

PLANNING STATEMENT

PLANNING STATEMENT

Proposed single, self-build dwelling

Land adjacent to 2 Gore Green Road, Higham

Messrs S and C Milner

December 2025

OUR REF: 1109.01.RPT M25

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Appendix 1	1933 OS plan
Appendix 2	2010 application plans

Introduction

Section 1

- 1.1 This planning statement is prepared by Tetlow King Planning on behalf of Messers Miner and Milner (hereafter referred to as the '**Applicant**') to accompany the planning application for a single detached self-build dwelling (hereafter referred to as the '**Proposed Development**') on land adjacent to 2 Gore Green Road, Higham (hereafter referred to as the '**Application site**').
- 1.2 This statement provides a background to the proposals, together with a description of the site and surroundings. The Statement demonstrates the planning merits of the proposals, having regard to relevant National and Local Planning Policy and other important material considerations upon which it is considered this application should be determined, in addition to details of the development, design and access considerations and the key planning issues and from this draw our conclusions in support of the proposal.
- 1.3 A design code has been prepared that also acts as a Design and Access Statement when read in conjunction with this planning statement.

Scope of supporting information

- 1.4 This statement should be read alongside the following plans and documents which have been submitted with this application:
- LAGGC2511.01 Existing Site Plan and Location Plan
 - LAGGC2511.02 Proposed Ground Floor
 - LAGGC2511.03 Proposed Elevations
 - LAGGC2511.04 Proposed Roof Plan
 - LAGGC2511.05 Contextual Elevations
 - LAGGC2511.07 Proposed Site Plan
 - Planning Application forms and ownership certificates
 - Custom and Self-build Delivery Statement Template
 - Planning Statement
 - Design and Access Statement
 - Preliminary Ecological Appraisal & Reptile Report
- 1.5 This planning statement is set out in a total of 6 sections:

- Section 2 sets out the context of the site and its surroundings as well as the sites planning history
- Section 3 sets out the details of the proposals
- Section 4 sets out the planning policy context and explores other material considerations;
- Section 5 sets out the planning considerations for the application cross referencing the proposals against the planning policy context and other material considerations; and
- Section 6 concludes that the proposals are supported by planning policy and therefore the application should be approved.

Site & Surroundings

Section 2

The Site & Surroundings

- 2.1 The application site lies outside of the defined village boundary of Lower Higham and between existing residential properties of no.2 Gore Green Road (to the west) and the property now known as Yew Tree Lodge but formerly called 'Sharanda' (to the east).
- 2.2 No's 1 and 2 Gore Green Cottages are semi-detached 2 storey dwellings whilst Yew Tree Lodge is a single storey bungalow. The properties further west of Gore Green Cottages are also single storey bungalows.
- 2.3 On the opposite side of Gore Green Road are a further pair of semi-detached 2 storey dwellings (no's 12 and 14) with bungalows heading further west towards the junction with Sandhill Lane.

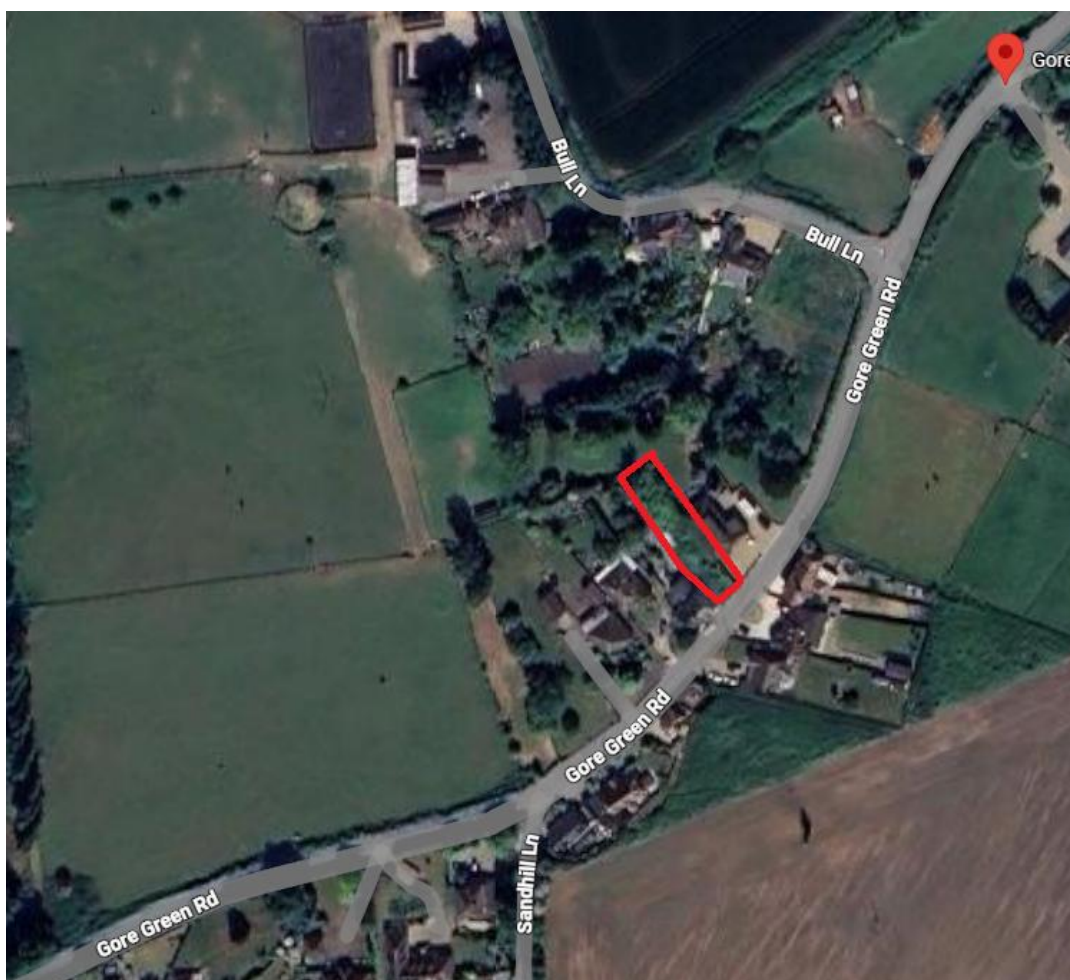


Figure 2.1 Aerial image (source: Google)



Figure 2.2 Street View image (source: Google)

- 2.4 Gore Green Road connects to the west with Lower Rochester Road and then onto Chequers Street to get into Higham.
- 2.5 Higham railway station is 750m to the south west of the site, whilst the nearest bus stop is on Chequers Street approximately 450m to the west.

Planning History

- 2.6 The online planning system provides the following information relevant to the application site:

Ref.	Description	Decision
20100186	Erection of detached two bedroom bungalow with two car parking spaces at the front.	Refused
20070931	Erection of a detached three bedroom bungalow.	Refused
20060168	Outline application for the erection of a detached dwelling.	Refused
19880185	Outline application for the erection of a detached dwelling.	Refused. Appeal dismissed
19740329	Outline application for erection of four bungalows at land fronting.	Refused

Planning Policy Designations

- 2.7 The extract below from the proposals map identifies the immediate area of the application site in the red circled area. The site therefore is shown outside of the settlement boundary and outside of the conservation area both in terms of location and setting.

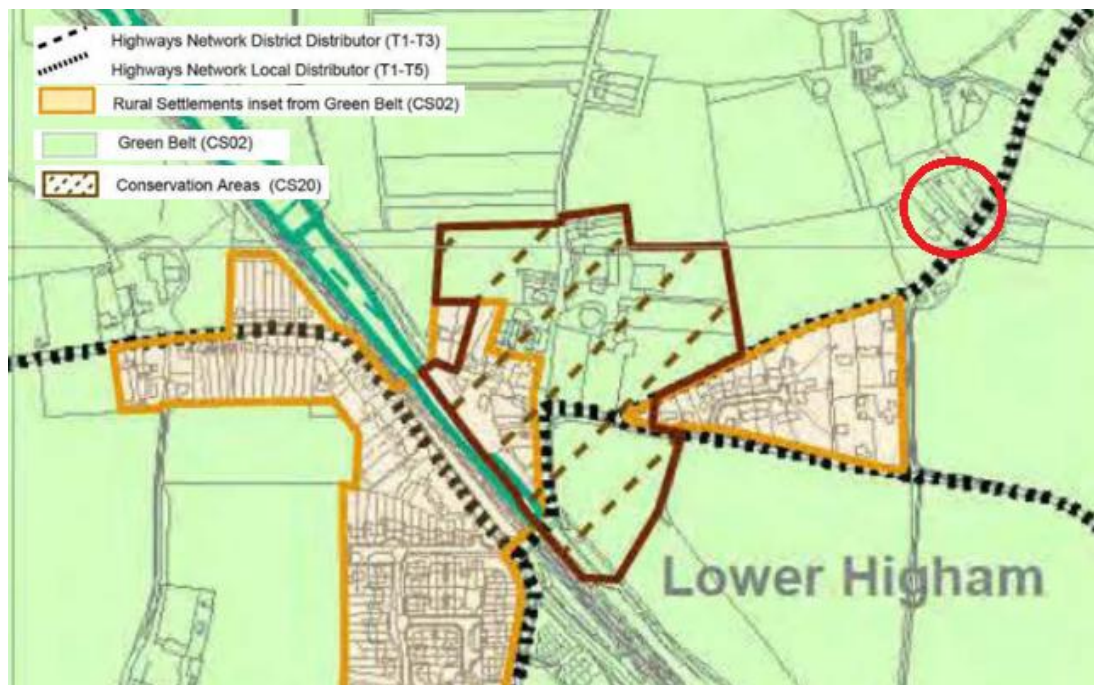


Figure 2.3 Adopted Proposals Map extract

Development Proposals

Section 3

Built Development

- 3.1 The application proposes a single storey bungalow to the front of the plot, with an outbuilding to the rear in the same location as the current outbuilding.
- 3.2 The proposed bungalow is shown to have two bedrooms, a family bathroom and a spacious combined kitchen/dining/living room to the rear of the property opening out to the main garden.

Landscape

- 3.3 Paved patios are proposed to the side and rear of the property linking the parking area to the front, through to the landscaped gardens to the rear.
- 3.4 The landscape plans indicate a central lawn with mixed shrub planting along both borders leading to a wildflower area to the rear of the plot.

Highways

- 3.5 The proposal includes provision for 2 external parking spaces.
- 3.6 EV charging would be provided along with separate secure cycle storage

Servicing Arrangement

- 3.7 Being a custom and self-build proposal, a service corridor will be provided with connection points ensuring that all necessary infrastructure connections are provided.

Planning Policy Framework

Section 4

- 4.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 the application should be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.2 The Development Plan currently in force for this area, against which the proposals will be considered, comprises:
- Gravesham Local Plan Core Strategy (2014)
 - Saved Policies of the Gravesham Local Plan First Review (2014).
- 4.3 Other material considerations include:
- The National Planning Policy Framework (the NPPF) and;
 - The National Planning Practice Guidance (NPPG) are also important material considerations.

Development Plan Policy

Core Strategy

- 4.4 The Local Plan Core Strategy (hereafter LPCS) was adopted in 2014 and sets out the Council's strategic policies and proposals for the development and use of land within the Borough up to the period of March 2028.
- 4.5 The following policies are considered to be relevant in the context of this proposal and are considered in further detail in section 5 of this statement:
- *Policy CS01 - Sustainable Development* - This policy merely reaffirms the application of the approach to sustainable development as set out in the Framework.
 - *Policy CS02 Scale and Distribution of Development* - This policy seeks to ensure that at least 6,170 new dwellings are delivered in the Borough in the period up to 2028. It confirms that new development will be delivered by ensuring effective use of previously developed land and focussing development in the most sustainable locations, whilst preserving the openness and maintaining the local and national purposes of the Green Belt and protecting it from inappropriate development.

- *Policy CS10 Physical and Social Infrastructure* – This policy states that the Council will support proposals that protect, retain or enhance existing physical and social infrastructure or that lead to the creation of additional infrastructure that improves the well-being of the community. Where there is threat of loss of existing infrastructure, consideration will be given to the viability and whether sufficient alternative provision is available. Additionally, all new development is expected to make the most efficient use of new and existing infrastructure.
- *Policy CS11 Transport* – refers to the potential impact on highways and the public transport network, caused by new developments and the importance of mitigating that impact using appropriate measures. It recognises the importance of providing sufficient parking in accordance with adopted parking standards. It also explains how the Council will support proposals which improve public transport provision and lead to improvements in walking and cycling facilities.
- *Policy CS12 Green Infrastructure* - states there will be no loss of biodiversity in the Borough, with emphasis being given to designated sites.
- *Policy CS14 Housing Type and Size* - indicates that the Council will protect the mix of housing in the existing housing stock, while new housing is expected to provide a range of dwelling types, taking into account the existing character and local need of an area, in order to secure sustainable and balance communities.
- *Policy CS18 Climate Change* - sets out a number of issues and procedures that developments need to address and confirm in order to reduce the impacts of climate change. The Council will require the use of Sustainable Urban Drainage Systems on all developments where technically and financially feasible.
- *Policy CS19 Development and Design Principles* - states that new development will be visually attractive, fit for purpose and locally distinctive. It also states that development should conserve and enhance the character of the local built, historic and natural environments, integrate well with the surrounding local area and meet anti-crime standards.

4.6 In accordance with the provisions of the Framework, a strategic review of the Core Strategy was undertaken in September 2019.

4.7 The review confirmed that policy CS02 would require modification to reflect the objectively assessed development needs noting that to review the development strategy and Green Belt boundaries requires assessment through the Plan making process.

- 4.8 The review considered that although policy CS12 was slightly out of conformity with the Framework in that it now requires net gains in biodiversity there was no requirement to modify the policy as the Framework is a material consideration.

Gravesham Local Plan 1st Review (1994)

- 4.9 The Local Plan 1st Review (LP) was adopted in 1994 and many of its policies were saved until subsequently superseded by the LPCS.

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

Material Considerations

- 4.10 The NPPF sets out the Framework for ‘plan making’ and ‘decision taking’ for all planning policy in England. The most recent version was published in December 2024. Throughout the NPPF there is a presumption in favour of sustainable development.

- 4.11 At the heart of the NPPF is a presumption in favour of sustainable development, encompassing social, economic, and environmental roles. The approach to sustainable development involves making the necessary decisions now to realise the vision of stimulating economic growth, maximising wellbeing, and protecting our environment, without negatively impacting on the ability of future generations to do the same. Paragraph 8 of the NPPF states that under this approach, planning is expected to deliver:

- a strong, flexible, and sustainable economy, by ensuring that sufficient land of the right type, and in the right places, is available to allow growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure (Economic role);
- protection and enhancement of our natural, built, and historic environment, prudent use of natural resources and actions to mitigate and adapt to climate change, including moving to a low carbon economy (Environmental role);
- strong, vibrant and healthy communities, by providing an increased supply of housing to meet the needs of present and future generations; and by creating a good quality built environment, with accessible local services, that reflects community needs and supports well-being (Social role).

- 4.12 The NPPF requires Local Planning Authorities (LPA) to positively meet the development needs of their area, and further states that developments that accord with an up-to-date local plan should be approved (paragraph 11).
- 4.13 However, where there are no relevant development Plan policies, or the policies which are relevant for determining the application are out-of-date, paragraph 11(d) would be engaged.
- 4.14 Paragraph 11(d) is clear that in these circumstances planning permission should be granted unless the Framework provides a clear reason for refusing the development or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 4.15 Section 5 focuses specifically on delivering a sufficient supply of homes. Paragraph 61 reaffirms the Government's objective of "*significantly boosting the supply of housing.*"
- 4.16 Paragraph 63 notes the importance to meeting the needs of all groups in the community including "*people wishing to commission or build their own homes.*" This now includes footnote 28 which states:
- "Under section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under sections 2 and 2A of that Act to have regard to this and to give enough suitable development permissions to meet the identified demand. Self and custom-build properties could provide market or affordable housing."*
- 4.17 Chapter 9 seeks to promote sustainable transport. Paragraph 116 states that developments should only be prevented on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.18 Chapter 11 places emphasis on planning policies and decisions to promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 4.19 Chapter 12 concerns, achieving well designed places and confirms that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve.

- 4.20 Section 13 of the NPPF provides the policy guidance in relation to the protection of Green Belt Land. Paragraph 142 states that the Government attaches great importance to Green Belts noting:

“The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. It is of great importance and the fundamental aims of Green Belt policy is to prevent urban sprawl by keeping land permanently open and recognises that the essential characteristics of Green Belts are their openness and their permanence.”

- 4.21 Paragraph 143 sets out the five purposes of Green Belt land, which are:

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

- 4.22 Paragraph 153 of the NPPF acknowledges that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 continues to state that Local Authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very Special Circumstances’ will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

- 4.23 The NPPF goes on to inform the determination of whether any particular development in the Green Belt is appropriate or not, by stating in paragraph 154 that “a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt”. It does however set out eight exceptions to this, including:

*“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), including buildings, 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...

4.24 This revised NPPF introduces the concept of Grey Belt land, which is defined in Annex 2 as being:

“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.”

4.25 This is relevant in the context of the new paragraph 155 stating:

“The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:

- 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 proposed⁵⁶;*
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework⁵⁷; and*
- d. Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below.”*

4.26 Footnote 56 states:

“Which, in the case of applications involving the provision of housing, means the lack of a five year supply of deliverable housing sites, including the relevant buffer

where applicable, or where the Housing Delivery Tests was below 75% of the housing requirement over the previous three years;”

- 4.27 Paragraph 180 confirms that the planning system should contribute to and enhance the natural and local environment by, amongst other things, protecting and enhancing valued landscapes, and minimising impacts on and providing net gains in biodiversity.

National Planning Practice Guidance

- 4.28 Alongside the publication of the revised NPPF the government also updated the Green Belt section.

- 4.29 The updated PPG section notes:

“Where a site is judged to be grey belt, and to not fundamentally undermine the purposes of the remaining Green Belt across the plan area if released or developed, wider considerations will still be relevant to the consideration of development proposals on the site. These would include determining whether the development would not be inappropriate development in the Green Belt, as set out in paragraph 155 of the NPPF. That question would include consideration of whether a development is sustainably located, whether it would meet the ‘Golden Rules’ contributions (where applicable), and whether there is a demonstrable unmet need for the type of development proposed.

Where a development is not inappropriate in the Green Belt, this does not itself remove the land from the Green Belt nor require development proposals to be approved. In accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004, wider policies and considerations apply, including those in the area’s adopted Plan, and in the NPPF read as a whole.” (Paragraph: 010 Reference ID: 64-010-20250225)

- 4.30 It also helpfully provides guidance on how to assess harm to openness where development is not inappropriate, noting:

“Footnote 55 to the NPPF sets out that if development is considered to be not inappropriate development on previously developed land or grey belt, then this is excluded from the policy requirement to give substantial weight to any harm to the Green Belt, including to its openness.

This is consistent with rulings from the courts on these matters that, where development (of any kind, now including development on grey belt or previously developed land) is not considered to be inappropriate in the Green Belt, it follows

that the test of impacts to openness or to Green Belt purposes are addressed and that therefore a proposal does not have to be justified by ‘very special circumstances.’” (Paragraph: 010 Reference ID: 64-014-20250225)

Emerging Local Plan

- 4.31 The Council's LDS published in February 2025 envisaged publication of the pre-submission version in July 2025 and then submission of the document in December 2025 for examination to commence in May 2026. Despite that published position little progress appears to have been made with a new plan. Whilst the LPCS was indeed reviewed in 2019, that review itself is now more than 6 years old such that no progress has been made to replace the 2014 document.

Planning Considerations

Section 5

- 5.1 This section of the statement provides a justification for the proposal having regard to the relevant planning policy background, the character of the local area and the site's planning history.

Land use considerations

Principle of Development

- 5.2 The application site is located within the green belt (the implications of which are considered in detail below) as detailed on the proposals map extract included above.
- 5.3 Although within the Green Belt, the site sits between existing residential development to the south, east and west. Whilst Gore Green Road itself has no surfaced pavements or street lighting, a bus stop and railway station are both located within an 800m distance of the site. In terms of location, the site is therefore considered to be sustainable for the purposes of the development.
- 5.4 However, the site nevertheless remains in the Green Belt such that there may be a clear conflict with national and local policy by reason of inappropriate development. Inappropriate development is, by definition, harmful to the Green and should not be approved except in very special circumstances. paragraph 148 of the NPPF states:

“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

- 5.5 The situation with regard Green Belt has of course changed following publication of the 2024 version of the NPPF. Paragraph 153 states:

“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness⁵⁵. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ‘Very special circumstances’ will not exist unless the potential harm to the Green

Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

Footnote 55 states:

“Other than in the case of development on previously developed land or grey belt land, where development is not inappropriate.”

- 5.6 Further, paragraph 154 of the Framework sets out exceptions whereby development is not inappropriate in the Green Belt. One of these exceptions is the partial or complete redevelopment of previously developed land which would not cause substantial harm to the openness of the Green Belt.
- 5.7 It is of course therefore entirely relevant to determine whether the site should be deemed PDL, having regard to the definition as set out in Annex 2 of the NPPF.
- 5.8 An extract from a 1933 OS plan (the full plan is included as [Appendix 1](#)) clearly shows that the application site contained one of the former terraced cottages that would have linked with 2 Gore Green Cottages and numbered a total of 5 properties.

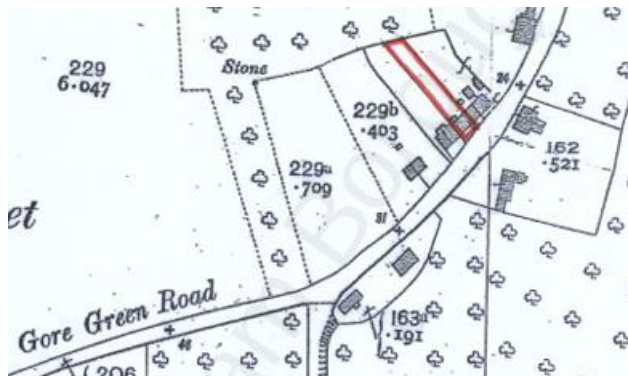


Figure 5.1 Extract of 1933 OS map

- 5.9 A historic image showing those cottages has been sourced from the Higham Village history group ([highamhistory - buy prints & digital downloads](#)) showing the former cottages on the right and being clad with weatherboard, whilst on the left hand side of the image the remaining cottages of no's 12 and 14 are visible.



Figure 5.2 Historic image of Gore Green Road properties

- 5.10 You can easily note that the row of cottages to the right was larger than those remaining now by looking at the comparison image now from street view where the separation distance between properties is significantly larger.



Figure 5.3 Present street view of Gore Green Road properties

- 5.11 Quite when the properties east of 2 Gore Green Cottage were demolished or destroyed is unclear, save to note that by 1960 the properties were gone.
- 5.12 What remains on the application site are the foundations of the former property as evidenced by photographs taken by the applicant as part of the routine clearance works of vegetation on the site.



Figure 5.4 Image of previous foundations evident on site



Figure 5.5 Image of previous foundations evident on site



Figure 5.6 Image of previous foundations evident on site

- 5.13 The previous existence of a dwelling on site and the remains of those foundations means that, under the terms of definition set out in Annex 2 of the NPPF, the site should be capable of being deemed PDL.
- 5.14 If it is accepted that the site does indeed constitute previously developed land, then the principle of development is not automatically deemed inappropriate, and thus very special circumstances are not required to justify it. However, we then must consider the proposals in the context of paragraph 154 and whether they would cause substantial harm to the openness of the Green Belt.
- 5.15 In accordance with the PPG (paragraph 013 Reference ID: 64-013-20250225), when assessing the impact on openness it is necessary to assess the specific circumstances of the case considering spatial and visual effects in addition to the degree of activity generated by the proposals.
- 5.16 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and the essential characteristics of Green Belts are their openness and their permanence. Openness in terms of the Green Belt is well known as having a spatial aspect as well as a visual aspect.
- 5.17 It is accepted that the proposed dwelling would result in a substantial and permanent built form where there presently is none. In spatial terms, this would result in a substantial loss of openness.

- 5.18 Due to the location of the site and the adjoining residential development, it is considered that the harm to openness and encroachment is mitigated to some extent by the site's visual containment being nestled between residential development to the east, west and south with further development to the north on Bull Lane. The application site is therefore viewed in the context of built development and rooflines clearly visible from further distance such that a dwelling on the application site itself would not significantly harm openness.

Grey Belt matters

- 5.19 Of course, the above is all predicated on the proposals being assessed in the light of the traditional Green Belt designation, and not in regard to paragraph 155 where Grey Belt is now introduced.
- 5.20 The grey belt is a new term but considered to be appropriate in this case given that we deem the site to meet the definition both by reason of being PDL as well as due to the site "*not strongly contributing to any of purposes (a), (b) or (d) in paragraph 143.*"
- 5.21 The rationale for the assessment against the purpose of paragraph 143 is thus set out below in the context of this application.

a) to check the unrestricted sprawl of large built-up areas;

- 5.22 The application site does not meet the definition of being a large built-up area and even if it were met, development of this site would not of itself result in unrestricted sprawl as it would otherwise meet the definition of infill development.

b) to prevent neighbouring towns merging into one another;

- 5.23 The application site falls outside of the settlement boundary, however in any case Lower Higham is a village and not a town such that this purpose cannot be conflicted as a matter of fact. We know this when having regard to the Green Belt Planning Practice Guidance, which is clear that villages are not to be considered large built up areas (that the 143 a test not being met) and that as such cannot be relevant to the context of 143 b) either regarding neighbouring towns merging.

c) to preserve the setting and special character of historic towns

- 5.24 The application site falls outside of the defined conservation area boundary within Lower Higham, however again even if within Lower Higham is a village and not defined as a historic town.

- 5.25 Thus, on any reasonable conclusion, the site must be deemed Grey Belt under either assessment of the definition set out in Annex 2. Under such circumstances it would be necessary to consider the scheme against the requirements of paragraph 155 of the NPPF.
- 5.26 As demonstrated above, the development of the site would not “*fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan*” given that the only conflict would be in regard to encroachment which is expressly discounted from Grey Belt considerations.
- 5.27 The terms of paragraph 155 b) require a case to be advanced that there is a demonstrable need for the proposed development.
- 5.28 The Council’s latest published Housing Supply Statement deals with the period 2024-2029 and was published in February 2025. It confirms that the annual housing requirement is shown to be 672dph meaning a five year requirement of 3,360 dwellings without applying the appropriate buffer.
- 5.29 Given the performance of the council in regard the Housing Delivery Test (that being only meeting 59% of the requirement) the 20% buffer is applicable such that the housing figure increases to 4,032 dwellings, and a presumption in favour of sustainable development.
- 5.30 The Council’s own assessment indicated a maximum supply of 2,429 dwellings equivalent to approximately 3 years supply.
- 5.31 Therefore, the proposed development, although minor, would still contribute towards fulfilling the Borough’s need for housing.
- 5.32 The Self-Build and Custom Housebuilding Act 2015 introduced a duty on local authorities to keep a register of individuals, and associations of individuals, who wished to acquire serviced plots of land to bring forward for SBCH projects. Councils are required to have regard to those registers when carrying out planning functions. The Housing and Planning Act 2016 further provides that local planning authorities must give suitable planning permissions to meet the demand for SBCH. The Planning Practice Guidance adds that these registers are likely to be material considerations in decisions involving proposals for SBCH.
- 5.33 Given that a significant amount of the borough is covered by Green Belt (the figure stated to be 77.4%) it seems inevitable that some of the demand for SBCH will have

to be met in large part through smaller allocated and windfall sites on sites within the Green Belt.

- 5.34 In such a scenario, and against an acknowledged shortfall, the proposals for a SBCH plot, which would be secured through a submitted UU if required in addition to the application form, must merit very significant favourable weight in the planning balance.
- 5.35 As identified above, there is a demonstrable need not only for market housing relative to the five-year supply of housing land, but also specifically for custom and self-build housing.
- 5.36 The site is also considered to be in a sustainable location having regard to paragraphs 110 and 115.
- 5.37 The proposals therefore fully accord with the Grey Belt tests as set out through paragraph 155, noting of course that the proposals are not considered to be impacted by either paragraph 156 or 157 of the NPPF to need to meet the 'Golden Rules'.

Green Belt Considerations

- 5.38 Of course, should the council fail to agree that the proposals meet the Grey Belt definition then the proposals must be considered in the context of the traditional green belt assessment.
- 5.39 Having regard to the PDL status, it may be advanced that the proposed development would sit within the terms of 154 g) being:

“limited infilling or the partial or complete redevelopment of previously developed land...which would not cause substantial harm to the openness of the Green Belt.”

- 5.40 Failing that, if it is deemed that the site does not meet Grey Belt and is also deemed inappropriate development (that is to say not accepted under paragraph 154 g) then we advance that there are Very Special Circumstances that would otherwise support the application.
- 5.41 The definition of what amounts to 'very special' is undefined in planning policy, however it has been established that they do not have to amount to anything more than commonplace or rare. Furthermore, it is not necessary for one single consideration to be of sufficient weight on its own given that a composite set of considerations may be considered. The considerations should be particular to the circumstances of the case i.e., this proposal on this site at this time, although they need not be absolutely incapable of being repeated elsewhere.

5.42 The headline very special circumstances relating to the proposed development are:

(i) Meeting general needs housing

5.43 As set out above in the context of the Grey Belt, the Council's own assessment indicates a maximum supply of 2,429 dwellings equivalent to approximately 3 years supply.

(ii) Meeting specialist custom and self-build housing

5.44 As also set out above in Grey Belt context, there is a need for additional Self-Build and Custom Housebuilding such as to amount to a VSC.

(iii) Limited impacts

5.45 Whilst there would be visual and spatial harm to openness, given the specific characteristics of the site there would not be significant harm to landscape character of the immediate area, nor would the development cause any adverse impacts on existing open views when seen from neighbouring residential areas. The proposed scheme would be viewed against the backdrop of the surrounding built development such that there would be no defined harm on its own.

(iv) Conclusion

5.46 The benefits in respect of additional housing and economic activity attract limited weight given the scale of the development proposed. However, for the reasons set out above, the provision of an additional SBCH dwelling in the face of a shortfall in delivery of such housing against statutory requirements, is considered to be a matter of overriding weight and considered to amount to very special circumstances.

5.47 Given this conclusion, the proposal would accord with national policy set out in the Framework and the general approach to development in the Green Belt as set out in the LPCS.

Design

5.48 The NPPF sets out clearly at paragraph 131 that:

"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve."

5.49 The supporting Design and Access Statement establishes the design principles for the development and how this proposal will relate to the surrounding area. On this point it should also be noted that the proposed design is very similar in overall appearance to

that of a previous 2010 application (copies of those elevations are included as Appendix 2), which although refused on an in principle Green Belt objection, had no concerns expressed about the design being unsympathetic to the surroundings.

Layout and impacts on character and appearance

- 5.50 The proposed dwelling has been positioned on site to maximise the potential for appropriate landscape planting site whilst also allowing for provision of appropriate amenity space along with the necessary parking provision.

Scale and height

- 5.51 The supporting plan set out the proposed floorplans elevations, and provide a street scene context, ensuring that the overall scale is in keeping with the wider surroundings.
- 5.52 As with the overall design, when the 2010 application was refused there were no grounds on the basis of the development being unacceptable in regard to its scale or height comparative to its surroundings. As described in section 2 of this statement, the proposed scale is very much in keeping with the immediate area which is more of a single storey nature.

Appearance

- 5.53 The supporting Design and Access Statement explains the design rationale for the self-build property relative to its surroundings. The general materials palette is also identified.

Amenity and landscape considerations

- 5.54 Consideration has been given to soft landscaping in order to ensure that the proposed development would provide an aesthetically pleasing effect, whilst safeguarding the visual character of its immediate surroundings.
- 5.55 Existing landscaping to the rear of the site is to be retained where possible, with soft landscaping consisting of vegetation that can be found locally, dealt with through the imposition of appropriate planning conditions. This is to ensure an adequate sense of separation is achieved amongst the existing and the proposed, thus eliminating any privacy and overlooking concerns between properties.
- 5.56 Having regard to the nature of the proposed use and the separation distances to neighbouring properties we do not consider that the proposal will have any significant impact on residential amenity in terms of sense of overlooking, overshadowing or loss of daylight/sunlight.

Ecology

- 5.57 A Preliminary Ecological Appraisal (PEA) was carried out on the site in August 2025 along with a baseline ecological survey. Section 4 of the report provides the overall conclusions of the report and notes that:
- The proposals will not impact on any designated sites;
 - No impacts are expected on great crested newts;
 - No impacts are expected on reptiles;
 - Although the site has suitable habitats for breeding birds no survey is required;
 - No impacts are expected on hazel dormice;
 - No impacts are expected on badgers; and
 - No impacts are expected on bats.
- 5.58 Notwithstanding that the PEA stated no reptiles were present, in October a reptile report was provided that related to surveys undertaken throughout August and September. That report confirmed that following surveys no reptiles were located on site such that no mitigation measures are required.
- 5.59 The PEA was prepared whilst the proposals had not been finalised such that it was not known at that point that the proposals would be for custom and self-build housing and therefore exempt from the statutory BNG measures.
- 5.60 The PEA identified potential enhancements on site post development, including the following:
- Provision of integrated 'swift bricks' in new buildings (as these are often occupied by other small cavity-nesting birds). A ratio of at least two per residential dwelling is generally accepted now as good practice (see BS 42021:2022). It is suggested better to install them in small groups of 2/6 approx. one metre+ apart in suitable locations at a minimum height of 4 metres (5 metres is better).
 - Provision of integrated bat boxes on new buildings or bat boxes on retained mature trees.
 - Establish climbing plants on walls and other vertical structures.
 - Establish wildflower plug/bulb planting in amenity grassland and private gardens.
 - Planting of trees, with species suitable for planting in gardens, such as birch and rowan.
 - Establish Fruit Espaliers.

- 5.61 These matters are all capable of being secured through a suitable requirement for a detailed landscape scheme to be approved by way of condition.

Highways

- 5.62 It is considered that the level of traffic generated from movements associated with the new dwelling would not be of any significance. 2 external parking spaces are indicated in line with the adopted parking standards.

Drainage

- 5.63 The site lies within Flood Zone 1 and is therefore outside of any fluvial flood zones. Furthermore, the EA flood map indicates that the application site is at very low risk of surface water flooding.
- 5.64 In accordance with the published guidance relating to when Flood Risk Assessments are required ([Flood risk assessments: applying for planning permission - GOV.UK](https://www.gov.uk/government/publications/flood-risk-assessments-applying-for-planning-permission)) this application is not required to provide this information.
- 5.65 The proposed development will seek to adopt SuDS techniques with the overall drainage system designed to incorporate the 1 in 100 year period plus a 40% allowance for increased rainfall intensity as a result of climate change. It is proposed that the detailed drainage design and subsequent management plan are the subject of appropriately worded planning conditions.
- 5.66 In summary the proposals are considered to be acceptable in drainage terms.

Planning Balance

- 5.67 The proposal would amount to inappropriate development as set out in the Framework, which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The proposal would lead to a moderate loss of openness to the Green Belt. The Framework directs that substantial weight should be given to the harm to the Green Belt.

Conclusion

Section 6

- 6.1 This planning application seeks planning permission for the erection of a self-build property on land adjacent to 2 Gore Green Road, Higham.
- 6.2 Section 38(6) of the Planning & Compulsory Purchase Act 2004 (the “2004 Act”) confirms that planning applications should be determined in accordance with the development plan unless material circumstances dictate otherwise.
- 6.3 The proposed redevelopment of this sustainable site represents a carefully considered scheme that makes the best use of the land. The proposed layout and scale of the proposed development seeks to respond positively to site constraints. The nature of the use, as well as the scale, siting and orientation of the proposed building seeks to respect the amenity of prospective residents.
- 6.4 The scheme incorporates adequate provision for access and parking. The quantity of amenity space is generous and will be designed to be of a high quality, while the level of car parking provides a balance between meeting the demands of the proposed development whilst at the same time the proximity to public transport connections.
- 6.5 This application is advanced on the premise that the site represents PDL as defined by Annex 2 of the NPPF. It is then advanced that the development is not inappropriate in the first instance by reason of compliance with paragraph 154 g). On that basis, having regard to footnote 55, there would be no harm to openness, and the development is otherwise acceptable noting no other conflicts with development plan policies or harm.
- 6.6 As an alternative, we advance that the site is also capable of being deemed Grey Belt and otherwise in accordance with the terms of paragraph 155 thus acceptable given no other conflicts with development plan policies or harm.
- 6.7 Finally, if all of the above fail, we have set out why we consider the very special circumstances test set out under paragraph 153 is met.
- 6.8 We therefore respectfully request that planning permission be granted for the proposed development.

Appendix 1

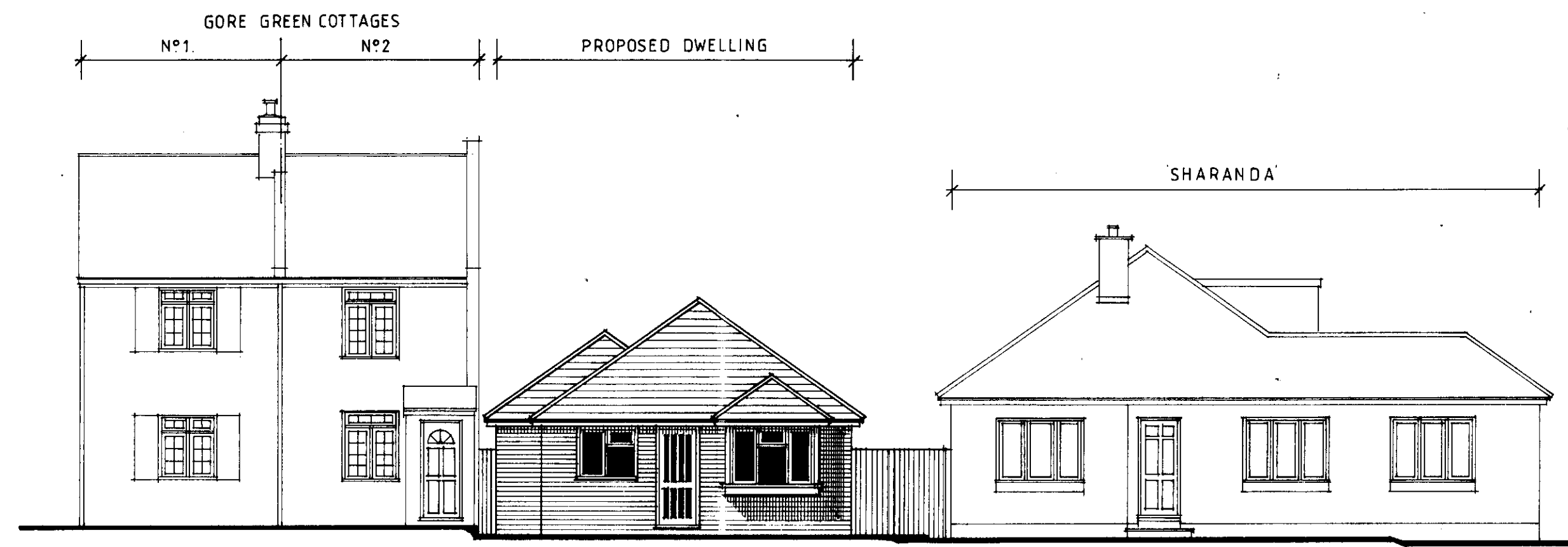
1933 OS plan



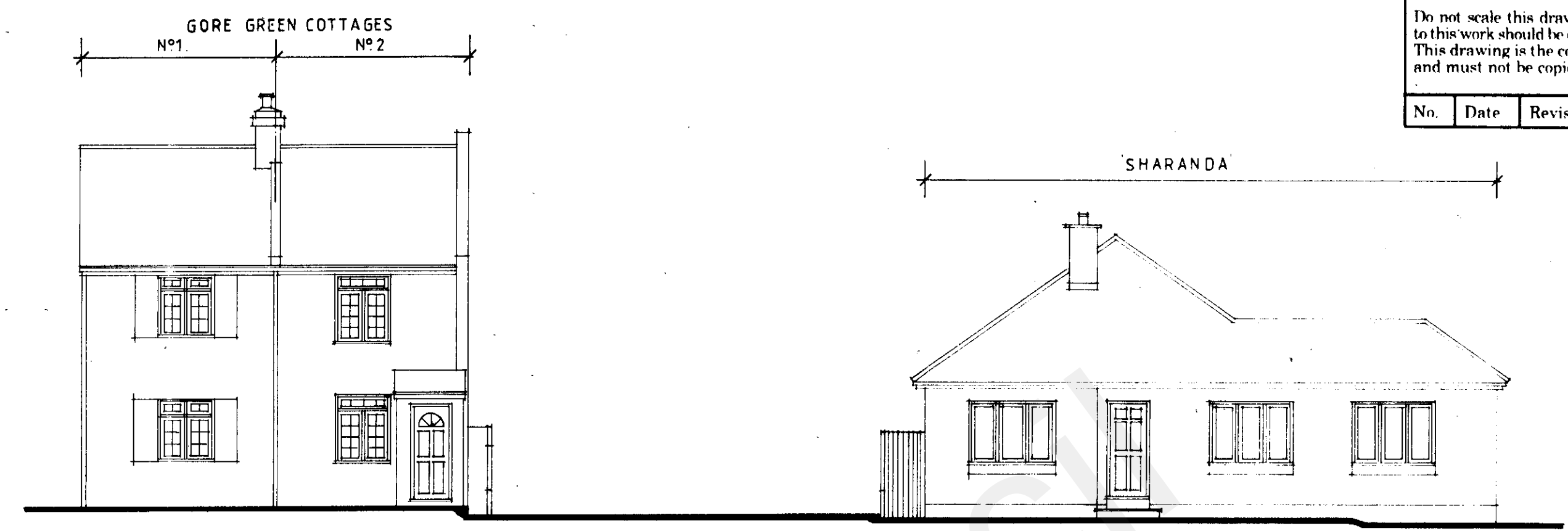
Appendix 2

2010 application plans

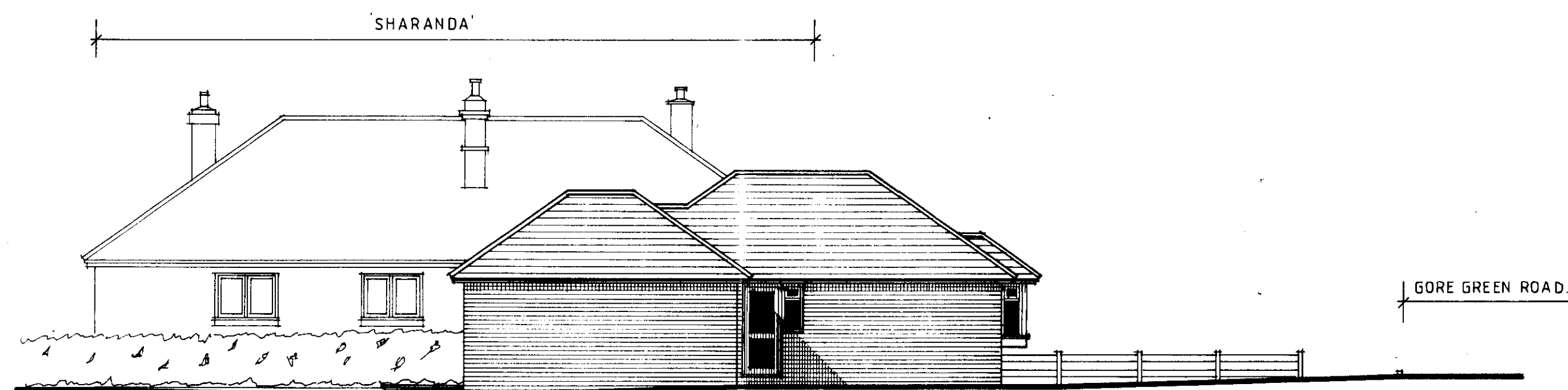




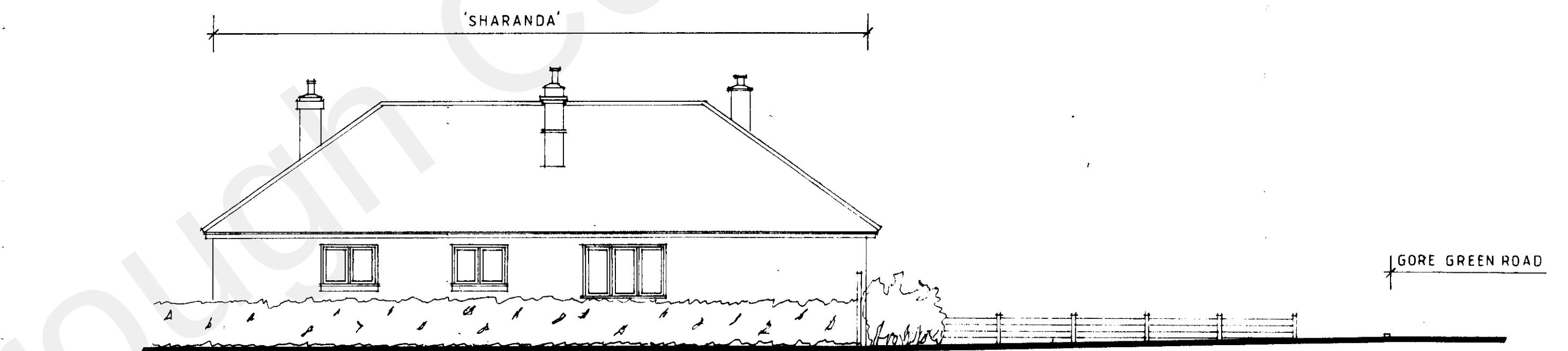
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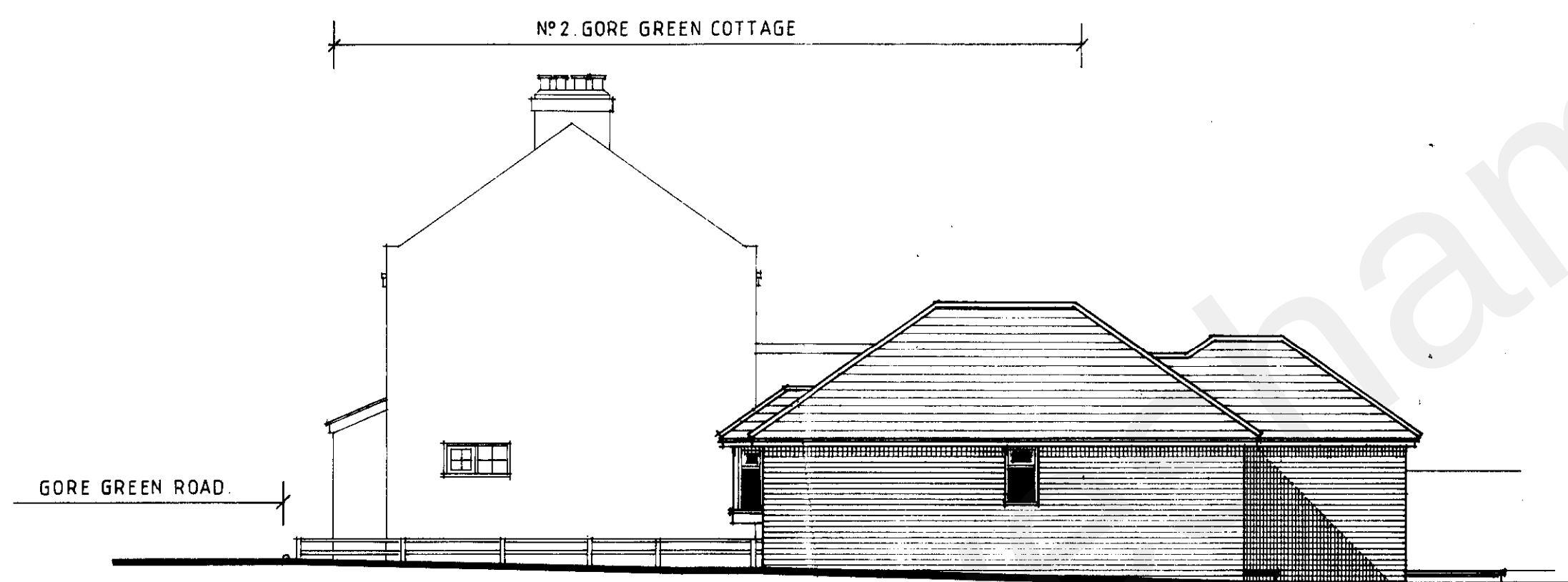
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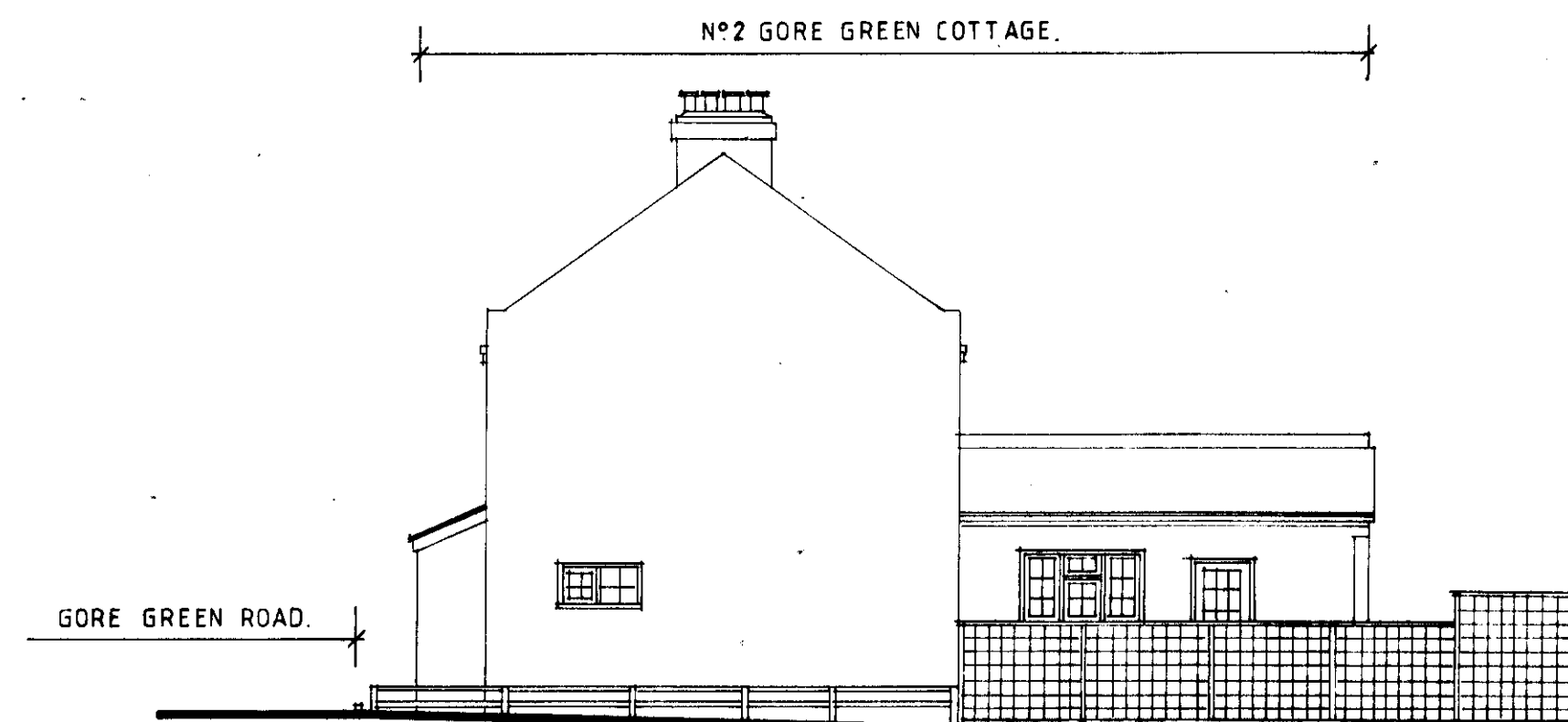
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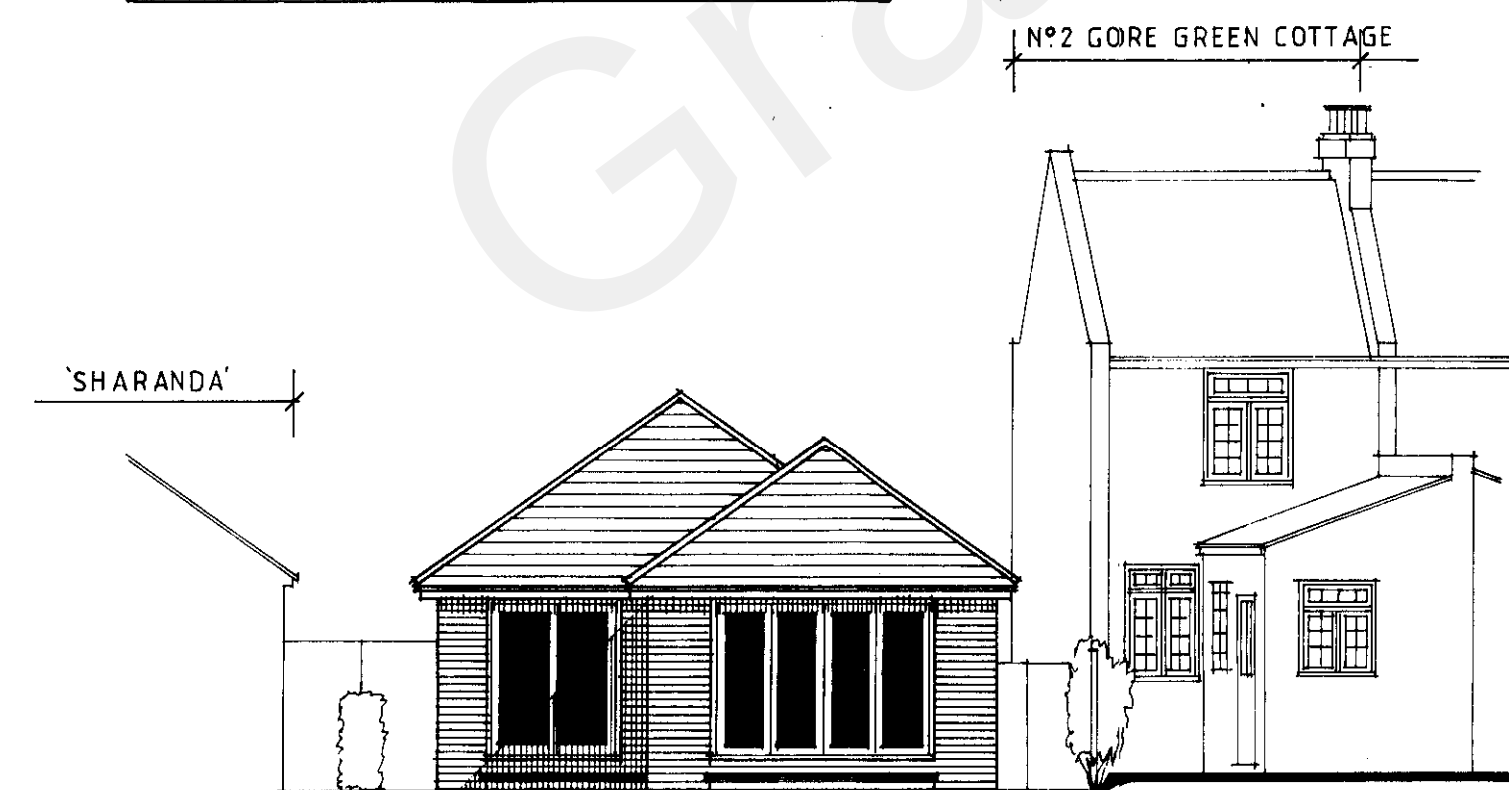
EXISTING SOUTH WEST ELEVATION.



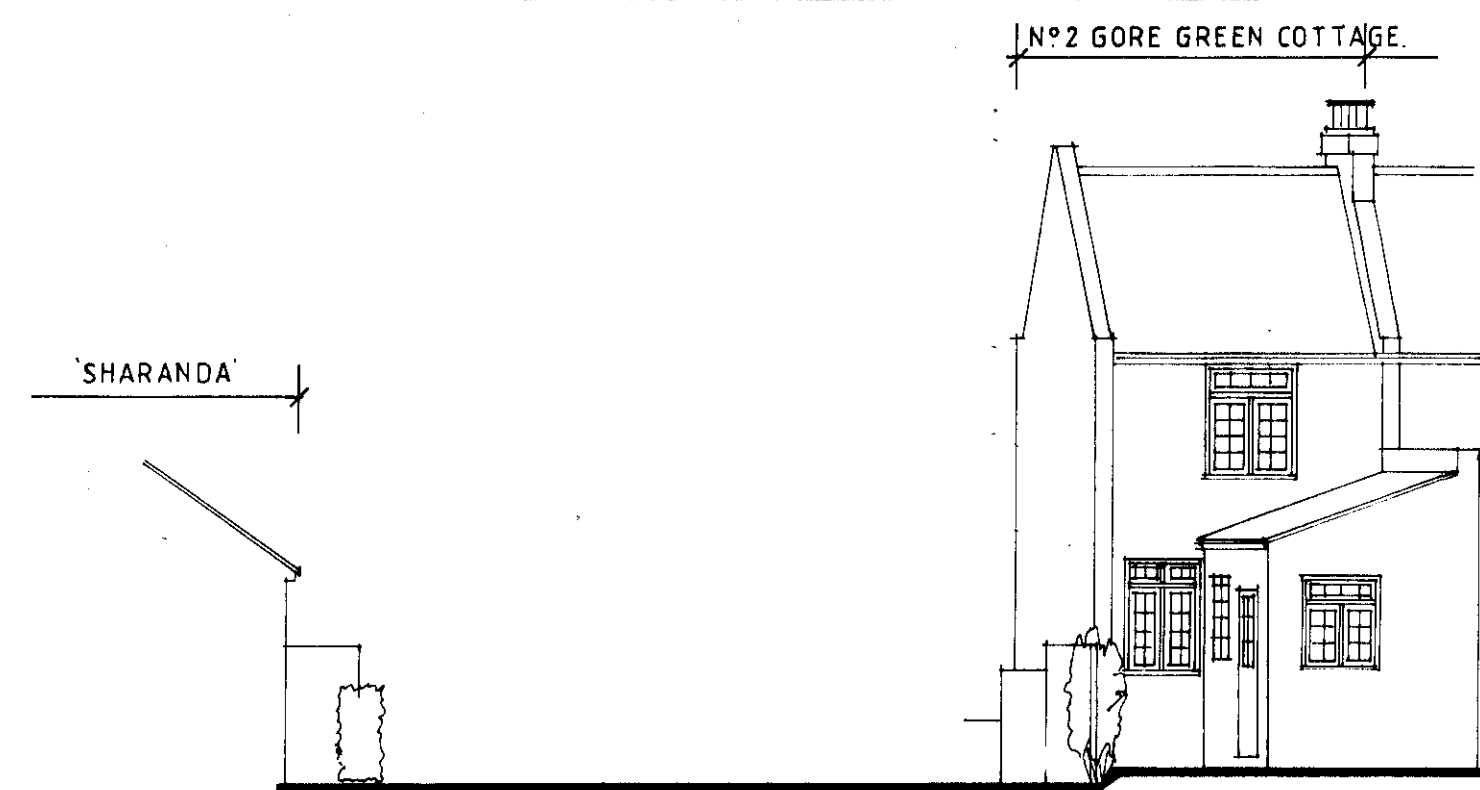
PROPOSED NORTH EAST ELEVATIONS.



EXISTING NORTH EAST ELEVATION.



PROPOSED NORTH WEST ELEVATION.



EXISTING NORTH WEST ELEVATION.

Do not scale this drawing. Levels and dimensions relevant to this work should be checked on site before commencement. This drawing is the copyright of the Building Consultants and must not be copied in part or in whole.

No.	Date	Revision

0 1 2 3 4 5
SCALE BAR 1:100 (METRES).

Client MR. C. MILNER		
Job PROPOSED DWELLING LAND AT GORE GREEN ROAD LOWER HIGHAM KENT.		
Drawing EXISTING & PROPOSED ELEVATIONS.		
Date FEB.10	Scale 1:100	Drawn by ASB
Job no. 10/04	Drawing no. P02.	Revision no.

EXPLOD 20100186



**TOWN AND COUNTRY PLANNING ACTS
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995**

NOTIFICATION OF REFUSAL OF PERMISSION TO DEVELOP LAND

To **Mr S Milner
C/O Mr Arthur Berry
29 Spenlow Drive
Chatham
Kent
ME5 9JT**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **REFUSED TO PERMIT** development of land situate

at **Land Between Sharanda And 2 Gore Green Cottages
Gore Green Road
Higham
Rochester
Kent**

and being **erection of detached two bedroom bungalow with two car parking spaces at the front**. Your application dated 4th March 2010 is refused on the following grounds -

- 1 The site is within the approved Metropolitan Green Belt and outside the built confines of the village of Higham. Within the Green Belt there is a strong presumption against permitting new development outside of the present defined extent of urban areas and the present extent of any village, unless it conforms with the open recreation functions of green belt or is directly related to agriculture or forestry uses appropriate to a rural area. Planning Policy Guidance, PPG2, (Green Belts) indicates that the most important attribute of Green Belts is their openness. The proposal would therefore as a result cause harm to the Green Belt and to the character and appearance of the area. As such the proposal is considered to be contrary to the advice in PPG2 (Green Belts), to policy SP5 (Green Belts) of the South East Plan 2009, to policy GB2 (Development in the Green Belt) of the Gravesham Local Plan First Review 1994 and to policy RA2 (Control of

Dated 9 April 2010

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Signed *Clive Gilbert*
**Service Manager, Development Control
Planning & Regeneration Services**

Your attention is drawn to the following informatives

- 2 It is considered that the proposed development would intrude into open countryside beyond the built confines of the village of Higham filling in a clear break between two dwellings. The development would therefore not maintain the separation and identity of the village and surrounding area and is not within an area where infilling would be permitted and would accentuate the ribbon pattern of development eroding the character and appearance of the countryside. As such the proposal is contrary to the Green Belt and Landscape designation policies referred to above

NOTIFICATION TO APPLICANT

APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990
- If this is a **householder application*** which has been refused and you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks of the date of this notice**
- For **all other applications**, refused or permitted, if you want to appeal against your Local Planning Authority's decision then you must do so within **6 months of the date of this notice**
- **Appeals must be made using a form which you can obtain from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN; telephone: 0117 372 6372; fax. 0117 372 8443; email: enquiries@planning-inspectorate.gsi.gov.uk or online at www.planningportal.gov.uk/pes.**
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him

***Householder applications**

These are

- (a) applications for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or

(b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development

but does **not** include –

- (i) an application for change of use,
- (ii) an application to change the number of dwellings in a building

PURCHASE NOTICES

- If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

COMPENSATION

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him
- These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990

F plan/Development Control/Admin Support/Official Backing of Decision Notices 2010