

Gravesham Borough Council
Planning Department

4 December 2024

Dear Sir/Madam

Objection Letter – Planning Reference: 20240600

Proposal – 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.

Site – Land South Of Pear Tree Lane, Pear Tree Lane, Shorne, Gravesend, Kent

LRJ Planning Ltd has been instructed by 

 to review and draft a formal response to the above planning application that has been lodged with the Council.

My client requests that the name and address above is not published on the Council's portal.

Following a thorough review of the submitted plans and supporting documents, in consultation with my client, serious concerns have been raised regarding the proposed application. As a result, my client strongly **OBJECTS** to the application, and the reasons for this objection are outlined below.



EXECUTIVE SUMMARY

This objection raises substantial concerns regarding the proposed development, primarily its conflict with national and local planning policies, environmental impact, and harm to neighbour amenity.

Green Belt Impact

The development constitutes inappropriate use of the Green Belt, undermining its openness and rural character. It fails to demonstrate "very special circumstances" required under the National Planning Policy Framework (NPPF). The applicants do not meet the Planning Policy for Traveller Sites (PPTS 2015) definition of "gypsies and travellers," as they do not lead nomadic lifestyles. The proposal, involving significant site alterations such as re-levelling, fencing, and caravans, contravenes Policy CS02 of the Gravesham Local Plan Core Strategy.

Landscape Harm

The site lies within the Shorne Woodlands Landscape Area, where the proposal would disrupt the rural character and diminish the area's distinctive sense of place, contrary to Core Strategy Policies CS12 and CS19. The introduction of caravans, fencing, and associated infrastructure conflicts with the Gravesham Landscape Character Assessment and would set a harmful precedent.

Neighbour Amenity

The development's proximity to neighbouring properties, including the objector's, raises concerns about privacy loss, noise, and light pollution. Increased vehicle movements and site activities would disturb the peace of this tranquil rural area, contravening NPPF guidelines and Policy CS19, which protect residential amenity.



Highway and Pedestrian Safety

The proposal would intensify vehicular movements, posing risks on rural roads ill-suited for increased traffic, particularly larger vehicles like caravans. The absence of a Transport Assessment further undermines the application, failing to comply with national and local transport policies.

Environmental Concerns

The application lacks adequate ecological information, leaving potential harm to local biodiversity unassessed. Additionally, the absence of a drainage strategy for foul waste and surface water raises pollution and flooding risks, threatening environmental sustainability. In summary, the proposed development is fundamentally flawed, breaching both local and national planning policies. It poses unacceptable harm to the Green Belt, the Shorne Woodlands Landscape Area, neighbouring amenity, highway safety, biodiversity, and drainage infrastructure. The application should therefore be refused.



SECTION A - THE APPLICATION

The planning application was submitted by the applicant, P Cash, under reference number 20240600, on 4th July 2024. My client requests that this application be presented to the Planning Committee for consideration. Additionally, my client respectfully asks that once the committee report has been published, the opportunity for further representations be provided. It is worth noting that engineering works have already commenced on-site, despite the absence of valid planning permission. This represents a clear breach of planning control, and my client believes it is both necessary and in the public interest for immediate enforcement action to be pursued by the Council.



SECTION B - RECENT PLANNING HISTORY

The site has a notable history of planning applications, with the most recent one being planning reference: 20200339, which sought permission for the construction of two dwellings. This application was refused by the Council on 29th May 2020 for the following reasons:

1. Green Belt Considerations:

The site is located within the Metropolitan Green Belt, where there is a strong presumption against granting permission for new development outside the established urban areas or village boundaries. According to Section 9 (Protecting Green Belt Land) of the National Planning Policy Framework (NPPF), the preservation of Green Belt openness is a key principle. The proposed development, involving the construction of two dwellings, associated hardstanding, lighting, car parking, and residential paraphernalia, would not preserve the openness of the Green Belt. Furthermore, it would encroach into the countryside, resulting in the urbanisation of the site and conflicting with the fundamental purposes of Green Belt land. In the absence of any very special circumstances that would outweigh the harm caused by this inappropriate development, the proposal contravenes Section 9 of the NPPF (2019) and Policy CS02 (Scale and Distribution of Development) of the Gravesham Local Plan Core Strategy (September 2014).

2. Impact on Landscape Character:

The site lies within the Shone Woodlands landscape area, which is subject to planning policies that aim to conserve, restore, and enhance the natural landscape. The proposed development, if permitted, would harm the character of the landscape in comparison to the existing site conditions. The harm would arise from the bulk and massing of the proposed dwellings, alongside the associated hardstanding, lighting, car parking, and residential paraphernalia. This proposal is in direct conflict with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (September 2014).

3. Location in the Countryside:

The site is located outside the defined urban areas and rural settlements, within



designated countryside. As such, the proposal for residential development in this unsustainable location is contrary to Policies CS01 and CS02 of the Gravesham Local Plan Core Strategy (September 2014) and Paragraph 79 of the NPPF (2019).

4. **Ecological Impact:**

The applicant has failed to submit any ecological evidence to support a Habitat Regulations Assessment, which is required to assess the impact of the development on the Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA). Furthermore, no financial contribution has been offered towards identified mitigation measures to address the potential harm to the SPA/Ramsar site. This failure to address the ecological impact of the development renders the proposal contrary to Policy CS12 (Green Infrastructure) of the Gravesham Local Plan Core Strategy (2014), which seeks to avoid any detrimental effects on SPA/Ramsar site integrity, as well as Paragraphs 175 and 176 of the NPPF (2019).

A subsequent appeal (reference: APP/K2230/W/20/3258951) was dismissed on 4th March 2021. The Inspector concluded that the proposed development would be inappropriate in the Green Belt, reducing its openness and conflicting with the objectives of the NPPF in maintaining Green Belt land as permanently open. While the site was deemed suitable for housing in terms of its proximity to services and facilities, the development was found to be harmful to the landscape character of the Shorne Woodlands Landscape Area.

Given the weight of the recent appeal decision, which remains highly relevant, it is strongly argued that this new application should also be refused on the same grounds.



SECTION C - PLANNING POLICY CONTEXT

In December 2023, the Government released the most recent version of the National Planning Policy Framework (NPPF), which outlines the Government's planning policies for England and provides guidance on how they should be applied. This updated version came into immediate effect.

According to Paragraph 2 of the NPPF, "Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise."

Paragraphs 7 and 8 clarify that the aim of the planning system is to contribute to the achievement of sustainable development, which encompasses economic, social, and environmental factors.

The NPPF continues to support a presumption in favour of sustainable development.

Paragraph 11 reiterates that "applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise."

Court rulings have established that Government policy is a material consideration that must be considered by the decision-maker, alongside relevant appeal decisions. The development plan for this area consists of the Gravesham Local Plan Core Strategy (2014) and the Gravesham Local Plan First Review Saved Policies (2014). A summary of the relevant planning policies can be found in Appendix A.



SECTION D - DETAILED GROUNDS OF OBJECTION

i) Inappropriate Development in the Green Belt – Impact on Openness

The proposal under consideration, raises significant concerns, particularly in relation to Green Belt policy and local planning regulations. My client strongly believes this development contravenes both local and national planning policy, particularly the revised definition of “gypsies and travellers” under the 2015 Planning Policy for Traveller Sites (PPTS).

In this case:

- Patrick Cash, employed locally in Chatham, indicates a settled lifestyle, conflicting with the nomadic habit of life required by the PPTS.
- Charmaine Smith, although culturally identifying as a Traveller, does not travel for work and remains on site to care for her children.
- Mary McCarthy, who has ceased travelling due to health reasons, does not meet the temporary cessation described under the PPTS.

This failure to demonstrate a nomadic lifestyle undermines the very basis of the application. The development’s impact on the Green Belt is equally concerning. As per paragraph 152 of the National Planning Policy Framework (NPPF), inappropriate development within the Green Belt is harmful by definition and should only be approved if “very special circumstances” can be demonstrated.

- The proposed change of use involves re-levelling, fencing, and the introduction of mobile homes, caravans, and day rooms, which would materially alter the site and harm the openness of the Green Belt.
- The applicant’s claim of “limited harm” cannot override the substantial weight that must be attached to any harm to the Green Belt, as stated in paragraph 153 of the NPPF.



- The applicant's justification for "very special circumstances" does not adequately mitigate the harm. The presence of other Traveller sites in the area cannot justify encroachment into the Green Belt, nor has it been demonstrated why alternative sites outside the Green Belt have been disregarded.

Moreover, Policy CS02 of the Gravesham Local Plan Core Strategy prioritises development within urban areas or settlements inset from the Green Belt, which this proposal fails to adhere to.

- The site's remote location raises sustainability concerns, with a lack of access to services, schools, and public transport, leading to an over-reliance on private vehicles, contrary to both the NPPF and PPTS principles.

In summary, this proposal represents inappropriate development in the Green Belt. It fails to demonstrate very special circumstances and conflicts with both local and national planning policies. The cumulative impact of further encroachment into the Green Belt has not been fully considered and would erode the openness and character of the area.

ii) Adverse Impact on the Shorne Woodlands Landscape Area

The proposal will significantly harm the landscape character, as highlighted in the Inspector's dismissed appeal for a previous application (Appeal Decision APP/K2230/W/20/3258951). The Inspector's report referenced the Gravesham Landscape Character Assessment (LCA), which identifies the area as having:

- An enclosed character defined by coppiced woodlands and undulating landforms.
- Strong village centres, such as Shorne Ridgeway, contributing to a distinctive sense of place.

The Inspector concluded that development on this site would:



- Diminish the spacious, low-density rural character of the area, replacing it with a more urban form of development that is incompatible with its surroundings.
- Harm the strong sense of place and the unique character of the Shorne Woodlands Landscape Area, conflicting with Core Strategy Policies CS12 and CS19, which require development to protect and enhance landscape character.
- This proposed Traveller site, with its associated infrastructure and paraphernalia, would further degrade the landscape. The introduction of caravans, fencing, and other features would erode the openness and distinctiveness of this rural setting.

Furthermore, Policy CS02 prioritises development within urban areas or rural settlements inset from the Green Belt. The site's remote location raises significant sustainability concerns, as it is poorly connected to essential services and public transport, increasing dependency on private vehicles.

The cumulative impact of Traveller sites in this sensitive location has not been adequately assessed, and allowing this development would set a harmful precedent.

In summary, the proposal fails to comply with Policies CS12 and CS19 of the Gravesham Local Plan, harming the landscape character of the Shorne Woodlands Landscape Area.

iii) Neighbour Amenity

Given the proximity of the proposed site to neighbouring dwellings, the development will have a significant adverse impact on the amenity of neighbouring properties. The introduction of caravans, touring vans, and day rooms will lead to a loss of privacy for adjacent properties. The layout and nature of the proposed development suggest that outdoor living activities typical of Traveller sites will cause overlooking and disturb the privacy currently enjoyed by neighbouring residents.



Moreover, the increase in activity, including vehicle movements and daily site operations, will result in elevated noise levels. This disturbance will be particularly detrimental in this rural area, where tranquillity is a defining characteristic. Increased traffic will disrupt the quiet enjoyment of neighbouring properties.

The proposal also risks increasing light pollution, especially if security or external lighting is installed. This will further erode the peaceful residential environment.

This development directly conflicts with the NPPF, which requires developments to ensure a high standard of amenity for both existing and future residents, and with Core Strategy Policy CS19, which safeguards residential amenity, including privacy, daylight, and quiet enjoyment of homes.

In conclusion, the proximity of the proposed development to my client's property will result in unacceptable loss of amenity, including privacy, peace, and tranquillity, and is therefore contrary to both local and national planning policies.

iv) Highway and Pedestrian Safety

Although the site has an existing access, the proposed development will intensify vehicular movements and pose a material safety risk to both road users and pedestrians. The increase in traffic, particularly slow-moving vehicles such as caravans, will exacerbate congestion and increase the risk of accidents, particularly during peak hours.

The rural road network surrounding the site is ill-suited for increased traffic, especially with larger vehicles. The existing access point, although deemed adequate, may not fully accommodate the additional slow-moving traffic, leading to potential safety issues.

Additionally, the absence of a Transport Statement or Assessment means the full impact of the proposal on the local highway network cannot be adequately assessed. This omission is a



significant concern, as national and local policies require a thorough evaluation of transport impacts for developments of this scale.

The lack of a Transport Statement further undermines the proposal, raising serious concerns about its compatibility with the local and national transport policies.

v) Biodiversity

The application fails to provide sufficient ecological information, raising concerns about potential harm to local biodiversity. Without a detailed ecological assessment, it is impossible to assess whether the proposal will impact protected species or local habitats. The NPPF requires developments to conserve and enhance the natural environment, and this application falls short of providing the necessary evidence.

vi) Drainage

The proposal lacks critical information regarding foul waste and surface water drainage strategies. Given the scale of the development, it is essential to demonstrate a comprehensive approach to managing wastewater to avoid pollution and flooding risks. Without a proper drainage strategy, there is a high risk of environmental harm, particularly in a rural location where infrastructure is already under pressure.

The absence of this information undermines the application and raises serious concerns about the long term sustainability of the development.



SECTION E - SUMMARY

There are substantial and well-founded reasons why this planning application should be refused, as outlined below.

Firstly, the applicants fail to meet the revised definition of "gypsies and travellers" as set out in the Planning Policy for Traveller Sites (PPTS 2015). Their lifestyles do not demonstrate a nomadic habit of life. Evidence shows that Patrick Cash is employed locally and lives a settled lifestyle, Charmaine Smith remains permanently on-site to care for her children, and Mary McCarthy has ceased travelling due to health reasons.

Secondly, the proposal constitutes inappropriate development within the Green Belt, conflicting with the National Planning Policy Framework (NPPF) and the Gravesham Local Plan Core Strategy. The development causes significant harm to the openness and rural character of the Green Belt through material changes, including the introduction of fencing, caravans, and a day room. Furthermore, there are no "very special circumstances" sufficient to outweigh this harm.

Thirdly, the development adversely impacts the Shorne Woodlands Landscape Area, as identified in the Gravesham Landscape Character Assessment and a previous appeal decision. The introduction of caravans, fencing, and associated infrastructure is incompatible with the area's character and conflicts with Core Strategy policies CS12 and CS19, which seek to protect and enhance the landscape.

Additionally, the proximity of the proposed development to residential properties raises concerns regarding neighbour amenity. This includes a loss of privacy due to direct overlooking, noise and disturbance caused by increased vehicle movements and site activities, and light pollution that would disrupt the tranquil rural environment. The proposal fails to safeguard residential amenity in line with the NPPF and Core Strategy Policy CS19.

The intensification of site access also raises significant highway and pedestrian safety concerns. Increased slow-moving traffic poses risks to road users and pedestrians, and the absence of a Transport Assessment prevents a thorough evaluation of traffic and access implications.

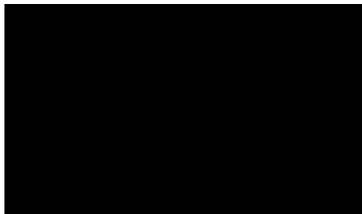


Further, the application lacks an ecological assessment, failing to demonstrate whether the proposal conserves or harms local biodiversity. This omission is contrary to both the NPPF and local policies aimed at protecting habitats and species.

Finally, the absence of a foul waste and surface water drainage strategy raises concerns about potential pollution, flooding, and harm to local watercourses, particularly in this sensitive rural setting.

In conclusion, the proposal fails to comply with both local and national planning policies. It represents inappropriate development in the Green Belt, undermines the landscape character and neighbour amenity, raises highway safety and ecological concerns, and lacks necessary drainage measures. It is therefore respectfully requested that this planning application be refused.

Yours faithfully





Appendix A – Relevant Planning Policies

The following policies are pertinent to this objection:

Gravesham Local Plan Core Strategy – 2014

- Policy CS01 – Sustainable Development
- Policy CS02 – Scale and Distribution of Development
- Policy CS17 – Provision of Traveller Sites
- Policy CS19 – Development and Design Principles

Gravesham Local Plan First Review Saved Policies – 2014

- Policy P3 - Vehicle parking standards