

# Planning Statement

Land North of Chalk Road, Lower Higham

September 2025

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**Client**

Richborough

**Our reference**

PP0080

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# 1. Introduction

- 1.1 This Report has been prepared by Pinnacle Planning on behalf of our client Richborough (hereafter referred to as “the Applicant”) in support of an outline planning application for the development of land to the north of Chalk Road to the north west of Lower Higham (‘the Site’). The application is made in outline with all matters reserved except for the principal means of access.
- 1.2 The description of development is as follows:

*“Outline application for the demolition of existing buildings and erection of up to 40 residential dwellings, public open space and associated works. Approval is sought for the principal means of vehicular access from Chalk Road and all other matters are reserved.”*
- 1.3 The Site comprises previously developed land in the Green Belt and also meets the definition of grey belt, as set out within the 2024 version of the NPPF. The Regulation 18b draft Site Allocations and Development Management Policies document from 2020 identified the site as an emerging residential allocation known as GBS-C: Land at and adjoining Buckland Farm, Chalk Road, Higham, with an estimated capacity of 40 dwellings.
- 1.4 This Planning Statement sets out the context for the development by providing a description of the site and its surroundings, details of the proposed development, and a review of the relevant planning history and policy framework. It also assesses the proposals against the identified policy framework, including the standalone allocation policy, and presents a clear case for the granting of planning permission.
- 1.5 The application is accompanied by a full suite of technical supporting documentation and illustrative scheme drawings.

## Richborough

- 1.6 Richborough is a specialist strategic land promoter with a track record of delivery spanning over twenty years. The business acts in partnership with landowners to promote their holdings through the plan-making process and is committed to delivering high quality developments with the right blend of housing and infrastructure to meet local needs.
- 1.7 Richborough oversees the planning promotion process and work closely with local communities, planning officers, professional consultants and key stakeholders to create mutually beneficial schemes.

## Structure

- 1.8 This remainder of this Planning Statement is structured as follows:
  - Chapter 2 considers the Site and surrounding areas
  - Chapter 3 examines the relevant planning history

- Chapter 4 describes the proposed development
- Chapter 5 discusses the relevant planning policy context
- Chapter 6 comprises the planning appraisal
- Chapter 7 provides an Affordable Housing Statement
- Chapter 8 provides draft Heads of Terms
- Chapter 9 concludes this statement.

## 2. Site and Surroundings

### Site Location and Context

- 2.1 The Site is located to the north west of Lower Higham and south west of the railway line (linking Strood and Gravesend) and Thames and Medway Canal. The Site is accessed from Chalk Road via an existing tarmacked entrance servicing the existing buildings and uses.
- 2.2 The site is approximately 1.68 ha (4.15 acres) in size and is in mixed use with the existing buildings being used for a mix commercial and domestic purposes and the surrounding land being used for temporary storage and animal grazing.
- 2.3 The Site is occupied by several buildings and other structures associated with the existing uses present on site. The buildings are of a significant scale, with a total volume of around 3,835m<sup>3</sup>, and heights ranging from around 9.5m to 13.5m. There are also large areas of hardstanding around the buildings.
- 2.4 There are various field boundaries within the site that mostly comprise of hedgerows and trees. There are several over-head telephone lines that cross parts of the Site.
- 2.5 To the north east lies the railway line, beyond which is the Thames and Medway Canal. To the east of the site lies residential dwellings facing Chalk Road with elongated rear gardens. To the south lies Chalk Road with residential development beyond. The western boundary benefits from some existing tree cover and there are open agricultural fields beyond.

**Figure 2.1: Site Location (approximate site boundary in red)**



2.6 Lower Higham is a small hamlet approximately 1.2 km to the north of Higham and 2.5 km west of Cliffe Woods. Lower Higham is identified in the adopted Core Strategy as an Other Settlement, which is the fifth tier.

2.7 Higham Station is located less than a 500m away (7 minute walk), with frequent services to neighbouring towns and cities including Gravesend, Strood, Rainham, Gillingham, London, Luton and Bedford.

2.8 Higham Primary School and Recreational Grounds are located off School Lane on the southern edge of the settlement.

2.9 The amenities and services in Higham are approximately 1 mile from the Site. These include a medical practice, pharmacy, pubs, restaurants and takeaways, a library, convenience shops and a church. Table 2.1 below identifies the nearby amenities and associated distance from the application site.

**Table 2.1: Local Facilities (Table 7 of the Transport Statement)**

Facility	Distance
Higham Memorial Hall	1.0km
Higham Congregational Church	1.6km
Mid-Higham Post Office	1.8km
St John's Church	1.8km
Higham Village Club	1.8km
Higham Library	1.8km
St Mary's Church	1.9km
Higham Congregational Church	1.6km
Higham Primary School	1.0km
Highcliffe Village Pre-School	1.0km
Nuralite Industrial Estate	2.4km
Gravesend Town Centre	8.0km
Higham Pharmacy	1.8km
Highbarks Medical Practice	1.8km
Higham Recreational Grounds	1.0km

Knowle Country House	1.3km
Haircare Hairdresser	1.8km
Village Fryers Fish and Chips	1.8km
Taste House Chinese Takeaway	1.8km
The Village Green Grocers	1.8km
Gardeners Arms Public House	1.8km
Higham Mini Market	1.8km
Premier Mini-Market	1.9km

2.10 Three return bus services a day link Higham and Lower Higham and provide access further afield to Cliffe and Gravesend. A school bus (service 311) operates between Meopham and Lower Higham with another school service (111) operating between Northfleet and Lower Higham

### **Technical Matters**

2.11 The Environment Agency's (EA) online Flood Zone Map shows the majority of the Site is within Flood Zone 1 with the northern parcel in Flood Zone 2 and a small area in Flood Zone 3. The Site is also subject to patches of medium and high risk surface water flood risk.

2.12 There are no Public Rights of Way on site or in the immediate vicinity.

2.13 The Site is not subject to any statutory designations in respect of ecology or the historic environment. The Site is located in close proximity to the Thames Estuary and Marshes SSSI, Ramsar and Special Protection Area. This extends along and to the north of the Canal. The Site is therefore within a SSSI Impact Risk Zone.

2.14 There are no Listed Buildings on the Site or immediately adjacent. There are a small number of Listed Buildings in Lower Higham, including land off Taylors Lane to the south of the Site. The site is not within a Conservation Area, although the Lower Higham Conservation Area is located to the north of the canal and to the north east of the site.

### **Summary**

2.15 The site is located in a sustainable location, with good access to local amenities and facilities, as well as public transport and pedestrian links.

### 3. Relevant Background

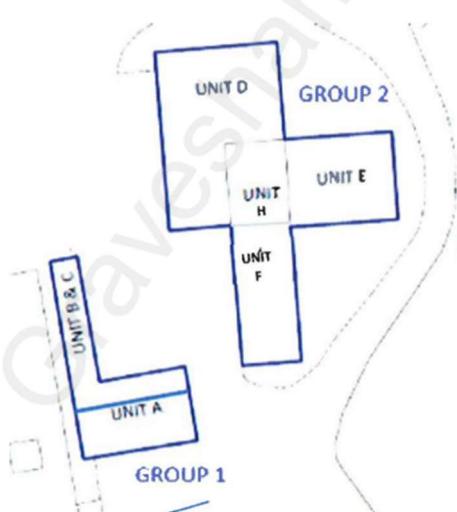
#### Planning History

3.1 There are a range of historic planning submissions at the Site which are relevant to the proposals:

**Prior notification for the proposed change of use of Unit D and land within its curtilage from Class B1(C), light industrial to Class C3, dwellinghouse, to create 3 no. residential units - application reference: 20200636**

3.2 This application was approved in September 2020. The application confirms that the largest unit on site (Unit D) is occupied by Equipets Cleaning Services, with the primary business being washing, repairing and dehairing of horse rugs and pet beds.

**Figure 3.1: Location of Unit D (extract from the Planning Statement)**



3.3 The following two applications were also approved in September 2020.

- Prior notification for the proposed change of use of Unit A and land within its curtilage from Class B1(c), light industrial to Class C3, dwellinghouse, to create 2no. residential units - application reference: 20200635
- Prior notification for the proposed change of use of Unit F and land within its curtilage from Class B1(c) (light industrial) to Class C3 (dwellinghouse), to create 1no. residential unit - application reference: 20200637

**Reclad B1 units 3, 4 and 9 to achieve EPC levels suitable for approved B1 uses and the replacement of existing steel framed building with a new steel framed building to achieve EPC levels suitable for approved B1 uses in units 1 and 2 - application reference: 20140078**

3.4 The application was approved in April 2014 and sought to achieve an EPC level above E, in accordance with the Energy Performance of Buildings Regulations.

**Conversion of a light industrial building into 1no. 3 bedroom dwellinghouse - application reference: 20220223**

3.5 This application sought to amend details that were approved by the earlier prior approval application for broadly the same development. The applicant made the case that the prior approval application was a fall-back position, and the application was to extend the curtilage of the residential dwelling.

3.6 The Council did not accept that the applicant could demonstrate there was a fall-back position and refused the application as there was insufficient information in respect of the quality of the building to be retained; no justification for the loss of industrial floorspace; and there were no very special circumstances identified. The application was refused on 12 May 2022.

3.7 The use as light industrial is evidence that the site comprises previously developed land.

**Pre-application Consultation**

3.8 The Applicant has undertaken pre-application consultation with residents and stakeholders, as summarised below:

- Formal pre-application engagement with Gravesham Borough Council;
- Formal pre-application engagement with Kent County Council (KCC) Highways, Ecology and Flood Water Management (LLFA);
- Leaflet distributed to local stakeholders and residents;
- A website with information relating to the proposals and the opportunity to provide written comments.

3.9 The focus of the consultation strategy was to encourage comments and suggestions on the emerging proposals and any other issues which respondents thought should be considered.

3.10 A Statement of Community Engagement (SCE) is submitted alongside this planning application and provides further details on the engagement which has been undertaken.

3.11 Overall, the feedback received was constructive. There was some support for the proposed development with comments relating to a range of themes, including the need for smaller properties and homes suitable for older people and support for the redevelopment of the site. The majority of comments raised matters around impact on traffic in the surrounding area, the natural environment, and the impact of the development on infrastructure.

3.12 The Applicant has considered and responded to the concerns as can be seen within the SCE submitted with the application.

## 4. Proposed Development

### Proposals

4.1 The description of development is:

*“Outline application for the demolition of existing buildings and erection up to 40 residential dwellings, public open space and associated works. Approval is sought for the principal means of vehicular access from Chalk Road and all other matters are reserved.”*

4.2 The accompanying Design and Access Statement (DAS) provides a detailed description and assessment of the proposed development. Whilst the proposals are submitted in outline, the Illustrative Masterplan within the DAS includes a mix of house types and tenures which will help to meet the need for market and affordable housing in the local area and the wider Gravesham Borough.

4.3 The DAS also explains how the design has evolved in response to an appraisal of the opportunities and constraints of the site, including its surroundings, as well as the pre-application feedback from GBC, KCC and the local community. Further details are also contained within the accompanying technical reports.

4.4 The proposed development will create an enhanced community for Lower Higham, supported by existing connectivity and transport routes. Access to green space and play space ensures a pleasant environment for people to live whilst improving health and wellbeing for new and existing nearby residents.

4.5 A summary of the proposal is provided below.

- Up to 40 residential dwellings (including 50% affordable housing delivered in accordance with current national planning policy);
- New vehicular access road to be provided from Chalk Road;
- Provision of a parking area for existing nearby residents without off-street parking;
- Structural landscape planting, in the form of 0.483 ha of green infrastructure including general greenspace, play space, an orchard and new planting, which is approximately 450% higher than the requirement of 0.088 ha; and
- New access arrangements including footway/cycle links.

### Design

4.6 An Illustrative Masterplan is provided within the DAS and demonstrates how the site can be efficiently developed with a scheme for up to 40 dwellings. The Plan reflects site specific constraints to ensure the scheme creates a natural and logical extension to the existing built form and urban grain, with minimised environmental impact.

4.7 The design concept is centred around the themes of character and community, delivered through a high-quality, landscape-led proposal for Lower Higham.

4.8 The Illustrative Masterplan demonstrates one way in which the site could be developed, whilst considering the technical and environmental assessments that have been undertaken and consultation feedback that has been received. A Parameter Plan (Land Use Parameter Plan - Drawing Ref: 8990/P101 Rev C) has been produced to illustrate the key principles, including the provision of land for drainage features, greenspace, access points and residential development parcels. The Parameter Plan will provide a sound framework on which to secure the final design at Reserved Matters stage.

4.9 The homes will be high quality, and the proposals will ensure that the site is not overdeveloped and complements the framework set out by neighbouring existing development. The house type design will reflect local character and materials used elsewhere in Lower Higham. The Kent Design Guide and Gravesham Design Code have also been used to guide the proposals.

4.10 The key design features of the Illustrative Masterplan include:

- Safe access to be provided off Chalk Road with vehicular and pedestrian connectivity ensuring safe and accessible routes to local services and amenities including pedestrian links to existing bus stops the train station.
- A good mix of house types, including smaller houses for downsizers or single occupants and family housing. All of the proposed new dwellings will be M4(2) Building Regulations compliant and 10% will also be M4(3) compliant to ensure older people and people with mobility problems can be accommodated.
- All dwellings will be restricted to 2.5 storeys in height.
- Use of buffer planting to screen the development from the west and to the north. This includes retention of existing tress and new hedgerow planting.
- Large area of landscaped wetland on the northern side of the development, provision of amenity greenspace, footpaths, seating and picnic areas, orchard planting, native woodland planting and landscape screening.
- Use of SuDS in the form of a surface water attenuation feature in the north west area of the site.
- Active frontages with homes orientated towards both key internal streets, the countryside and Chalk Road on the southern site boundary.
- Introduction of a clear street hierarchy incorporating a principal street through to local streets, lanes and shared surfaces. Each reinforces areas of differing character and density with all dwellings utilising a variety of high-quality design and materials to reflect local character. The street hierarchy will also include the provision of street trees.

## Housing Mix

4.11 This application is proposing up to 40 new dwellings, including the provision of affordable housing at a rate that complies with the National Planning Policy Framework's 'Golden

Rules'. This results in a 15% overprovision from the Council's policy requirement to 50%. The housing shown on the Illustrative Masterplan within the DAS is reflective of local housing needs and consists of a mix of maisonettes, detached, semi-detached and terraced homes. It is the intention that the affordable dwellings would be integrated throughout the development and be tenure blind to create an integrated community.

- 4.12 The tenure split for the affordable housing provision is to be agreed through the determination of the application but is anticipated to be 70% affordable housing for rent and 30% affordable home ownership in accordance with the Council's Housing Development Strategy.
- 4.13 Allowance has also been made across the Illustrative Masterplan such that all dwellings meet or exceed Nationally Described Space Standards and are M4(2) Building Regulations compliant for accessible and adaptable dwellings. A further 10% of dwellings will be built to M4(3) Building Regulations standards to meet the needs of wheelchair users and those requiring enhanced accessibility.

## **Access**

- 4.14 Vehicular access to the site is proposed off Chalk Road to the south of the site. This entrance provides an enhanced gateway to the village and will be landscaped with additional planting, whilst achieving the necessary visibility. A new footway is also proposed on the southern side of the Site along Chalk Road.
- 4.15 It is proposed to extend the 30mph speed limit to the west of the Site to ensure safe access and egress onto Chalk Road for all users.
- 4.16 Within the site, a hierarchy of street typologies is proposed including a main street and shared surfaces.
- 4.17 The proposed development, as shown on the Illustrative Masterplan included in the DAS, includes parking at a rate that is in accordance with the Kent Parking Standards SPG4. The Transport Statement confirms that this
- 4.18 The proposals include a parking area onsite for residents of neighbouring properties that currently park on the street in front of the site.
- 4.19 The Transport Statement includes a significant number of highway mitigation measures that will seek to reduce car speeds along Chalk Road as well as improve and promote the active and sustainable travel options in the area.

## **Layout and Landscaping**

- 4.20 The Illustrative Masterplan and the Parameter Plan demonstrate how built development could be accommodated whilst ensuring that the Site is not overdeveloped, and the character of the local area is respected. The green space is provided to the north of the site, around the existing pond, ensuring habitats are retained and providing a transition into the rural countryside.

4.21 The proposed development responds positively to the site constraints and incorporates mitigation, including landscape, noise and flood risk mitigation measures into the design of the layout.

4.22 Existing trees and planting, particularly to the north of the site and around the existing small pond are to be retained and strengthened where possible. New planting will include trees, hedges, shrub planting, climbers, bulbs and wild-flower. Tree-lined streets will be incorporated into the layout to add to the street scenes and mark the initial arrival point. New tree planting will include ornamental and native species to encourage wildlife and enhance biodiversity. The scheme will achieve a 10% net gain in biodiversity and a BNG Metric is provided with the application submission.

4.23 The open space strategy incorporates blue and green infrastructure to ensure the SuDS are attractive and form part of usable open space that is attractive and suitable for habitat creation.

4.24 Policy requirements for the different greenspace typologies based on 40 dwellings are set out in the table below. These requirements are sourced from the Gravesham Open Space Standards Paper (2016) which establishes the requirements for open spaces within new residential development. The way in which the greenspace is divided across the site into the different typologies can be agreed as the application progresses, but the following table provides one potential scenario. Due to the size of the site, the allotment typology has been shown as a community orchard.

### Open Space Provision

Typology	Minimum Requirement (ha)		Proposed provision - Parameter Plan (ha)
	Per 1,000 residents	Per 40 Dwellings	
Amenity Greenspace	0.92	0.08	0.44
Play Space (children and young people)	0.03	0.003	0.003
Allotments	0.05	0.005	0.04 (community orchard)

4.25 The open space figures will meet the open space requirements for all typologies and exceeds the requirement for Amenity Greenspace by a factor of 5. This will make a major contribution to the provision of new accessible green space, which will meet one of the Golden Rules for grey belt eligibility.

## 5. Planning Policy

5.1 Section 38(6) of the Town and Country Planning Act requires that applications should be determined in accordance with the up-to-date adopted development plan unless material considerations indicate otherwise.

### Development Plan

5.2 In this context, the Gravesham Borough Council (GBC) Development Plan comprises:

- Gravesham Local Plan Core Strategy and Local Plan Policies Map (2014)
- Gravesham Local Plan First Review (1994) - saved Policies
- Kent County Council Minerals and Waste Local Plan 2013-30 (2020)

5.3 The strategic policies of the Local Plan should no longer be considered up to date given that the Core Strategy was adopted more than five years ago. In accordance with Paragraph 11 of the NPPF, strategic Local Plan policies need to be considered against their level of conformity with the policies of the NPPF before assigning a level of weight that should be applied to them.

5.4 The 2024 update to the NPPF makes significant changes to Green Belt policy, in particular, and the strategic policies relating to development in the Green Belt are now substantially out of date and limited weight should be attributed to them. The NPPF is therefore considered to be an important material consideration for the proposals.

5.5 This section identifies the key adopted Policies which are of most relevance to the proposals.

### Site Specific Policies

5.6 The Site is located within the Green Belt (CS02) and adjacent to the settlement boundary for Lower Higham. The Thames Estuary and Marshes RAMSAR and SSSI (CS12) is located to the north of the site boundary along the Thames and Medway Canal. Lower Higham Conservation Area (CS20) lies approximately 250m to the east of the Site.



5.7 The Site is not within a Mineral Safeguarding Area as identified in the Kent Minerals and Waste Local Plan.

5.8 Other relevant polices are provided below.

5.9 **Policy CS01: Sustainable Development** confirms where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the GBC will grant permission unless material considerations indicate otherwise, taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in that Framework indicate that development should be restricted.

5.10 **Policy CS02: Scale and Distribution of Development** establishes that the overall housing requirement for the period 2011-2028 was for at least 6,170 new dwellings. This was to be delivered at a variable rate of at least 325 dwellings per year for 2011/2012 - 2018/2019; at least 363 dwellings per year for 2019/2020 - 2023/2024; and at least 438 dwellings per year 2024/2025 - 2027/2028.

5.11 Policy CS02 also confirms that the spatial strategy prioritises development in the urban area as a sustainable location for growth. In the rural area, development will be supported where it is compatible with national policies for protecting the Green Belt and policies with the adopted plan.

5.12 The supporting text to this Policy confirms that Lower Higham is a fifth tier settlement inset within the Green Belt. Paragraph 4.2.8 of the Local Plan goes on to state:

*“The Core Strategy acknowledges that as development opportunities within the existing urban area and settlements inset from the Green Belt become more limited, some development may be required on land in the rural area before the end of the plan period to meet the Borough’s housing needs and sustain rural communities. The Green Belt has therefore been identified as a broad location for future growth and its boundaries will be subject to a review.”*

5.13 **Policy CS07: Economy, Employment and Skills** states that the loss of B class employment will not be supported unless:

*“the proposal will deliver at least an equivalent number of new jobs on-site or elsewhere within the Borough and the proposed use is consistent with other policies set out in this plan; or*

*the existing premises are no longer suited for employment purposes or are incapable of being made suitable at reasonable cost and it has been shown that there is no demand for them through an appropriate marketing exercise carried out in accordance with Council guidance (Appendix 5); or*

*the existing premises have an unacceptable environmental impact on the area within which they are situated and this is incapable of reasonable mitigation or the environmental benefit that would arise from the existing use stopping would outweigh the potential loss in employment.”*

- 5.14 **Policy CS11: Transport** confirms new developments should mitigate their impact on the highway and public transport networks as required. Transport Assessments and Travel Plans should be provided and implemented to ensure the delivery of travel choice and sustainable opportunities for travel.
- 5.15 Sufficient parking in new development will be provided in accordance with adopted parking standards
- 5.16 **Policy CS12: Green Infrastructure** confirms that a multifunctional linked network of green spaces, footpaths, cycle routes and wildlife stepping stones and corridors will be created, protected, enhanced and maintained. There will be no net loss of biodiversity in the Borough.
- 5.17 The overall landscape character and valued landscapes will be conserved, restored and enhanced. The greatest weight will be given to the conservation and enhancement of the landscape and natural beauty of the Kent Downs Area of Outstanding Natural Beauty and its setting. Proposals will take account of the Kent Downs Area of Outstanding Natural Beauty Management Plan, the Gravesham Landscape Character Assessment, and the Cluster Studies where relevant.
- 5.18 **Policy CS13: Green Space, Sport and Recreation** confirms that GBC will seek to make adequate provision for and to protect and enhance the quantity, quality and accessibility of green space, playing pitches and other sports facilities, in accordance with an adequate, up to date and relevant evidence base.
- 5.19 **Policy CS14: Housing Type and Size** confirms that GBC will expect new housing development to provide a range of dwelling types and sizes taking into account the existing character of the area and evidence of local need to create sustainable and balanced communities.
- 5.20 **Policy CS15: Housing Density** confirms that sites will be developed at a variety of densities, depending on their location and accessibility to public transport. The form and density of housing will vary across the larger sites, in response to accessibility and other characteristics of each part of the site. Variations in density across a site should be used to develop different character areas. However, in the rural area, new residential development will be expected to achieve a minimum density of 30 dwellings per hectare.
- 5.21 **Policy CS16: Affordable Housing** confirms that affordable housing is to be provided on proposals for 3 dwellings or more in the rural area at a rate of 35%. GBC will seek an affordable housing mix of 70% affordable rented and social rented accommodation and 30% intermediate housing.
- 5.22 Development will be subject to site viability and a tenure mix necessary to meet local needs and achieve a successful sustainable and socially inclusive development.

5.23 **Policy CS18: Climate Change** relates to flood risk, water quality and demand, sustainable drainage and carbon reduction. The Policy confirms development will be directed sequentially to those areas at least risk of flooding and proposals in areas at risk of flooding must be accompanied by a Flood Risk Assessment.

5.24 GBC require that surface water run-off from all new development has, as a minimum, no greater adverse impact than the existing use and that Sustainable Drainage Systems are proposed on all developments where technically and financially feasible.

5.25 GBC require all new homes to be built to at least level 3/4 of the Code for Sustainable Homes in terms of water use (105 litres per person per day consumption).

5.26 **Policy CS19: Development and Design Principles** confirms new development will be visually attractive, fit for purpose and locally distinctive. It will conserve and enhance the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anti-crime standards. The design and construction of new development will incorporate sustainable construction standards and techniques, be adaptable to reflect changing lifestyles, and be resilient to the effects of climate change.

5.27 The Policy includes a number of design criteria against which a proposal will be assessed and includes reference to Kent Design.

5.28 **Policy CS20: Heritage and the Historic Environment** confirms that GBC will accord a high priority towards the preservation, protection and enhancement of its heritage and historic environment as a non-renewable resource, central to the regeneration of the area and the reinforcement of sense of place.

5.29 Proposals and initiatives will be supported which preserve and, where appropriate, enhance the significance of the Borough's heritage assets, their setting and enjoyment. Specific reference is made to the Borough's urban and rural conservation areas.

5.30 When considering the impact of a proposed development on a designated heritage asset, the weight that will be given to the asset's conservation value will be commensurate with the importance and significance of the asset.

### **Saved Policies of the Gravesham Local Plan First Review**

5.31 **Policy TC3: Development Affecting Conservation Areas** confirms where applications are for development within or affecting conservation areas it will be carefully judged for its impact and will be expected to make a positive contribution to the conservation area. GBC will expect applications to contain sufficient details to enable the impact of the proposal upon the conservation area to be assessed.

5.32 **Policy TC7: Other Archaeological Sites** confirms that GBC may require an application to be submitted with additional information, in the form of an assessment of the archaeological or historic importance of the site in question and the likely impact of development. In certain cases, such an assessment may involve an evaluation excavation. Arrangements can be made by the developer to ensure that time and resources are available to allow satisfactory archaeological investigation and recording to take place in advance of or during development.

- 5.33 **Policy T3** confirms that the Highway Authorities will not normally permit any proposed development that generates significant volumes of commercial vehicle traffic, if it is not well related to the primary and district distributor network.
- 5.34 **Policy T4** confirms that the Highway Authorities will not normally permit any proposed development outside the confines of the built up area that generates significant vehicular or pedestrian traffic.
- 5.35 **Policy T5** confirms that the formation of new accesses to the roads forming the highway network shown on the Proposals Map, will not normally be permitted, except where no danger would arise and where a properly formed access can be created in a location and to an acceptable standard.
- 5.36 **Policy T9** confirms that GBC will expect the highway layout of new residential developments to comply with the Kent Design Guide and the Vehicle Parking Standards, but in appropriate circumstances will encourage the use of “Traffic Calming” measures.
- 5.37 **Policy P3** confirms that GBC will expect development to make provision for vehicle parking, in accordance with the Kent County Council Vehicle Parking Standards, unless justified as an exception.

### **Kent Minerals and Waste Local Plan (2020)**

- 5.38 **Policy CSW3** of the Kent Minerals and Waste Local Plan confirms that all new development must be designed in accordance with circular economy principles to minimise the production of demolition and excavation waste and to manage such waste in accordance with Policy CSW2. Additional circular economy principles include measures to allow for the ease of redevelopment and refurbishment and to maximise sustainable construction methods including methods of reducing waste and easing deconstruction.
- 5.39 A Circular Economy Statement is required for developments of more than 10 units.
- 5.40 All new development should include consideration of waste arising from the occupation of the development including consideration of how waste will be stored, collected and managed.

### **Material Considerations**

- 5.41 There are several key documents that are material considerations in the determination of a planning application. These points are considered in turn below.

#### **A National Housing Shortage**

- 5.42 Since the publication of the original National Planning Policy Framework (“NPPF”) in March 2012, all Governments have repeatedly emphasised the commitment to significantly boosting the supply of housing. In the intervening period there have been a series of reforms aimed at speeding up and increasing the delivery of new housing.
- 5.43 The Housing White Paper (HWP), published in 2017 reaffirmed the scale and significance of the national housing challenge:

*"The housing shortage isn't a looming crisis, a distant threat that will become a problem if we fail to act. We're already living in it. Our population could stop growing and net migration could fall to zero, but people would still be living in overcrowded, unaffordable accommodation*

*If we fail to build more homes, it will get even harder for ordinary working people to afford a roof over their head, and the damage to the wider economy will get worse.<sup>1</sup>"*

5.44 The implications of the housing shortage for economic growth were also made clear:

*"Sky-high property prices stop people moving to where the jobs are. That's bad news for people who can't find work, and bad news for successful companies that can't attract the skilled workforce they need to grow, which is bad news for the whole economy.<sup>2</sup>"*

5.45 The Secretary of State was emphatic on what needs to change:

*"We need radical, lasting reform that will get more homes built right now and for many years to come.<sup>3</sup>"*

5.46 The proposed reforms included within the HWP included the introduction of the Housing Delivery Test and a standard method of calculating local housing need. The Government subsequently revised the Framework in 2019 to accommodate these measures amongst others, largely as a result of the continuing political commitment to increasing the delivery of housing in order to help 'tackle' the housing crisis.

5.47 A Planning White Paper, titled 'Planning for the Future, was published in 2020. The introduction highlighted several problems which hinder the planning process, one of which was housing delivery, highlighting that:

*"It simply does not lead to enough homes being built, especially in those places where the need for new homes is the highest. Adopted Local Plans, where they are in place, provide for 187,000 homes per year across England - not just significantly below our ambition for 300,000 new homes annually, but also lower than the number of homes delivered last year (over 241,000). The result of long-term and persisting undersupply is that housing is becoming increasingly expensive, including relative to our European neighbours. In Italy, Germany and the Netherlands, you can get twice as much housing space for your money compared to the UK. We need to address the inequalities this has entrenched"<sup>4</sup>*

5.48 After the General Election in July 2024, the incoming Government published a consultation on reforms to the NPPF and other changes to the planning system, which stressed the importance of planning to meet housing needs.

5.49 The consultation was seeking views on reversing changes made to the NPPF in December 2023, which were considered to run counter to *"this Government's ambitions on increasing housing supply"*.

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<sup>1</sup> Page 15, Housing White Paper: Fixing our broken housing market (DCLG, February 2017)

<sup>2</sup> Page 11, Housing White Paper: Fixing our broken housing market (DCLG, February 2017)

<sup>3</sup> Foreword by Rt Hon. Sajid Javid MP, Secretary of State, Housing White Paper: Fixing our broken housing market (DCLG, February 2017)

<sup>4</sup> Page 15, Housing White Paper: Fixing our broken housing market (DCLG, February 2017)

- 5.50 Along with achieving universal coverage of Local Plans, a change to the standard method for assessing housing needs was also proposed in order to support the Government's aim to deliver 1.5 million homes over the next five years.
- 5.51 In July 2024, Angela Rayner, the Deputy Prime Minister and Secretary of State for Housing, Communities & Local Government, wrote to the local authority leaders in England on the subject of "*Playing your part in building the homes we need*".
- 5.52 This identified the current situation as dire, highlighting the tough choices that would be necessary to fix the foundations of the housing system.
- 5.53 The proposals have since been implemented though an update to the NPPF in December 2024. A WMS by the Minister of State for Housing and Planning<sup>5</sup> was made on the same day that the updated NPPF was published. The WMS states at its outset that [emphasis added]:

*"This Government has inherited an acute and entrenched housing crisis. The average new home is out of reach for the average worker, housing costs consume a third of private renters' income, and the number of children in temporary accommodation now stands at a historic high of nearly 160,000. Yet just 220,000 new homes were built last year and the number of homes granted planning permission has fallen to its lowest in a decade.*

*That is why the Plan for Change committed to rebuild Britain, with the hugely ambitious goal of delivering 1.5 million new homes this Parliament, and the vital infrastructure needed to grow our economy and support public services."*

- 5.54 At present, housing delivery across the country is still well short of the Government target of 300,000 new homes per annum.
- 5.55 In November 2021, the Land Promoters and Developers Federation (LPDF) published a Paper titled 'The Housing Emergency'. This highlighted research undertaken by Shelter which identified that around 17.5 million in England (around 1/3 of the population) live in overcrowded, dangerous, unstable or unaffordable housing<sup>6</sup>.
- 5.56 Research undertaken by the LPDF shows that during the previous 11 years, the number of households who are renting has increased by 24% and during this period, the mean rent has increased by 46%. It is findings such as this which explain why the average age of the first time buyer continues to rise, and in 2019/20 stands at 34 years old<sup>7</sup>.
- 5.57 The Housing Emergency paper also highlights research from Heriot-Watt University, which indicates that housing need may actually be much higher than the Government target, somewhere in the region of 340,000 dpa. Both the Heriot-Watt research and the Government are in unison on the position that this is not a matter for future generations to address and needs to be tackled now if there is any hope of abating the emergency.

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<sup>5</sup> Building the Homes We Need (12 December 2024)

<sup>6</sup> Denied the right to a safe home: exposing the housing emergency (Shelter, 2021)

<sup>7</sup> ONS (2021)

## National Planning Policy Framework (NPPF)

5.58 The Revised NPPF was published in December 2024 and sets out the Government's planning policies for England and how they are expected to be applied in decision-making and plan making.

5.59 Those elements of the NPPF identified as most relevant to this application are discussed in more detail below.

### Achieving Sustainable Development

5.60 Paragraph 10 sets out that a 'presumption in favour of sustainable development' is at the heart of the Framework and should be applied to plan-making and decision-taking to ensure that sustainable development is pursued in a positive way.

5.61 Paragraph 11 defines the presumption in favour of sustainable development as approving development proposals that accord with an up to date development plan.

5.62 The clear expectation running throughout the NPPF is that sustainable development should be positively embraced to deliver the necessary economic growth and housing needed to create inclusive and mixed communities. Local Planning Authorities (LPAs) are therefore encouraged to approach decisions on proposed developments in a positive manner and should apply a presumption in favour of sustainable development and approve development proposals that accord with an up-to-date development plan without delay<sup>8</sup>.

### Development Plans

5.63 Paragraph 12 of the NPPF reiterates the status of the Development Plan as the starting point for decision making.

5.64 Paragraph 232 of the Framework identifies that existing policies should be given due weight should be given to policies in accordance with their degree of consistency with the Framework.

### Green/Grey Belt

5.65 The NPPF confirms that permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance, including the Green Belt, provides a strong reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF taken as a whole.

5.66 Paragraph 143 of the NPPF states 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;*

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<sup>8</sup> Paragraph 11 and 38

- 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.*

5.67 Paragraph 154 advises LPAs that the construction of new buildings in the Green Belt is inappropriate, with the following exceptions:

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

5.68 The definition of grey belt land is provided in the NPPF at Annex 2 and states:

*"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."*

5.69 Paragraphs 155 and 156 relate to applications for development in the Green Belt and state:

*"155. 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.*

*156. Where major development involving the provision of housing is proposed on land released from the Green Belt through plan preparation or review, or on sites in the Green Belt subject to a planning application, the following contributions ('Golden Rules') should be made:*

- a) *affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 below;*
- b) *necessary improvements to local or national infrastructure; and*
- c) *the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces."*

## **Housing Development**

5.70 In order to support the Government's objective of "significantly boosting the supply of homes", paragraph 61 of the Framework reiterates the importance of ensuring that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with planning permission is developed without delay.

5.71 Paragraph 63 of the NPPF states that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.

5.72 Paragraph 64 of the Framework sets out that where there is a need for affordable housing is identified, planning policies should specify the type of affordable housing required and expect it to be met on-site unless off-site provision or an appropriate financial contribution in lieu can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities.

5.73 Paragraphs 78 to 81 of the Framework provide policy direction in regard to maintaining the supply and delivery of housing in order to assist the Government in significantly boosting supply. In particular, the Framework required LPAs to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old (unless these strategic policies have been reviewed and found not to require updating).

5.74 Paragraph 129 relates to making effective use of land and states that:

*"Planning policies and decisions should support development that makes efficient use of land, taking into account:*

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services - both existing and proposed - as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed, attractive and healthy places."*

#### **Promoting healthy and safe communities**

5.75 Paragraph 96 of the Framework identifies that development should aim to achieve, healthy, inclusive and safe places by promoting social interaction, creating a safe and accessible environment so that crime and disorder do not undermine the quality of life or community cohesion and enabling and supporting healthy lifestyles.

#### **Achieving well-designed places**

5.76 Chapter 12 of the NPPF confirms that the creation of high quality development is fundamental to what the planning and development process should achieve.

5.77 Paragraph 131 states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

5.78 Paragraph 135 reiterates that planning policies and decisions should ensure developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users<sup>49</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

#### **Other relevant chapters**

5.79 Other chapters of the Framework seek to ensure that development:

- Builds a strong competitive economy;
- Promotes sustainable transport;
- Meets the challenge of climate change, flooding and coastal changes;
- Conserves and enhances the historic environment; and
- Facilitates the sustainable use of materials.

#### **National Planning Practice Guidance**

5.80 The National Planning Practice Guidance (PPG) has been issued by Government as a technical companion to the NPPF. The PPG is an online resource which is subject to ongoing review and update.

5.81 The PPG was updated on 27 February 2025 in respect of Green Belt, with the changes focussing on assessing Green Belt and identifying grey belt land.

5.82 This confirms that in regard to Green Belt Purpose A, this relates to the sprawl of large built up areas, and that villages should not be considered large built up areas.

5.83 Similarly, in respect of Purposes B and D, these relate to towns and not villages.

### **Kent Design Guide**

5.84 The Kent Design Guide serves as a comprehensive framework to promote high-quality design and sustainable development across Kent and offers guidance to designers, engineers, planners, and developers, with an aim of achieving consistent and exemplary standards in construction and urban planning.

5.85 Structured into several key sections, the guide begins with an introduction to the value of good design, emphasizing its importance in creating vibrant, safe, and attractive communities. It then outlines a step-by-step approach to the design process:

- Understanding the Site: Assessing the site's context, including its history, topography, and surrounding environment.
- Generating the Layout: Developing a layout that responds to the site's characteristics and meets the needs of its users.
- Designing for Movement: Ensuring that the design facilitates safe and efficient movement for all users, including pedestrians, cyclists, and vehicles.
- Getting the Detailing Right: Focusing on the finer details of design to enhance the overall quality and longevity of the development.

5.86 Car parking standards are provided in the Design Guide and propose minimum standards and recommendations based on the location of the proposed development. The Site's sustainable location close to sustainable public transport routes means the parking requirements are expected to accord with the "Suburban" settlement type.

### **Gravesham Design Code**

5.87 The Design Code expands on the design policies of the Local Plan Core Strategy to provide additional clarity on what is expected of applicants when submitting design proposals, setting out the minimum requirements to achieve design quality.

### **Emerging Gravesham Local Plan**

5.88 GBC is preparing a new Local Plan, to replace the out of date adopted Local Plan. Regulation 18 Stage 1 and 2 Local Plan consultations have taken place, including engagement on the Site Allocations and Development Management Policies document. The most recent period of consultation was undertaken between October and December 2020.

5.89 The Site was identified as an emerging allocation known as GBS-C: Land at and adjoining Buckland Farm, Chalk Road, Higham, with an estimated capacity of 40 dwellings.

5.90 The Regulation 18 Stage 2 consultation document also identified the benefits of capitalising on the functional relationship between Higham and Lower Higham to create a single clustered settlement within the second tier of the hierarchy. The Settlement

Hierarchy Background Paper specifically highlighted that the two settlements are in effect operating as a single settlement, where the residents in both settlements are sharing the services, including good public transport links provided in each settlement.

5.91 Progress with preparing a new Local Plan has stalled due to national planning policy changes and evidence gathering in relation to the Lower Thames Crossing, but the Regulation 19 version is expected to be published in August 2025.

### **Gravesham Stage 2 Green Belt Study**

5.92 GBC Published the Stage 2 Green Belt Study in August 2020. The application site is identified as Parcel LH1. The assessment concludes that Parcel LH1:

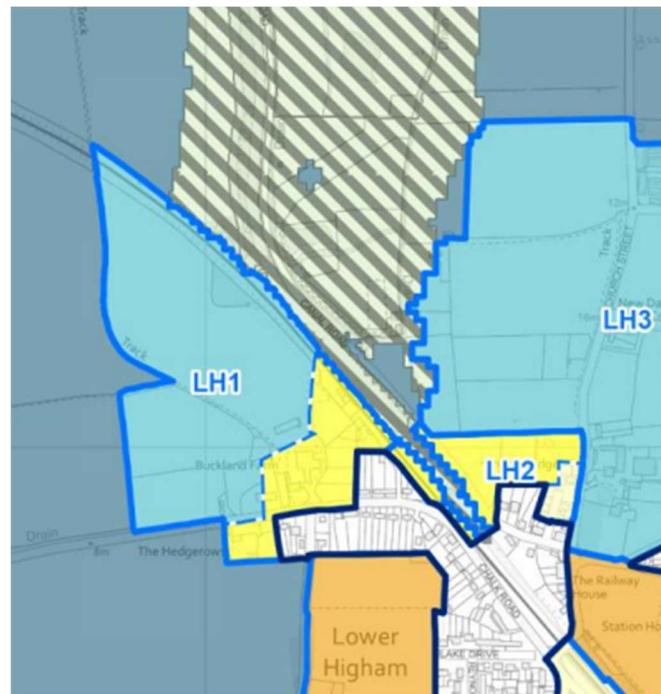
- makes a limited/no contribution to purpose 1 - checking the unrestricted sprawl of large built up areas,
- makes a relatively limited contribution to purpose 2 - preventing neighbouring towns from merging
- makes a relatively significant contribution to purpose 3 - assist in safeguarding the countryside from encroachment
- makes a limited/no contribution to purpose 4 - preserving the setting and special character of historic towns
- makes an equal contribution to assisting urban regeneration

5.93 The assessment confirms that Lower Higham is not a large built-up area or a historic town and therefore makes no contribution to purpose 1 and 4. In respect of purpose 2, the assessment confirms [emphasis added]:

*“The land lies in the gap between the towns of Gravesend and Strood which is diminished by intervening rural settlements but which has significant separating features including large woodlands and the valley along which the A289 passes. It is open and uncontained, and so has a stronger relationship with the countryside than with the settlement.”*

5.94 The assessment also considers if there are any variations in harm within the parcel and identifies that an area that makes a lesser contribution of low-moderate to the Green Belt purposes - Buckland Farm and land to the east is shown yellow on the image below.

**Figure 5.1: Extract of Green Belt Study Map for Lower Higham**



5.95 The assessment concludes:

*"A more limited release that only took in Buckland Farm, adjacent dwellings to the north and south of Chalk Road and land to the east contained between the farm buildings and the settlement edge, would be contained on two sides by urbanising development and strongly bound to the north by the railway line. The existing buildings would provide an edge to the west, limiting the weakening of the integrity of adjacent Green Belt land. As such, the harm to Green Belt purposes would be reduced to low-moderate. Harm of releasing this would also be low-moderate."*

5.96 This area of lesser contribution comprises the majority of the application site.

## **Housing Delivery Test**

5.97 The Housing Delivery Test result for 2023 was published in December 2024 and GBC measured 59%. GBC have failed to deliver the number of homes required (1,789 dwellings) over the three year period 2020/21 - 2022/23 and have fallen substantially below the 75% threshold for 'significant under delivery'. Therefore, GBC are required to:

5.98 Include a 20% buffer to their identified supply of specific deliverable sites as established at paragraph 79 of the NPPF

5.99 Prepare an Action Plan to assess the causes of under-delivery and identify actions to increase delivery, and

5.100 Apply the presumption in favour of sustainable development having regard to footnote 8 of the NPPF.

5.101 GBC prepared an Action Plan in 2020 due to failing the Housing Delivery Test. With regard to tackling under-delivery through active management of the application process, the Action Plan references increased use of Planning Performance Agreements, use of a Design Review Panel and adoption of additional Supplementary Planning Documents.

### **Five Year Housing Land Supply**

5.102 The most recently published Five Year Housing Land Supply Statement covers the period 2024-2029 and was published in February 2025.

5.103 The Statement confirms that the five year housing land supply position as of 1 April 2024 stands at 3 years and takes account of the update to the standard method calculation in December 2024. GBC's total five year requirement including a 20% buffer is 4,032 dwellings and the deliverable land supply totals only 2,429 dwellings. This is a deficit of 1,603 dwellings, which is substantial and should attract significant weight in the planning balance.

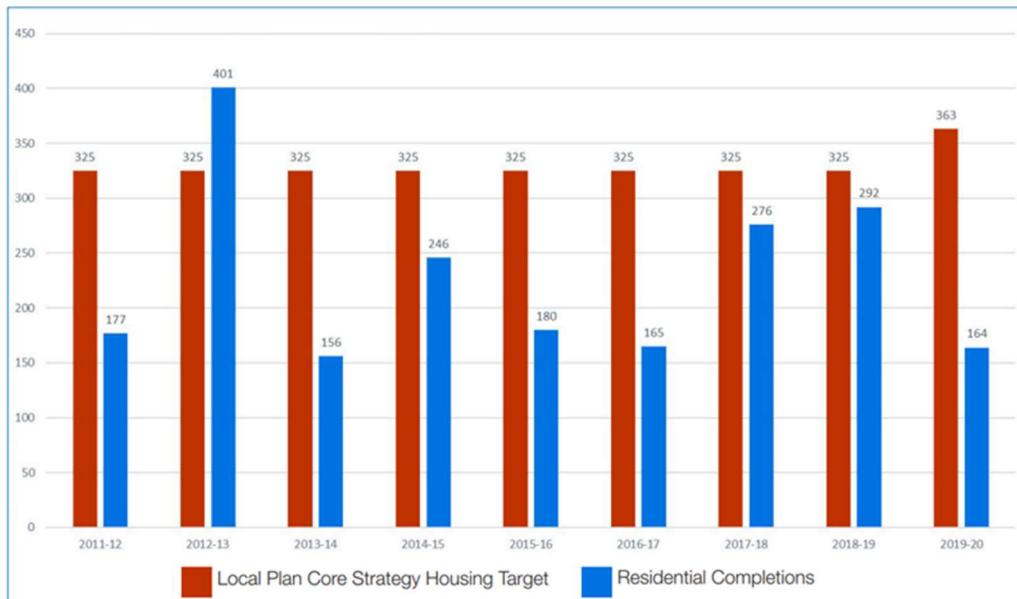
### **Market Housing Delivery**

5.104 Policy CS02 establishes that the overall housing requirement for the period 2011-2028 was for at least 6,170 new dwellings. This equates to 363 dpa, which is 56% lower than the updated standard method figure for GBC (2025).

5.105 The Housing Delivery Action Plan (2020) provides the most up to date housing completions data, with the extract at Figure 5.1 below highlighting the poor rate of delivery against the adopted requirement. Only one year, in the nine recorded to 2019/20 saw housing completions meet the annual housing requirement, with all other years falling below 300 dwelling in total.

**Table 5.1: Extract of Figure 4 of the Housing Delivery Action Plan 2020**

Figure 4: Net dwellings completed in Gravesham 2011-2020



5.106 The completions data from the 2023 Housing Delivery Test update and the Net Additional Dwellings (Table 123), both published by MHCLG, identify the figures for the subsequent years as follows:

- 2020/21 - 217
- 2021/22 - 420
- 2022/23 - 419
- 2022/23 - 293

5.107 Whilst annual delivery increased in two of the last four years, this is still significantly lower than the relevant housing need figure at the time.

5.108 The cumulative shortfall in housing delivery since the start of the Plan Period in 2011, using the adopted requirement for 2011-2020 and the relevant standard method figure for 2021-2024, has reached 2,266 dwellings.

## Affordable Housing Delivery

5.109 In respect of affordable housing completions, the SHMA 2016 identifies an affordable requirement of 344 dwellings per annum from 2014<sup>9</sup>.

5.110 Using the available Government statistics on affordable housing delivery<sup>10</sup>, GBC delivered just 1,048 affordable dwellings in the ten years between 2014 and 2024. The annual need figure has not been met once in that period (the highest year was in 2021/22

<sup>9</sup> Paragraph 9.33, SHMA (2016), GVA

<sup>10</sup> Live Table 1008C: Total additional affordable dwellings provided by local authority area

and still saw a deficit of 178 dwellings). The cumulative shortfall of affordable dwellings between 2014/15 and 2023/24 is 3,215 dwellings.

5.111 The impact of this poor rate of delivery is impacting affordability and the rate of affordable housing being delivered. The affordability ratio, the ratio of median house price to median gross annual residence-based earnings, has reached 10.8 in 2022. This is up from 5.98 in 2011 at the start of the Plan Period.

## **Summary**

5.112 GBC is unable to demonstrate a five year supply of deliverable housing sites, with a deficit of 1,603 dwellings, which is significant. The Housing Delivery Test reveals a significant shortfall in historic housing delivery as it achieved only 59%. Therefore the Council must apply the presumption in favour of sustainable development having regard to footnote 8 of the NPPF.

5.113 There is a clear and evidenced significant housing need in the Borough, and this is also reflected by the worsening affordability.

## 6. Planning Assessment

### Background

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 6.2 Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development, and for decision-taking this means approving development proposals that accord with an up-to-date development plan, without delay.
- 6.3 Section 5 of this Statement has identified the relevant Development Plan policies and other material considerations which may carry weight in the decision-making process. It has been established that the policies of the Local Plan should no longer be considered up to date at this time. In order to address this point, GBC is preparing a new Local Plan, within which the Site is a draft allocation.

### Principle of Development

#### Strategic Policy

- 6.4 The Adopted Policies Map confirms that the application Site is located adjacent to, although outside of the defined Settlement Boundary for Lower Higham and is within the Green Belt as well as the defined 'rural area'.
- 6.5 Policy CS02 is titled 'scale and distribution of development and establishes the housing requirement and the spatial strategy for the plan period, 2011-2028. In regard to the rural area, the Policy states:

*"development will be supported within those rural settlements inset from the Green Belt and defined on the Policies Map. Development outside those settlements, including affordable housing and proposals to maintain and diversify the rural economy, will be supported where it is compatible with national policies for protecting the Green Belt and policies in this plan."*

- 6.6 As noted in Section 5 of this Statement, the 2024 update to the NPPF makes significant changes to Green Belt policy, and the strategic policies relating to development in the Green Belt are now substantially out of date.
- 6.7 It is clear therefore that proposals in the Green Belt and rural area will be supported where they accord with national policy on Green Belt and the relevant policies within the Core Strategy.
- 6.8 Furthermore, Policy CS02 goes on to state that:

*"A strategic Green Belt boundary review will be undertaken to identify additional land to meet the housing needs up to 2028 and to safeguard areas of land to meet development needs beyond the plan period, while maintaining the national and local planning purposes of the Green Belt."*

6.9 The applicant also considers the following supporting text to Policy CS02 to be relevant in this instance [emphasis added]:

*“The Core Strategy acknowledges that as development opportunities within the existing urban area and settlements inset from the Green Belt become more limited, some development may be required on land in the rural area before the end of the plan period to meet the Borough’s housing needs and sustain rural communities. The Green Belt has therefore been identified as a broad location for future growth and its boundaries will be subject to a review.”*

*“...the Core Strategy acknowledges that there is insufficient land supply identified in the current SLAA to meet the level of housing need over the whole plan period. To address this, the Council will carry out a revised SLAA to identify additional land to meet the Borough’s housing needs and maintain a five year rolling supply of deliverable sites over the plan period. This will be informed by a review of development opportunities in the existing urban area and rural settlements inset from the Green Belt and by a Green Belt boundary review.”*

6.10 It is clear therefore that the need to release land from the Green Belt is embedded in the current Local Plan Core Strategy. The reference to the release of land to meet a shortfall in the housing land supply via a focussed Green Belt Review was included within the Core Strategy by the examining Inspector as a Main Modification<sup>11</sup>. The modifications were seen as necessary to help meet identified housing needs, including those local needs arising in the settlements outside Gravesend and thus for the plan to be sound<sup>12</sup>.

6.11 A further modification was also required to the Core Strategy at the examination stage in order to “backload” the delivery of housing, which necessitated a variation to the housing trajectory incorporating material increases in delivery over three distinct parts of the overall plan period. The Inspector deemed that it was “*simply not practical in Gravesend at the moment*” to frontload the delivery and that this was due to a number of reasons including the lack of sites which are outside of the Green Belt<sup>13</sup>.

### **Grey Belt Eligibility**

6.12 The updated NPPF introduces the concept of grey belt, which is defined in Annex 2 as follows:

*“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.”*

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<sup>11</sup> Paragraph 69, Report on the Examination into the Gravesend Local Plan Core Strategy (2014)

<sup>12</sup> Paragraph 70, Report on the Examination into the Gravesend Local Plan Core Strategy (2014)

<sup>13</sup> Paragraph 45, Report on the Examination into the Gravesend Local Plan Core Strategy (2014)

- 6.13 The Site was assessed as part of the Stage 2 Green Belt Study (2020), forming part of parcel LH1. It was found to make a limited or no contribution to purpose A and D and relatively limited to purpose B.
- 6.14 The PPG was updated in February 2025 in respect of Green Belt, with the changes focussing on assessing Green Belt and identifying grey belt land.
- 6.15 The PPG confirms that in regard to Green Belt Purpose A, this relates to the sprawl of large built up areas, and that villages should not be considered large built up areas<sup>14</sup>.
- 6.16 Lower Higham is defined as an “Other Settlement” in the fifth tier of the hierarchy established as part of Policy CS02. Given the scale of the settlement, Lower Higham is clearly a village and not a large built up area, meaning that the Site cannot contribute strongly to Purpose A.
- 6.17 Even if this were not the case, the PPG is clear that for an assessment area to make a strong contribution, it should be free of existing development, and lack physical feature(s) in reasonable proximity that could restrict and contain development; and, if developed, result in an incongruous pattern of development (such as an extended “finger” of development into the Green Belt). It is evident that the Site is enclosed by existing development on three sides (west, east and south) and partially contained by a canal and railway line on the north eastern edge. The development would not result in an incongruous pattern, given the existing development either side of Chalk Road. The contribution of the Site to Purpose A cannot be considered to be strong.
- 6.18 In regard to Purpose B (to prevent neighbouring towns merging into one another), the PPG is clear that this relates to merging of towns and not villages. Similarly, in regard to Purpose D (to preserve the setting and special character of historic towns), the PPG is clear that this relates to historic towns, and where these aren’t present, it may not be necessary to provide a detailed assessment. In this regard, Lower Higham cannot be described as a town, and the contribution of the Site to either purpose is not strong.
- 6.19 The conclusions on Purposes A, B and D are consistent with the Site Specific Green Belt Appraisal, prepared by Blade, which is submitted with the application.
- 6.20 Furthermore, the application of policies relating to the areas or assets in footnote 7 (other than Green Belt) would not provide a strong reason for refusing or restricting development. Whilst the application site does include areas located within flood zone 2 and 3, the Illustrative Masterplan shows that the proposals have been designed sequentially around the constraint, and this can be controlled by the submitted Parameter Plan.
- 6.21 This qualifies the Site to be eligible as grey belt based on the definition within the NPPF.

### **Not Inappropriate Development**

- 6.22 Paragraph 155 of the NPPF establishes a series of criteria which should all apply if the development of homes in the Green Belt is to be regarded as inappropriate.

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<sup>14</sup> PPG Reference: 64-005-20250225

6.23 The first requirement is that the proposed development would not fundamentally undermine the purposes of the remaining Green Belt. Having regard to the above eligibility assessment of grey belt and the conclusions of the Stage 2 Green Belt Study (2020), this criterion is met.

6.24 As evidenced at Section 5, there is a demonstrable unmet need for housing in the Borough, which is the second criterion. The Inspector granted relief to GBC from meeting the annualised average housing figure across the seventeen year plan period by applying a stepped trajectory for delivery. Despite this relief, housing completions still remain well below the intended trajectory, which confirms that the current supply of housing land is not flexible enough to ensure that land is brought forward at sufficient pace.

6.25 This is illustrated by the consistent failure to pass the Housing Delivery Test between 2020 and 2023, with the most recent score for 2023, being only 59%.

6.26 Furthermore, GBC's most recently published Five Year Housing Land Supply Statement (published in February 2025) indicates a best case 3 years supply, with a substantial deficit of 1,603 dwellings. This is without the applicant critiquing the delivery of a single dwelling in the supply and should attract significant weight in the planning balance.

6.27 Having regard to the NPPF, in either of these circumstances, the presumption in favour of sustainable development applies. In accordance with paragraph 11d of the NPPF this has implications for decision-taking with the tilted balance being engaged, which means the policies which are most important for determining the application are out-of-date. The NPPF confirms that permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance, including the Green Belt, provide a strong reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF taken as a whole.

6.28 The Site is located within Lower Higham with access to Higham railway station within a short walking distance. The Site is also close to existing amenities including the primary school and recreation ground within Lower Higham, whilst other amenities, including shops, cafes, doctors surgery and library, are located approximately 1 mile to the south in Higham. The Site is relatively sustainable and a suitable location for further residential development.

6.29 GBC prepared a Settlement Hierarchy Paper in 2020, which considers the sustainability and role of settlements. In regard to Lower Higham, the document states [emphasis added]:

*5.14 In reality, given the proximity of Higham and Lower Higham (1200m between the railway station at Lower Higham and the centre of Higham), the services available in each settlement are very accessible to the residents of both settlements. Higham offers a wide range of retail facilities, a post office and a GP surgery, while Lower Higham has a primary school, meeting hall and a railway station. The two settlements are in effect operating as a single settlement, where the residents in both settlements are sharing the services provided in each settlement.*

5.15 Given this functional relationship, it is proposed to capitalise on the range of services and good public transport links found in both settlements and create a clustered settlement.

6.30 It is concluded that the Site complies with the third criterion and should be considered as a sustainable location.

### **Golden Rules**

6.31 The fourth criterion comprises the requirement to meet the 'Golden Rules' requirements which are set out in paragraphs 156-157 of the NPPF. The proposals would fully comply, and the following is highlighted:

- Provision of a minimum of 50% affordable housing which equates to 15 percentage points above the highest existing affordable housing requirement which would otherwise apply to the development (Policy CS16 of the Core Strategy seeks up to 35%). Applications for 50% affordable housing in this location will also assist in addressing worsening affordability of the Borough and meet local needs. This provision would be secured through the proposed S106 agreement.
- Contribute to necessary improvements to local or national infrastructure. The proposals would provide necessary improvements to local infrastructure through offsite active travel improvements. This provision would be secured through the proposed S106 agreement.
- Contribute to the provision of new, or improvements to existing, green spaces that are accessible to the public (existing and future residents of Lower Higham). The proposals would provide 0.483ha of new publicly accessible green space, which is approximately 450% higher than the requirement of 0.088 ha. This provision is secured through the submitted Parameter Plan.

6.32 Accordingly, it is concluded that the Site is grey belt land, and the proposals meet the Golden Rules set out in the NPPF. The proposals are therefore not inappropriate development in the Green Belt and 'very special circumstances' do not need to be demonstrated.

6.33 Furthermore, the proposals are in accordance with NPPF paragraph 158 which states that "*A development which complies with the Golden Rules should be given significant weight in favour of the grant of permission.*"

6.34 The proposals therefore comply with the principle of Policy CS02 which supports proposals where they accord with national policy on Green Belt.

### **Previously Developed Land**

6.35 The NPPF confirms at paragraph 154 that there are several other exceptions where development in the Green Belt is considered inappropriate. The exception at subparagraph (g) is of relevance:

*"g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential),*

*whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.”*

6.36 The Site is occupied by buildings which are of a significant scale. A survey has been undertaken which indicates that the volume of the existing permanent buildings (excluding containers) is around 3,835m<sup>3</sup>, and that the heights of buildings range from around 9.5m to 13.5m. There are also large areas of hardstanding around the buildings. The total volume of a scheme for 40 dwellings would be well below that which currently exists, and the heights of buildings would also be significantly lower.

6.37 It is clear that based on the extent of existing development that is present on-site, the proposals would not result in harm to the openness of the Green Belt which would be substantial. The proposed development should also not be regarded as inappropriate in the Green Belt through Paragraph 154 of the NPPF.

### **Very Special Circumstances**

6.38 As noted above, having had due regard for the updated PPG on the Green Belt, it is evident that the Appeal Site makes no contribution to Green Belt purposes A, B or D.

6.39 In respect of Purpose C (assist in safeguarding the countryside from encroachment), the Green Belt Study Map extract at Figure 5.2 shows that the area around Buckland Farm is deemed to be ‘Low Moderate’ in regard to harm to the Green Belt. The text within the LH1 wider parcel assessment refers to ‘Land beyond Buckland Farm’, being open and uncontaminated. It is therefore considered that there is a clear distinction across the parcel, and the subject site would result in a much lesser impact on Purpose C. This is consistent with the conclusions of the Site Specific Green Belt Appraisal, prepared by Blade, which is submitted with the application.

6.40 The Green Belt Study confirms that all Green Belt land makes an equal contribution to purpose E.

6.41 In the event that the proposals are considered to be inappropriate development in the Green Belt, it is necessary to demonstrate that ‘very special circumstances’ exist which outweigh any potential harm to the Green Belt by way of inappropriateness and any other harm in order to comply with paragraphs 153 and 154 of the NPPF.

6.42 The significant economic, social and environmental benefits of the proposals are set out in the Conclusion (Section 9). It is considered any harm is outweighed by the significant benefits which attract substantial weight and that very special circumstances exist in this instance. This includes the provision of new high quality market housing and a 50% level of affordable housing in an area where there is evidence of a historic shortfall of affordable housing delivery and significant unmet need.

### **Compliance with Policy CS07**

6.43 Policy CS07 is titled Economy, Employment and Skills and is primarily concerned with the proposals for new commercial development. Paragraph 5.1.34 relates to proposals that would result in loss of B class employment floorspace, confirming they will not be supported unless one of three criteria are met.

- the proposal will deliver at least an equivalent number of new jobs on-site or elsewhere within the Borough and the proposed use is consistent with other policies set out in this plan; or
- the existing premises are no longer suited for employment purposes or are incapable of being made suitable at reasonable cost and it has been shown that there is no demand for them through an appropriate marketing exercise carried out in accordance with Council guidance (Appendix 5); or
- the existing premises have an unacceptable environmental impact on the area within which they are situated and this is incapable of reasonable mitigation or the environmental benefit that would arise from the existing use stopping would outweigh the potential loss in employment.

6.44 The supporting text to the policy states that *“the Council considers it is important to protect existing employment sites, unless they are truly redundant for modern needs”*.

6.45 The proximity of the site away from major transport corridors and the close relationship with existing residential properties means it is unfavourably located to attract business occupiers. The residential area within which it is located also puts limitations on the ability of businesses, particularly commercial businesses, to function - i.e. by limiting noise sensitive activities including loading and unloading vehicles, HGV movements and opening hours. This is demonstrated by the fact that buildings are occupied by a mix of commercial and domestic uses, principally for storage. Very few of the units are occupied by uses which are generating employment opportunities from the site.

6.46 The premises is also clearly no longer fit for purpose and cannot viably be brought up to standard. This will be evidenced by the Employment Land Viability Assessment which is being prepared. The building structures are out-dated, in need of repair at significant cost and cannot readily be updated to meet modern business needs. The age of the building means significant work is also required to ensure it meets up to date energy efficiency standards, which are due to increase significantly in the near future.

6.47 The applicant considers that there is no viable option to renovate the site for commercial uses given the expected low level of return identified in the Viability Assessment. The site is not located in a desirable area for businesses to locate given the surrounding residential land uses and distance to the major road network.

6.48 Having regard to the NPPF position on the effective use of land in meeting the need for homes, the proposed development should be supported in line with criteria (c) of NPPF paragraph 125, which states:

*“Planning policies and decisions should... give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;”*

6.49 Secondly, the applicant considers the delivery of 20 affordable homes in this area of Gravesham meets an identified need and addresses an ongoing affordable housing delivery shortfall across the Borough.

6.50 The application will be supplemented by a Viability Assessment which will demonstrate compliance with Policy CS07 and the NPPF. Overall, the principle of developing the site for housing would not be contrary to any adopted Policies and would align with the NPPF requirement to boost significantly the supply of housing.

### **Summary on Principle of Development**

6.51 Whilst the Applicant can demonstrate the suitability of the Site for residential development through grey belt provisions in the NPPF, the benefits of the proposed development, as provided below, also comprise very special circumstances that outweigh any harm to the Green Belt having regard to paragraph 153 of the NPPF.

6.52 The NPPF also references a need to have 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. It is clear that there is a degree of support from GBC for the development of the Site as it was considered suitable as draft allocation in the emerging Gravesham Local Plan.

6.53 The proposals comply with the principle of Policy CS02 which supports proposals where they accord with national policy on Green Belt. In any case, the benefits of the schemes significantly outweighs any identified area of conflict, and the principle of development should be considered acceptable. The Site forms a logical extension to the existing residential area of Lower Higham to meet the housing needs of the Borough.

### **Design, Layout and Mix**

6.54 The Illustrative Masterplan within the DAS shows how the Site could accommodate a scheme of up to 40 dwellings that can deliver a high-quality landscape-led development.

6.55 Whilst the proposals will be submitted in outline, the Illustrative Masterplan shows how a scheme that would retain the local character of the area and existing residential properties. It will create an enhanced community for Lower Higham, supported by existing connectivity and transport routes, and integrating into the existing settlement.

6.56 An internal spine road is proposed which will link to a series of street typologies and built development blocks providing visual interest and variety. A distinguished built form and a strong design hierarchy helps to create character and identity, with opportunities to explore an architectural typology which responds to the Kent Design Guide and the Gravesham Design Code.

6.57 The proposals feature a higher density core with lower density properties facing outwards to the north, south and west of the site with views of the properties from the west broken up by the proposed landscaping. The Illustrative Layout shows how a scheme could be accommodated with a range of housetypes including maisonettes and houses.

6.58 The proposed access road is from Chalk Road and there are a number of properties also shown to be accessed directly from Chalk Road and this layout reflects the character of the local area. An area of car parking has been proposed at the south east corner of the Site to accommodate the existing cars that currently park on the street in front of the application site.

6.59 In respect of landscape, existing trees and hedgerows are to be retained on site where possible. The layout also introduces new buffer planting along the north west and western boundary of the Site. A large area of green space is proposed to the north of the Site and will incorporate blue infrastructure as part of a comprehensive landscape strategy.

6.60 New planting will include trees, hedges, shrub planting, climbers, bulbs and wild-flower. Some of the tree planting will create tree lined roads which add to the street scenes. This is in addition to the community orchard to be provided to the north east of the site. New tree and hedgerow planting will include ornamental and native species to encourage wildlife and enhance biodiversity. The scheme will achieve a 38.56% net gain in biodiversity and a BNG Metric has been provided with the application submission.

6.61 The proposed landscaping on the northern and western edges creates provides screening and a soft organic transition between the built form and the countryside to the west, whilst promoting good placemaking, health, and well-being for existing Lower Higham residents and new communities to the settlement.

6.62 The amenity open space to the north of the Site will include a play space, informal and formal footpaths, an attractive surface water attenuation pond, native tree planting and a community orchard. The existing pond will also be retained within this area. These features can be used by residents of existing and proposed dwellings and will be a significant benefit of the scheme. The usable open space provided onsite, as secured through the Land Use Parameter Plan, accords with the open space typology requirements set out in the open Space Standards Paper and Policy CS13, as demonstrated at Table 4.1 above.

## Housing Mix

6.63 Whilst the application is made in outline, the Illustrative Masterplan within the DAS demonstrates that the site can deliver up to 40 homes with a mix of house types, tenures and sizes that broadly reflect the existing housing mix in Lower Higham and which responds to identified needs within the Higham Rural Housing Needs Survey. Whilst the character of the Lower Higham is principally comprised of small and medium sized family housing, the responses to the survey suggest a genuine need for smaller accommodation.

6.64 Question 22 of the survey asks why residents need to move from their current home and what is required in a new home. The highest number of residents responded that they have a “need to set up an independent home” and “need a smaller home”. Question 24 also asks what type of household will the new household become, and 21 out of a total of 48 responses said 1 person household, with a further 14 responses suggesting the household would be for a couple.

6.65 A review of Rightmove on 18 July 2025 confirmed that there were no available properties to rent in either Higham or Lower Higham and only two 5 bedroom properties for sale in Lower Higham.

6.66 It is clear that there is a disparity between the existing housing stock in Lower Higham and the housing needs of its residents. There is a shortfall of smaller properties, affordable properties and properties available for rent. The proposed development can provide a mix of dwelling types and sizes that better accommodates the needs of the settlement and the

clear desire for residents to move to smaller properties without having to relocate away from Lower Higham.

- 6.67 Affordable housing will be provided at a rate of 50%, which complies with the NPPF Golden Rules.
- 6.68 The scheme also allows for the requirement for 50% of new dwellings to meet M4(2) of the Building Regulations (accessible or adaptable dwellings) to be exceeded with 100% of the dwellings being compliant. Furthermore, more than 5% of the affordable dwellings are shown to be built to meet M4(3) of the Building Regulations (wheelchair user dwellings).
- 6.69 The Illustrative Masterplan within the DAS includes a mix of house types including houses and maisonettes and is based on a Gravesham Borough Council rate of 70% affordable rent and 30% shared ownership. The affordable dwellings will also be spread across the site and designed to be indistinguishable from the open market properties.
- 6.70 The proposals are compliant with Policy CS14.

## **Flood Risk and Drainage**

- 6.71 A Flood Risk Assessment and Drainage Strategy have been prepared by MEC and are submitted with the application.
- 6.72 The Environment Agency Flood Map for Planning shows most of the site lies within flood zone (FZ) 1, with the north of the site located in FZ2 and FZ3. The Flood Map for Planning does not consider the effect of flood defences on flood risk.
- 6.73 There is a flood defence located along the embankment of the Thames and Medway Canal to the north and east of the site and is maintained by the Environment Agency. The Environment Agency Risk of Flooding from Rivers and Seas mapping considers the impact of flood defences and shows the site to be at very low risk of flooding when the defence is considered.
- 6.74 The Environment Agency Flood Risk from Surface Water Map indicates the site to be mostly at low risk from surface water flooding with patches of medium and high surface water risk in the northern extent and to the west in the location of existing buildings. The Environment Agency's modelled surface water depths show that the whole site is at low risk for surface water depths to be greater than 0.6m. The surface water modelling does not consider losses to the ground through infiltration or drainage features and the FRA confirms that the geology of the site suggests infiltration may result in a slight reduction in flows across the site.
- 6.75 A CCTV survey was undertaken to determine the presence of a 225mm highway drain through the site. The drain flows from Chalk Road along the south of the site through the existing farm buildings up to the northeast corner of the site where it becomes culverted under the railway and out into the Thames and Medway Canal.
- 6.76 The submitted Land Use Parameter Plan will help secure development parcels outside of the FZ's 2 and 3 and the areas at higher risk of deep surface water flooding. Onsite

drainage solutions will be installed to prevent surface water ponding within the development parcels.

- 6.77 Soakage testing was undertaken at the site and soakaway was deemed an unviable form of surface water outfall. The surface water will therefore be discharged via the existing culvert to the Thames and Medway canal to the north of the site.
- 6.78 In accordance with the National SuDS Standards, the strategy involves conveying surface water flows to three geo-cellular tanks and an attenuation basin before discharging to the existing culvert to the north. A total storage volume of 774.26m<sup>3</sup> will be available within the proposed attenuation features to manage flows generated for all events up to and including the 1%AEP45CC event.
- 6.79 Groundwater flood risk mitigation is also proposed in the form of suspended floor slabs for new properties to create a void beneath the floor which will flood before the water rises to the houses.
- 6.80 Additional drainage features, including water butts, rain gardens and permeable paving will be used across the site to provide extra storage on site and act as a first treatment stage of treatment for any run-off.
- 6.81 The proposed development is in accordance with the NPPF and Policy CS18.

## **Highways and Accessibility**

- 6.82 The application is submitted with a Transport Statement (TS) prepared by Hub Transport Planning.
- 6.83 Vehicular access will be taken from Chalk Road to the south of the site via a priority-controlled junction. The proposed access will include a 2.0m wide footway provision along the Chalk Road site frontage and connecting to existing footways. The access includes a dropped kerb tactile crossing over the bell-mouth. The TS includes the Site Access Arrangements plan and the Swept Path Analysis.
- 6.84 The location of the site access road has been moved from the existing farm access due to the current close proximity to Taylors Lane. Given that Taylors Lane is a very lightly trafficked, narrow, rural lane, coupled with the predicted low traffic movements from the proposed development, the proximity of the two junctions will not create a highway safety issue.
- 6.85 The TS provides further commentary around the design of the proposed access and how this has evolved in accordance with discussions with Kent County Council (KCC) Highways. Advice from KCC was sought by the applicant to inform the approach to retaining a right of access through the site for agricultural vehicles. The number of farm movements is expected to be limited with access currently only required 3 or 4 times a month.
- 6.86 The TS also outlines a series of mitigation measures that can be secured to help promote active and sustainable travel measures and improve the awareness and usability of existing public and active travel routes in the local area. This potentially includes the

provision of off-site improvements to footways linking the site to the station and the school, which will be a benefit for all residents of Lower Higham. The mitigation measures also include speed management measures in the form of an extension of the existing speed bumps on Chalk Road and interactive speed signage in this location.

- 6.87 It is noted several residential properties on both sides of Chalk Road, adjacent to the site, do not have off-street parking facilities and therefore rely solely on on-street parking availability. A car park providing a total of 5 car parking spaces can be accommodated in the south east corner of the site to cater for potentially displaced parking along the site frontage to ensure the operation of the access is not impeded.
- 6.88 The TA confirms the proposed development is forecast to generate 21 two-way vehicle trips in the AM peak hour and, 20 two-way vehicle trips in the PM peak hour. This is a negligible amount and is likely to be imperceptible to background traffic beyond the site access. An assessment of the proposed site access demonstrates that it will operate well within capacity during both the AM and PM peak periods, with minimal queuing and delay.
- 6.89 The proposed development is in accordance with the NPPF and Policy CS11.

## **Landscape and Visual Impact**

- 6.90 A Landscape and Visual Appraisal (LVA) has been prepared by Blade and is submitted with the application.
- 6.91 The LVA confirms that the site does not lie within or close to any nationally or locally designated landscape and notes that the site falls within the Green Belt.
- 6.92 Natural England finds the site to be situated in the National Character Area: 113: North Kent Plain and the Kent County Landscape Character Assessment locates the site within the Hoo Peninsula Landscape Character Area.
- 6.93 The LVA assesses the site and confirms that it does not qualify as a Valued Landscape, neither does it contain or adjoin any veteran trees, listed buildings or registered parks or gardens. The site has no public right of access and the existing landscape fabric of the site is dominated by the existing commercial and domestic use of the buildings onsite and the placement of storage containers.
- 6.94 The Zone of Primary Visibility was assessed by Blade to be extensively limited to the immediate setting of the Site, or from where the Site is experienced against the wider backdrop of the village, as well as within the shelterbelts, fence lines, gappy hedgerows and ditches which provide an element of enclosure to the northwestern edge of Higham.
- 6.95 The LVA concludes the Site is not prominent in views and is experienced as part of the existing environment of the village. Consequently, the scheme would conserve wide panoramic views across the landscape from elevated areas and through the open countryside fields to the River Thames estuary to the north.
- 6.96 The LVA confirms that the site does not conflict with the topographic landscape character or the established patterns of development in the wider landscape, nor does it threaten coalescence with neighbouring settlements.

6.97 The Illustrative Layout as shown in the DAS shows how a scheme for 40 residential dwellings could be developed on site whilst incorporating landscape mitigation measures such as additional planting on the sites north western and northern boundary and the location of taller properties within the centre of the site (up to a maximum of 2.5 storeys). Subject to these mitigation measures, the proposed development would result in a very limited number of material landscape or visual effects, which would be highly localised to the existing settlement edge or where the scheme would be experienced as part of the existing village setting.

6.98 The Illustrative Landscape Strategy provided as an appendix to the LVA demonstrates how the soft landscaping strategy could retain and enhance the existing landscape features on site whilst also creating landscaped buffers that allow glimpsed views of the development from the surrounding countryside and assimilating the development with the existing built up area of the settlement.

6.99 The proposed development is in accordance with Policy CS12.

## **Archaeology and Built Heritage**

6.100 A Heritage Statement has been prepared by Pegasus and is submitted with the application.

6.101 The Assessment confirms that there are no designated heritage assets within or in the immediate vicinity of the site. The Lower Higham Conservation Area lies c. 175m east of the site and includes a single Grade II Listed Building, Dairy Farmhouse which lies c. 325m east of the site (listing ref: 1381167). A group of three Grade II Listed Buildings lie c. 230-335m south of the site, comprising Higham Hall, Barn at Higham Hall and Garden Walls to Higham Hall (listing ref: 1096338-9, 1350231).

6.102 The Heritage Statement confirms that the application site is not visible in views from the Grade II Listed Dairy Farmhouse or its immediate surrounds, due to intervening vegetation and built form. From within the application site, the Listed Building is only partially visible, with filtered glimpses of its upper elements, primarily from the access road and grazing areas located on the eastern side of the site. The change to the application site is therefore expected to result in no harm to the overall heritage significance of the heritage asset.

6.103 There is no intervisibility between the application site or the group of three Listed Buildings, nor are there any historical associations. Therefore, the land within the site is not considered to contribute to the overall heritage significance of the Grade II Listed Buildings at Higham Hall.

6.104 In respect of archaeology, no anomalies suggestive of definite archaeological remains of prehistoric date or Romano-British date were recorded within the site during the geophysical survey and the potential for significant archaeological remains of prehistoric or Romano-British date within the site is considered to be low.

6.105 The site was historically located in the parish of Higham and most likely formed part of the agricultural hinterland to this settlement during the medieval period. No anomalies suggestive of medieval activity were recorded within the site during the geophysical

survey. Therefore the potential for significant archaeological remains of medieval date within the site is considered to be low.

- 6.106 From the mid-19th century onwards, the site has comprised a mixture of agricultural land, orchard planting and development associated with Buckland Farm and the current commercial, domestic and storage land uses. None of the buildings within the site are considered to be of sufficient interest to be heritage assets and they will be removed as part of the development proposals. The potential for significant archaeological remains of post-medieval to modern date within the site is considered to be low.
- 6.107 The proposed development is therefore in accordance with Policy CS20, TC3 and TC7.

## **Ecology**

- 6.108 A Preliminary Ecological Appraisal Report (PEAR) and Biodiversity Net Gain Metric have been prepared by Ramm Sanderson and are submitted with the planning application.
- 6.109 Habitats within the Site are deemed negligible for qualifying species listed within the Ramsar and SPA, including migrating black-tailed godwit and wintering dunlin and red knot within the Ramsar designation and avocet and hen harrier within the SPA designations. Habitats on Site are deemed negligible due to the high levels of management and the constant presence of livestock. More suitable habitat is noted within the wider landscape.
- 6.110 The PEAR notes that the site is in proximity to the Thames Estuary and Marshes Ramsar and Special Protection Area and Site of Special Scientific Interest. The Report highlights the potential for recreational pressures on these sensitive ecological receptors and recommends securing mitigation measures via a Construction Ecological Management Plan.
- 6.111 No field signs or evidence of existing badger setts were noted within the Site boundaries. No further surveys are recommended pertaining to badgers, however it is recommended that works take place under a Precautionary Method of Works (PMW) to be outlined within a Construction Ecological Management Plan (CEMP).
- 6.112 The habitats within the Site present 'moderate' suitability for foraging bat species, particularly due to the adjacent railway line / Thames and Medway Canal corridor to the east of the Site. In accordance with the PEAR recommendation that, owing to the presence of these habitats in addition to the adjacent railway, canal and SPA, a bat activity survey and a Preliminary Bat Roost Assessment (PBRA) has been undertaken to assess for presence/likely absence of roosting bats. The results are being assessed with an update to be provided as part of an Ecological Impact Assessment to be submitted to GBC as soon as it has been published.
- 6.113 Owing to the presence of water bodies within the Site and within 500m of the site with connectivity to P1, P2 and D1, the PEAR recommends the preparation of a Habitat Suitability Index (HSI) for P2 and subsequent eDNA surveys for P1, P2 and D1 to inform mitigation requirements. This survey work has been completed and the results are being assessed with an update to be provided as part of an Ecological Impact Assessment to be submitted to GBC as soon as it has been published.

- 6.114 The Site supports a mosaic of habitat types such as trees, hedgerows and grasslands which are suitable for a variety of urban and widespread bird species. Given the scheme impacts to these habitats and the Site's proximity to the Ramsar and SPA, a suite of bird surveys have been undertaken including wintering birds, breeding birds and passage surveys. Owing to the ecological assessment window, the results of these surveys will be submitted to the Council in due course.
- 6.115 There are no likely presence of hazel dormouse, otter, water vole, common reptile or terrestrial invertebrates and therefore a PMW is suggested to be secured via a CEMP.
- 6.116 The PEAR includes a series of mitigation measures and outlines potential opportunities for ecological enhancements. These include, proposed native planting, the installation of bat, bird and hedgehog boxes and the provision of suitable foraging habitat including fruit and nut bearing trees.
- 6.117 The Biodiversity Net Gain Metric (ref: RSE\_8983\_BIA\_V2R1) and accompanying visualisations confirm that the proposed scheme provides an opportunity to deliver a 38.56% net gain in habitat units and a 15.88% net gain in hedgerow units.
- 6.118 The proposed scheme is in accordance with Policy CS12.

## **Arboriculture**

- 6.119 An Arboricultural Report and Tree Survey has been prepared by Ruskins Tree Consultancy and is submitted with the application.
- 6.120 Due to the existing land uses the site has a relatively sparse tree population. The quality and amenity value of the trees within this site is relatively low. The Survey confirms that 1 Category B tree and 10 Category C trees are to be retained onsite and 2 Category B and 3 Category C trees are to be lost to development. There are 2 dead trees (Category U) that are to be removed from the site.
- 6.121 The most significant trees are a short row of semi-mature alders to the north-eastern boundary adjacent to the railway; a single mature crack willow further to the; and three collapsed willows around the pond. These highlighted trees are located within part of the site that remains undeveloped and are to be retained.
- 6.122 The trees proposed to be removed consist of a small linear group of dead and declining bramble covered alders to the east of the existing driveway and a poor quality, semi-mature alder growing close to the corner of the concrete yard area. The removal of these trees is required to facilitate the proposed development but will not impact on the quality of the tree resource in the local area.
- 6.123 To allow for the proposed access and visibility splays the hawthorn hedge H14 (Category B) to the front boundary eastern side of the existing site access is to be removed. The loss of this hedge is compensated within the proposed hedgerow planting on-site.
- 6.124 The proposed development offers an opportunity to manage the existing tree resource and to plant new trees and hedgerows which will increase the species diversity of the tree

stock and enhance its biodiversity value whilst also making the long-term future of the trees more secure by increasing climate change and disease resilience.

- 6.125 The Tree Survey includes a number of mitigation and protection measures for the retained trees during construction that can be secured by condition.
- 6.126 The proposed development is in accordance with Policy CS12.

## Air Quality

- 6.127 An Air Quality Assessment prepared by MEC is submitted with the application.
- 6.128 The Air Quality Assessment examines the impact of local road traffic emissions upon existing receptors adjacent to local roads, and future sensitive receptors on the Site. The key traffic related pollutants considered are nitrogen dioxide (NO<sub>2</sub>) and particulate matter. The Assessment also includes a Construction Dust Risk Assessment.
- 6.129 The assessment results indicate that annual mean NO<sub>2</sub> and particulate matter concentrations are predicted to remain below the annual mean objective following the development at the Site. The impact of the development on local air quality through additional vehicle movements is defined as 'Negligible'.
- 6.130 The Assessment concludes that the air quality at the Site is acceptable for the proposed development and that development traffic will not lead to a significant adverse impact upon existing air quality.
- 6.131 There are three Air Quality Management Areas in Gravesham which are located over 4km from the application site. The proposed dwellings will satisfy all air quality objectives of the Borough.
- 6.132 Mitigation measures have been proposed to minimise the potential effects associated with increased air pollutant concentrations including the provision of electric vehicle charging points and measures to promote sustainable and active travel.
- 6.133 Standard construction dust related mitigation measures are also recommended and can be secured by condition.
- 6.134 The proposed development is in accordance with Policy CS18.

## Noise

- 6.135 An Acoustic and Vibration Assessment prepared by MEC is submitted with the application.
- 6.136 The Assessment provides details of the Sound Survey and Vibration Assessment undertaken within the vicinity of the Site to determine prevailing acoustic conditions. The Assessment uses BS 8233 guidance which identifies appropriate internal and external noise level criteria applicable to residential buildings exposed to steady external noise sources.

- 6.137 Acoustic modelling has demonstrated that the BS 8233's outdoor criterion of 50 dB LAeq, can be satisfied across most of the Site without the need for additional mitigation.
- 6.138 With regards to internal acoustic conditions across the Site, most habitable rooms across the Site can comply with the relevant acoustic criteria through standard double glazing and direct airpath window mounted trickle ventilators. However, some enhanced glazing and ventilation will be required where plots face Chalk Road and the railway in order to achieve the whole-dwelling ventilation requirements of AD-F. The implementation of the proposed mitigation measures can be secured by condition.
- 6.139 With regard to vibration associated with the train line, the Assessment shows that the recorded vibration levels are below the upper thresholds of the 'low' category and therefore indicate there is no probability of adverse comment during the daytime and night time.
- 6.140 The proposals therefore comply with Policy CS19 and the relevant paragraphs of the NPPF.

## Ground Conditions

- 6.141 A Phase I Geo-Environmental Desk Study prepared by MEC is submitted with the application.
- 6.142 The site is not located within a Mineral Safeguarding Area as defined within the Kent Minerals and Waste Local Plan 2024-2039.
- 6.143 The Study identifies made ground associated with current and/or previous commercial/industrial activities on-site, stockpiles, waste, historical construction activities and the adjacent railway line.
- 6.144 The Study considers that the environmental risk at the site is low to moderate with the principal risk drivers relating to the made ground, waste exemptions, electricity substation adjacent to the north-eastern boundary, asbestos containing materials, and ground gas generation.
- 6.145 It is not anticipated that extensive remediation will be required for the proposed development although there may be a requirement for the localised removal and/or capping of contaminated made ground. A Phase II Intrusive Ground Investigation is recommended and can be secured via condition.
- 6.146 The intrusive ground investigation will determine if the underlying geology provides competent bearing strata for foundation design. Based on available information at this stage, it is considered that a traditional shallow foundation solution will be appropriate for the proposed development. Suspended ground floor slabs are likely to be required for the proposed development given the presence of Made Ground and buried construction and potential influence of trees.
- 6.147 The proposals therefore comply with Policy CS19 and the relevant paragraphs of the NPPF.

## **Utilities**

- 6.148 A Utilities Assessment prepared by MEC is submitted with the application.
- 6.149 The Utilities Assessment confirms that consultation with UK Power Networks has resulted in the provision of an area for a substation (to the north west of the residential dwellings on the Illustrative Masterplan within the DAS).
- 6.150 An overhead LV cable traverses the northern verge of Chalk Road and enters the site boundary to the west with a second overhead LV cable serving the existing building. Diversion/disconnection of the cables within the site boundary will be required at a later stage and provisional costs for this diversion has been provided by UKPN.
- 6.151 Southern Water confirmed there is capacity within the clean water network to accommodate the development, although there is limited capacity within the foul water network and therefore reinforcement works are required and will be delivered by Southern Water.
- 6.152 Further details of infrastructure connections and diversions will be provided at a later reserved matters stage however the Utilities Assessment confirms that required infrastructure connections can be achieved to serve the development at the Site.

## **Sustainability**

- 6.153 The application is submitted alongside an Energy Statement prepared by Focus Consultants LLP.
- 6.154 The Energy Statement confirms the energy efficiency strategy for the Site includes a fabric first approach to the construction of new dwellings which will prioritise a high energy-efficient building envelope to impact the operational benefits associated with cooling, lighting, heating and ventilation.
- 6.155 The Energy Statement recommends consideration of the layout and orientation of buildings to benefit from passive heating and cooling. This has been considered in the preparation of the Illustrative Masterplan and will inform the preparation of a final layout at a later reserved matters stage.
- 6.156 Electric Vehicle charging facilities will be available at each dwelling.
- 6.157 The measures identified in the Energy Statement would result in an improvement in energy efficiency against Building Regulations requirements.
- 6.158 The Energy Statement outlines measures to be taken to reduce operational and construction waste as well as highlighting the need for future consideration of the sustainable procurement of construction materials.
- 6.159 The proposed development is in accordance with Policy EM2, the Gravesham Design Code and the NPPF.

## **Circular Economy Statement**

- 6.160 In accordance with Policy CSW3 of the Kent Minerals and Waste Local Plan, a future reserved matters application will include details of materials and where opportunities to reuse or recycle materials from the demolition of existing building can be recognised. A Construction Management Plan submitted with a future reserved matters application will include details of how construction methods will seek to minimise waste during demolition, site clearance and construction.
- 6.161 A future reserved matters application will also include details of how a residential development of the site will incorporate suitable facilities for the storage, collection and management of waste.

## **Summary**

- 6.162 The subject Site is available for development, suitable, sustainably located and development here would be achievable with the scheme being completed in full within five years. The existing uses are not complementary with the existing settlement and the brownfield nature of the site with old mixed use commercial and domestic properties means its redevelopment should be supported. Additional evidence will be provided in due course to demonstrate that the existing buildings are no longer fit for purpose and that the employment land value in the area would not result in the buildings remaining in commercial use.
- 6.163 The Site is an emerging residential allocation (LH1) and whilst currently in the Green Belt, it has been demonstrated that the site is grey belt and therefore development should not be regarded as inappropriate having regard to the NPPF's 'Golden Rules'. Whilst in outline, the application demonstrates how a scheme of 40 dwellings could be brought forward at the site that is compliant with adopted Gravesham Borough Council Policy. Moreover, there are no known technical constraints or viability issues, and any scheme would provide a policy compliant suite of planning obligations

## 7. Affordable Housing Statement

### Adopted Policy

- 7.1 Adopted Policy CS16 confirms that affordable housing is to be provided on proposals for 3 dwellings or more in the rural area at a rate of 35%. GBC will seek an affordable housing mix of 70% affordable rented and social rented accommodation and 30% intermediate housing.
- 7.2 Paragraph 156 and 157 of the NPPF confirm that where major residential development is proposed on sites in the Green Belt the affordable housing contribution required to satisfy the 'Golden Rules' is 15 percentage points above the highest existing affordable housing requirement that would otherwise apply to the development, subject to a cap of 50%.
- 7.3 Therefore, the affordable housing requirement for the application site is 50%.

### Pre-Application Discussions

- 7.4 Affordable housing was addressed at the pre-application meeting and it was agreed that the NPPF 'Golden Rules' apply to this site and therefore affordable housing would need to be provided at a rate of 50%.
- 7.5 The applicant requested information regarding affordable housing mix and the Officer confirmed this would be provided in the written pre-application response.
- 7.6 The written pre-application response had not been received at the time of submission of the application.

### Proposed Affordable Housing Provision

- 7.7 In accordance with the NPPF, the application proposals make provision for 50% onsite affordable housing. Whilst the current application is made in outline, and the Illustrative Masterplan has been designed to accommodate the tenure split of 30% shared ownership and 70% affordable rent, as required by Policy CS16, the tenure split of the affordable dwellings will be agreed with the Council during the course of the application. The final mix of affordable housing will be determined at Reserved Matters stage, reflective of the most up-to-date identified needs.
- 7.8 The application proposals in respect of affordable housing provision comply with the relevant adopted policies and other material planning considerations. The provision of affordable housing is a clear benefit of the proposed development and should be afforded significant weight. It is proposed that the on-site affordable housing provision can be secured by way of a Section 106 legal agreement.

## 8. Draft Heads of Terms

- 8.1 The applicant will enter into constructive dialogue with GBC in order to agree a Section 106 Agreement for any obligations which, in accordance with the CIL Regulations (2010) (as amended) are necessary, directly related to the development and fairly related in scale and kind to the development.
- 8.2 The following initial Heads of Terms are suggested and reflect the GBC pre-application response:

### **Affordable Housing**

- 8.3 Provision of 50% affordable housing with a tenure split to be agreed with GBC.

### **Education**

- 8.4 Primary and secondary education and early years and childcare provision as required by the Local Education Authority having regard to existing capacities.

### **Infrastructure**

- 8.5 Healthcare provision as required by the NHS/CCG.

## 9. Conclusion

- 9.1 This Planning Statement has been prepared in support of an outline application for the demolition of existing buildings and erection of up to 40 dwellings (Use Class C3) with all other matters reserved except for the principal point access off Chalk Road. The application is submitted on behalf of Richborough.
- 9.2 Richborough is a privately owned land promotion company operating nationally. They work in partnership with landowners, councils and stakeholders to secure residential planning permission on suitable sites, which are then delivered by an appropriate partner.

### **Case for Development**

- 9.3 This statement demonstrates that the proposals respond positively to the adopted Development Plan policies as well as those other material considerations identified. Where a conflict arises, those policies should be afforded limited weight due to inconsistency with the NPPF and the lack of clear evidence that the necessary level of housing will be delivered in the future. In accordance with paragraph 11d of the NPPF, the tilted balance is engaged, and permission should be granted without delay.
- 9.4 There are no technical or environmental constraints that would preclude the development of this site, subject to planning conditions and/or obligations.
- 9.5 The proposal is in accordance with the broad spatial strategy set out in Policy CS02, which supports proposals in the Green Belt and rural area where they accord with national policy on Green Belt. It has been demonstrated that the site comprises grey belt in line with the updated NPPF definition. In this regard:
  - Lower Higham is a village and not a 'large built up area', meaning that the Site cannot contribute strongly to Purpose A of Green Belt. In any event, the site is enclosed by existing development on three sides (west, east and south) and partially contained by a canal and railway line on the north eastern edge. The development would not result in an incongruous pattern, given the existing development either side of Chalk Road. The contribution of the site to Purpose A cannot be considered to be strong.
  - Lower Higham is a village and is not considered a town or historic town and therefore cannot be considered to contribute strongly to Purposes B or D.
  - The proposals also comply with the Golden Rules established at Paragraph 156 of the NPPF, including the provision of 50% affordable housing and accessible green space.
- 9.6 The proposals are therefore not inappropriate development in the Green Belt and 'very special circumstances' do not need to be demonstrated.
- 9.7 The site is also identified as a draft allocation in the emerging Local Plan. This demonstrates that the Council consider the site to be suitable for residential development and capable of delivering 40 dwellings.

- 9.8 It is the intention to deliver housing quickly on the site with all 40 dwellings being completed within the five year monitoring period. This will include the delivery of 20 affordable dwellings.
- 9.9 The design concept outlined in the Design and Access Statement, alongside the submitted Parameter Plan would secure a high-quality development.
- 9.10 The development of the site would be both suitable and sustainable.

### **Benefits**

- 9.11 Subject to planning permission being granted, there are numerous socio-economic and environmental benefits which would arise from the proposed development. These benefits are established throughout this Statement and can be summarised as:
  - The provision of new high quality market housing in a sustainable location;
  - The provision of a 50% level of affordable housing in an area where there is evidence of a historic shortfall of affordable housing delivery and significant unmet need;
  - The provision of smaller housing for which there is an identified need within the Higham Rural Housing Needs Survey. This will increase opportunities for under-occupied housing to be made available to younger families;
  - Opportunity to enhance sustainable modes of transport through the provision of pedestrian infrastructure improvement, including to the station and school, and traffic calming measures;
  - The scheme would deliver formal/informal greenspace and play space at a rate that well exceeds requirements and will be for use by new and existing residents with long-term management secured;
  - The retention of existing ecological habitats. The ecology of the site will be improved through the provision of new green infrastructure which will achieve a 38% net gain in biodiversity;
  - Creation of employment opportunities through the construction phase of the development;
  - The proposed development will increase the number of economically active residents, boosting income and local expenditure.

### **Harm/Balance**

- 9.12 Paragraph 11(d) of the NPPF explains that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless 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.

9.13 This comprises the tilted balance to the presumption in favour of sustainable development, which is triggered because the most important policies for the determination are out of date.

9.14 Taken as a whole, the submitted application has demonstrated that there are no unacceptable adverse impacts associated with the scheme. As with any site located on the edge of a settlement, urbanising development may introduce changes to the area. However, the submitted LVIA demonstrates the scheme can be delivered without unacceptable wider landscape and visual impacts. When considering landscape impacts, it is also important to bear in mind that GBC will be reliant on greenfield development to meet its housing needs going forward.

9.15 Policy CS07 seeks to retain floorspace which is in use for B Class uses (now comprising some of Class E). The proximity of the site away from major transport corridors and the close relationship with existing residential properties means it is unfavourably located to attract business occupiers. The residential area within which it is located also puts limitations on the ability of businesses, particularly commercial businesses, to function - i.e. by limiting noise sensitive activities including loading and unloading vehicles, HGV movements and opening hours. This is demonstrated by the fact that buildings are occupied by a mix of commercial and domestic uses, principally for storage. Very few of the units are occupied by uses which are generating employment opportunities from the site.

9.16 The premises is also clearly no longer fit for purpose and cannot viably be brought up to standard. This will be evidenced by the Employment Land Viability Assessment which is being prepared. The building structures are out-dated, in need of repair at significant cost and cannot readily be updated to meet modern business needs. The age of the building means significant work is also required to ensure it meets up to date energy efficiency standards, which are due to increase significantly in the near future.

9.17 A number of material considerations have been identified which clearly outweigh the limited harm and policy conflict. The proposal complies with the spatial strategy, housing policies and relevant 'development management' policies of the development plan. As set out above, subject to planning permission being granted, there are numerous benefits arising from the proposed development.

9.18 In conclusion, the adverse impacts do not significantly and demonstrably outweigh the benefits of the scheme when assessed against the provisions of the NPPF as a whole and planning permission should be granted as set out in paragraph 11d) of the NPPF.

9.19 It is clear that the proposals represent sustainable development which will make a positive difference, creating an appealing neighbourhood which respects its context and caters for identified needs. Taking the above into consideration, there is a compelling case for the granting of planning permission at the earliest opportunity.