

Shorne Parish Council

————— Borough of Gravesham —————

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20th December 2024 (Updated version)

Application ref 20240600

Land South Of Pear Tree Lane Pear Tree Lane Shorne Gravesend Kent

Change of use of the land for the stationing of 2 static homes, 2 touring caravans and shared day room for Gypsy / Traveller occupation. Associated hard and soft landscaping.

Introduction:

The Parish Council has to **OBJECT STRONGLY** to the entirety of this application which seeks to create new dwellings in the Green Belt, on a plot of land which has been subject to five previous Planning Applications and four Appeals (one with two instances of High Court involvement), all respectively Refused and Dismissed.

Planning policy exists to defend the Green Belt from the damage of inappropriate development, including through maintaining openness. The rules apply to everyone equally. No valid new information has been presented that would warrant overturning the many previous decisions that this is simply not a residential plot.

Among other reasons, the proposal is at excessive density for the size of the plot, constituting overdevelopment, and would impact adversely on the amenity of the area and on nearby and neighbouring dwellings. Within that we **OBJECT** particularly to the “Day Room” element which is a permanent structure, which would be visible from the roadway, and which would unnecessarily duplicate facilities anyway available in the static caravans.

History and Planning History:

It should be noted that the name of the plot has been changed for this application. The plot has always previously been known as “Land adjacent to the See Ho public house” reflecting its original ownership and historical use.

A list of previous applications over the past nearly 45 years is shown at Appendix A. In summary, there have been five Applications and four Appeals with one including two High Court hearings.

The planning history is therefore long and complex. We will not reproduce/duplicate the Appeal decisions here however the decisions made and the reasons cited for them have remained consistent throughout, are still valid to date, and should be carried forward as evidence against this present application.

We note that the Applicant has only mentioned the last two Applications (one with incorrect date) and Appeals in Section 3.1 of the Planning Statement. We hope that they were aware of the full history before purchasing the plot.

General Representations:

Outside the Village Envelope, in the Green Belt:

- The piece of land is outside the village envelope and in the Green Belt where new dwellings would not normally be permitted.
- No valid “very special circumstances” have been put forward to justify the present proposal overriding policy designed to protect the character of the Green Belt and rural area.

Area Character:

- The plot is located where the area character changes from settlement to a more open and rural appearance and it is considered important in underlining that distinction and transition.
- Buildings there would reduce the amenity of the overall area and negatively impact the visual appearance and the amenity of neighbouring properties.
- While some of the buildings might presently be hidden behind a tall hedge, there would still be awareness that they were there, and of all activity on and relating to the site.
- The proposal will result in light pollution on a plot that is presently completely dark at night.

Size of the site:

- The site measures only approximately 50m wide by 25m deep, which is very small for the proposed density of use.
- At 1,250 sqm this equals 0.125 hectares (0.31 of an acre). The area has been overstated by the Applicant in the Application form as instead being 0.2 hectares, which is incorrect.

Out of Character Density and Appearance:

- The proposed buildings will be at a higher density, with a large number (five) of separated structural forms, plus associated residential paraphernalia, and potentially take up more of the available space on the plot than is usual for residential dwellings in Pear Tree Lane. Very little green/amenity space will be left.
- The type of dwellings proposed are out of character with both the adjacent settlement and the nearby rural areas.

- A large and excessive area of hardstanding is proposed, with some already in place for which retrospective approval is sought, however the application also refers to levelling and paving of a larger area.

Relationships of the site and proposed site layout:

- Due to the small size of the site, some of the proposed structures will be located very close to the roadway, which could lead to noise and other pollution being experienced, especially in bedrooms.
- The site is similarly immediately adjacent to a busy Public House and its car park, a pre-existing business use, which again is not a good location for residential development. Existing dwellings in the area are set back from the roadway, and have a pavement providing greater separation, whereas there is no pavement on the south side of Pear Tree Lane at the location of the plot.

Design of the proposed buildings:

- The proposal is for two identical large static homes (15m by 6.5m by 3.5m ridge height, each with 3 bedrooms (5 beds). However, one of the buildings is stated to only be for one occupant, so its size appears excessive for that use.
- Both have a full kitchen and living space, and one bathroom although this latter aspect of the layout is poorly designed to be en-suite which prevents other occupants accessing it e.g. during the night or if unwell. The bathrooms could be accessed only from the main area either instead or with “Jack and Jill” doors.
- There is potentially space for a second bathroom/shower room adjacent to the small bedroom.
- The “Day Room” element, which is proposed as a permanent structure, is located very close to the boundaries of the plot and where it will be visible from the street, thereby having negative impact on the street scene. It unnecessarily duplicates facilities anyway available in the static caravans, and is not needed to support the family’s touring caravans as they are only being stored while not in use, so it should be deleted from the plans.
- As can be seen in the photographs below, we also note that the static caravan that was delivered to the site on 17th December 2024 has a different design, and possibly layout, compared to that proposed in the submitted plans.

Omissions from the plans and application deficiencies:

- The plans lack areas for rubbish bin storage, a cycle store and an EV charging point.
- Section 2 (site description) of the Planning Statement is blank.
- We note that according to current information at Land Registry, the Applicant is not (yet anyway) recorded as the registered owner, and this aspect should be clarified. The current Land Registry record partially matches with the first application form that was submitted.
- We also note that on the current application form the applicant has named the plot itself as being his current personal residential address.
- The answers about biodiversity net gain require expert review.

In Front of the Residential Building Line:

- The residential building line here is the frontage of “Shornebury/Fairwinds” (Pear Tree Lane) to the east, the northern boundary fence of “Ewhurst” (Bowesden Lane), the northern side wall of “Cartref” (Bowesden Lane) and then takes a step north to the frontage wall of “Rose Cottage” to the west in Pear Tree Lane.
- The plot under discussion is in front of (north) of that line.
- The historic See Ho building, being commercial and pre-dating all the local residential dwellings, is not a relevant aspect in this residential building line consideration.
- We note that local residents have been refused permission to build structures in front of the residential building line.

Previous use of the site, and structures:

- The Application documents refer to the site as being a “former paddock” but local residents are not aware of horses/livestock ever being kept there and there has not been any previous change of use application made.
- Structures are visible on aerial views, some previous ones seem to have been removed but there appears to be a white structure visible that is a new feature of the site despite there being a current planning application but not permission.

Hedge on Road Frontage and boundaries:

- The existing hedges, which reduce openness, have become very thick and overgrown, reducing the usable space on the plot, and are starting to gap at the bottom. The hedges have swallowed up the ranch fencing seen on the August 2009 Google Streetview, which predates the hedge being planted.
- Consideration should be given to the hedges being replaced if they are still needed and considered appropriate for the site.
- The height and intense colour have a prominent and negative visual appearance and draw attention to the site, which should not be the case.
- We suggest that at most a medium height hedge of mixed native species behind a short fence would be more compatible with the area and more appropriate in this rural location.
- Traveller sites are not usually fully enclosed by high hedges, which would negatively affect the light levels and ambience for persons within the site.
- We note that the Applicant incorrectly answered “No” to the question as to whether there are trees and hedges on the proposed site.
- Whatever hedges and fences there are, local residents will always be aware of the site, and it can be seen on publicly available aerial views.

Driveway Arrangements and Parking, local Parking and Traffic issues:

- The documents suggest that there will still be the one present vehicular entrance to the site however KCC are requiring the surfacing to be bound resin and any gates to be set back by 5.5m from the roadway.
- The site will have 4 parking spaces (stated as being for cars, meaning not larger/commercial vehicles) for a total of 3 adult residents.

- On-site parking should be only for cars/personal private vehicles and not for trade vehicles.
- On-street parking in the area is competitive and a considerable problem, especially when events and functions are held at the See Ho. Any overspill parking from the site would make that aspect worse and cause friction with other local residents.
- Pear Tree Lane is increasingly busy with considerable through traffic that does not always respect the speed restrictions. Traffic levels are likely to increase further due to additional agreed developments in the wider area and future major highway plans.
- Due to the parking issues in combination with traffic issues, entering and exiting the site could be hazardous, particularly for caravans.
- We wrote originally that “It is not clear how large static caravans could be physically installed on the site”. This prediction was proved accurate when traffic chaos resulted from Pear Tree Lane being blocked for several hours on Tuesday 17th December by the applicant’s actions, and which led to the Police being called to attend. At the time, Pear Tree Lane was the signed diversion route in relation to work on other local highways, which compounded the problems.



Setting of precedents:

- We are concerned, as with the previous applications for this site, about any permission setting an indefensible, damaging precedent for development of front gardens and other plots fronting Pear Tree Lane as that would irrevocably change the nature and ambience of the area.
- Similarly, precedents would also be set for the Borough as a whole.

Utility connections:

- Although planning permission has not been determined, the applicant organised an electricity supply to be installed on 9th December, the required road closure for several days being another inconvenience to local residents.
- While it is permissible to connect electricity to land, the potential use of the supply on such a small plot of this type, and in a situation of there not being any planning permission in place, is a concern for local residents.
- The situation on a potable water supply is unknown.
- The situation on waste water and sewerage is uncertain, the application form refers to a package treatment plant, this would require engineering works for installation.

Other works required, being undertaken:

- Documentation refers to levelling the site and installing further hardstanding.
- We are informed that an 8ft high inner fence is being/has been constructed behind the hedges.

Non-Sustainable location:

- The site is in a non-sustainable location as there are no shops in The Ridgeway area and there are few buses per day.
- Realistically this means a trip by vehicle to the nearest shop in Shorne Village, or there are more shops and a Post Office in Higham, or further afield to supermarkets.
- Similarly, local Primary Schools and Secondary Schools are all either unsafe to walk to (along busy roads without a pavement) or too far away and again vehicle trips are needed.
- This means that residence in Shorne confers no advantages and considerable disadvantages for the stated occupants, being a housewife with a young family and a relatively housebound older person, both of whom would also be isolated from other members of the Travelling community.

Traveller status of the Applicant and family:

- Overall, it is considered that this claim does not stand up to examination. The arguments put forward are weak, and there is concern locally that the mentions of Traveller status may be a subterfuge with the aim to overcome protective planning rules in a way not open to existing residents.
- The Applicant does not mention himself having Traveller status.
- The Applicant states that he has had permanent employment in Chatham in the family firm for eight years, his mother-in-law no longer Travels and his partner is also settled although occasionally takes Traveller associated holidays.
- The family unit appears to be in reality not Travelling but settled. They must currently reside somewhere in the wider area but where they are living presently has not been stated.
- The desire expressed to live in static caravans appears to be aimed at circumventing planning restrictions.
- The family would do just as well in an existing conventional property with parking for the stored touring caravans. We would be pleased to otherwise welcome them to Shorne on that basis.

Traveller site characteristics:

- Just as shortfall of housing targets was disregarded for opportunistic dwelling unit applications being permitted on this plot, the same applies as regards opportunistic Traveller sites.
- Traveller sites are usually larger and in countryside areas having an open feel, with room for expansion and close to other Travellers in a close-knit community rather than in isolation on a physically constrained site adjacent to a standard settlement and close to other settled housing.

Traveller statistics, in Gravesham and the wider area:

- The 2021 Census reported that 71,440 people identified as Travellers (overall 0.12% of the usual resident population of England and Wales).
- However, nearly a quarter (24.2%) of people who so identified lived in the South East compared to 15.6% of the general population.
- Figures by lower tier local authority (LTLA) show that the percentage of all Travellers increases with distance from more built-up areas such as London Boroughs, which have less land available, however the same is true for Gravesham which has a high level of protected Green Belt land compared to LTLA's further out.
- The figure for Gravesham is 0.47% (68th out of 329). The highest in Kent and Medway is 1.44% for Maidstone (2nd/329) with 1.08% for Medway (8th/329) and 1.30% (5th/329) for Swale.
- In the face of such high figures locally we consider the suggestion that Gravesham needs to regardless accommodate a greater number of travellers/sites, as local provision is inadequate, to be demonstrably redundant. There could be an equal argument that Kent and Medway as a whole, and particularly the adjacent boroughs, already host more than the national share. Like housebuilding targets, Traveller numbers should also be shared between LTLA's.
- The figures also show that nearly 80% of Travellers actually live in ordinary housing stock, only 21.6% living in "a caravan or other mobile or temporary structure". Choosing to live in a static caravan is by no means the commonest choice.

Connection to Shorne (or Gravesham), School admission, health services:

- The Applicant and his family do not apparently have any existing links to Shorne or to Gravesham, or a business address within the Borough. The applicant's business operates in the Medway Towns rather than Gravesham.
- While local connection is not a requirement, it remains unclear to local residents as to why this particular plot in Shorne has been chosen, as in reality the family could live anywhere and there are much more suitable locations in the wider area for this kind of proposal.
- Although there may be hope for the children to attend Shorne School when they are old enough, the School is oversubscribed and places are not guaranteed for locally resident children as, among other considerations, distance criteria are applied. This site is 1km from the school as the crow flies.
- Regardless, even with a firm offer of a place (evidence of having applied might be requested), no weight can be given to this aspect of the application as the children will require vehicular transport to the school so could live anywhere and be taken to any school in any area.
- It should be noted that the Appeal for Ref 20200554 was dismissed regardless of children living on a site as Green Belt status of the land was considered of paramount importance.

- Shorne only has a part-time Doctor's Surgery nowadays, access to the full range of services is also non-sustainable as it requires a vehicular journey to Istead Rise.

Opinions of local residents:

- A considerable number of objections from local residents have been submitted to GBC that are against this application and which demonstrate very high levels of community concern.
- Local opposition has been greatly heightened by the Applicant's recent actions in undertaking engineering works and moving a static caravan onto the site without planning permission.

Summary:

Shorne Parish Council **OBJECTS STRONGLY** to this application as detailed above. We cannot envisage any circumstances whereby this application could be deemed acceptable/permissible, even if the strongest possible Conditions were to be attached.

We strongly urge Gravesham Borough Council to refuse permission. Should there be any element of doubt then the application must be called in to the Regulatory Board for further discussion and final decision.

Appendix A: Past planning applications and outcomes:

- 19750434 Application for 2 dwellings, Refused and Appeal Dismissed
- 19770771 Application for 2 dwellings, Refused
- 19780587 Use of land as a “Bat and Trap” pitch associated with the Public House, Permitted
- 19850208 Use of land as an extension to the adjoining public house for use as a garden area and a “Bat and Trap” pitch, Permitted
- 19900655 Application (outline) for 2 detached dwellings with garages and formation of associated vehicular access onto a classified road, Refused and Appeal Dismissed
- 20120693 Application (outline) for detached dwelling and garage, Refused, Appeal Dismissed, Appeal quashed in High Court, Appeal redetermined as Dismissed, further High Court case no change.
- 20200339 Application (outline) with some matters reserved for 2 dwellings, Refused and Appeal Dismissed.