern end of Ridge Lane, with the nearest bus stop either being 1.3km away to the south off Harvel Road where only irregular buses operate, or 1.25km away to the north-west on South Street (the A227) where more frequent daytime buses run connecting the area with Sevenoaks and Gravesend. The latter is also only 575m away from the Site, meaning any disbenefits associated with providing an additional dwelling at this site should be given far less weight than the appeal example in Ridge Lane.

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#### **4. Living Conditions**

- 6.18 Housing adjoins the Site on all sides, and given that this application is only for a change of use of an existing building, the applicant considers that the nearest residential occupants will not be materially harmed by the proposed conversion and associated change of use of land.
- 6.19 Regarding the living conditions of the intended occupants, this is a conversion of an existing building which in itself is often considered to be an exception. However, as noted above, the NDSS do not apply in Gravesham because there is no adopted policy that explicitly refers to them, only an SPG, which is not in accordance with government guidance on when the NDSS should be applied.
- 6.20 Sufficient amenity space for the occupants of the converted unit is shown on the proposed block plan.

#### **5. Traffic, parking and highway safety**

- 6.21 Sufficient space exists within the Site to be able to provide an acceptable level of off-street parking to serve the likely needs arising from the occupants of this proposed converted dwelling.
- 6.22 The Site already benefits from a single vehicular access. It is not considered that the proposed conversion of the stable building and associated change of use of surrounding land will result in any material intensification of use of this vehicular access. Likewise, the same can be said in terms of traffic generation.

#### **6. Ecological Impact**

- 6.23 Any application presents an opportunity to enhance the ecological value of a site, and the introduction of bird or bat boxes may assist with this, along with targeting the planting of native vegetation that is attractive to nature in this area. A phase 1 ecology report accompanies this application and confirms in Section 10 that further survey work is recommended to determine the presence/likely absence of roosting bats in buildings and reptiles within the application site to inform suitable mitigation. Mitigation, without further survey work is recommended for foraging and commuting bats, badger, hedgehog and nesting birds (see Section 11). Section 12 includes recommended appropriate biodiversity enhancement measures. Instructions have been placed for the recommended surveys, but as survey season has only just begun, the survey results will be forthcoming shortly into the application determination period.
- 6.24 The Site is likely to be within 6km of the Thames Estuary and Marshes Special Protection Area (SPA) and that additional housing development is

likely to lead to further increases in recreational use of the SPA's. Should the Council confirm that they are willing to grant planning permission, the applicant commits to paying [the tariff contribution of £314.05](#).

## 7. Housing Land Supply

- 6.25 It is understood that the Council cannot presently demonstrate an up-to-date 5YHLS when measured against its objectively assessed need, meaning that the presumption in favour of sustainable development, as set out in paragraph 11(d) of the Framework, is engaged. For decisions this means:

*(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 the Framework that protect areas or assets of particular importance provides a clear 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 the Framework taken as a whole.*

- 6.26 If the Council conclude that any housing development would not result in inappropriate development in the Green Belt, then it would be appropriate to assess such an application against part (ii) of paragraph 11(d). The applicant's position is that there are no harms or disbenefits, leaving the following as clear benefits of any housing proposal affecting the Site:

- The additional housing will make a positive contribution to the Council's housing needs;
- It would result in a more effective use of land and increase housing densities in the area, as promoted by the Framework;
- The provision of housing would bring economic benefits in the short term, through employment and investment related to construction activity, and the longer term, through the spending power of local residents that would benefit local shops and businesses;
- It would result in better use of the existing under-used stables and associated land that is likely to otherwise become vacant within the near future;
- Landscaping and ecological enhancements can be secured as part of a planning permission, that would otherwise not be the case;
- Framework support for this proposal is provided in paragraphs: 60 (significantly boosting housing supply), 70 (small windfalls), 123 (effective use of land for homes), 127 (taking a positive approach to re-use of buildings where this helps to meet needs).

- 6.27 It is therefore considered that, if necessary, it is possible to argue that there would be no adverse impacts of allowing the proposal and certainly not to the extent that these would "significantly and demonstrably outweigh the benefits" when assessed against the policies in the Framework taken as a whole.

## **7.0 CONCLUSIONS**

- 7.1 This Statement has sought to identify and understand all relevant policies in this case, as well as take into account the planning history. It is sensitively sited within the Green Belt as well as being within a Special Landscape Area.
- 7.2 That said, with the proposal involving a conversion of an existing building that is of permanent and substantial construction, with no additional built form proposed and an associated change of use that would be entirely in keeping with the surrounding area, it is not considered that, overall, the proposal will result in a conflict with the development plan and that the presumption in favour of sustainable development applies and that the benefits outweigh the disbenefits.
- 7.3 As such, GBC is respectfully requested to grant planning permission for this application.