

Delegated Report

Planning Application

Planning Application No: 20260854

Location: Kendelrene, Rhododendron Avenue, Meopham, Gravesend

Description: Permission in principle for the erection of up to 1 No. dwelling.

Applicant: Mr Sonny Medcalf, Cadguys

Submitted Documents/Plans

Application form
Planning Statement
Drawing no. PL/01 rev A (site location plan)

Relevant Planning History

20250795	Prior approval application for a single storey rear extension with a depth of 8 metres, maximum height of 4 metres and eaves height of 4 metres.	Prior Approval Refused	18.09.2025
20020385	Outline application for the erection of detached 3 bedroom replacement dwelling with rooms in basement and roof space.	Application Refused	05.07.2002
19590197	Erection of weekend and holiday chalet to replace existing to be demolished.	Application Permitted	08.07.1959

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 - Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 - Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1, T3, T4 – Impact of Development on the Highway Network
- T5 – Access to the Identified Highway Network

As set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012 policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2026), the Council will also seek to replace these.

National Planning Policy Framework (2026)

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- Section 3 - Decision-making
- Section 4 - Achieving Sustainable Development
- Section 6 - Delivering a sufficient supply of homes
- Section 5 – Meeting the challenge of climate change
- Section 12 – Making Effective use of land
- Section 13 – Protecting Green Belt land
- Section 14 – Achieving well-designed places
- Section 15 – Promoting sustainable transport
- Section 19 - Conserving and enhancing the natural environment

Supplementary Planning Guidance

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- Design for Gravesham: Design Code (2024);
- SPG 4 - KCC Parking Standards (2006);
- Gravesham Landscape Character Assessment (2009); and
- Permission in Principle Guidance (updated 2019)

Emerging Local Plan as a Material Consideration

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (Planning and Compulsory Purchase Act 2004) and section 70(2) of the Town and Country Planning Act 1990 (Town and Country Planning Act 1990) make it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise.

Decision Making Policy DM4 of the Framework sets out that when considering development proposals, relevant policies may be given weight, however, this is subject to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of compliance of the relevant policies in the emerging plan with the policies for plan-making in this Framework (the closer the policies in the emerging plan to the policies in this Framework, the greater the weight that may be given to them).

West Oxfordshire District Council v Secretary of State for Housing, Communities and Local Government & Rosconn Strategic Land Ltd [2018] EWHC 3065 (Admin) is a High Court judgement that deals with the weight to be given to a Regulation 19 Local Plan. In this judgement, the Court found that the weight to be given to an emerging Local Plan was a matter of planning judgement, which had to be reached having fully considered the relevant part of the Framework, which from 17 August 2026 Decision Making Policy DM4 of the Framework.

The Council's emerging Local Plan has reached the Regulation 19 Consultation stage, with the consultation having ended on 18 August 2026. The emerging Local Plan does not form part of the Development Plan.

The Council is aware that third parties have raised objections to the wider emerging Local Plan and specific policies within it. Therefore, at present the Council cannot categorically state that the emerging Local Plan can be considered sound and consistent with the National Planning Policy Framework (2024) [as an emerging Local Plan being brought forward under the legacy system, it would be examined under the 2024 Framework]. Taking this into consideration, one can only conclude that at this stage of the process, **limited (i.e. minimal) weight should be afforded to the emerging Regulation 19 Local Plan.**

This position would only change once the emerging Local Plan has progressed towards submission and examination, with the Council being fully aware of policies that are subject to unresolved objections and with knowledge of policies that have had their soundness and conformity against the Framework challenged.

This approach accords with the approach taken in a separate High Court case, Gladman Developments Ltd v SSHCLG & Corby Borough Council; & Uttlesford DC [2020] EWHC 518 (Admin) and Court of Appeal [2021] EWCA Civ 104, which was also the subject of a Court of Appeal Ruling [2021] EWCA Civ 104.

Consultations, Publicity and Representations

Consultees

Part 2A, Paragraph 5J of The Town and Country Planning (Permission in Principle) (Amendment) Order 2017 sets out the consultation requirements of applications for Permission in Principle (PiP). It states that consultations should be undertaken for 14 days prior to a decision notice being issued and that the relevant consultees are set out in the Table in Schedule 4 to the Town and Country Planning (development Management Procedure) (England) Order 2015.

A site notice was displayed on site, which expired on 14 September 2026.

No neighbour representations were received.

Officer's Analysis

The application is made under the provisions of the Town and Country Planning (Permission in Principle) (Amendment) Order as amended. The proposal seeks permission in principle for residential development.

This consent route has two stages. The first stage establishes whether a site is suitable in principle. The second stage, i.e. the technical details consent, is where the detailed development proposals are assessed.

The current proposal relates to the first stage and therefore only the principle of the proposal in respect of its location, land use and amount of development can be considered. Issues relevant to these 'in principle' matters can be considered at this stage. All other matters should be considered at the technical details consent stage.

The Local Planning Authority can inform applicants what they expect to see at the technical details consent stage but cannot impose planning conditions.

Housing Need

The Local Plan Core Strategy was adopted by the Council in September 2014 and is more than five years old. Local housing need is therefore calculated using the Government's Standard Method, establishing a baseline requirement of 687 dwellings per annum.

The Housing Delivery Test (HDT), published by the Government on 17 August 2026, sets out that the

presumption in favour of sustainable development applies within the Borough. National decision-making policy S3 of the Framework sets out that decisions on development proposals should apply a presumption in favour of sustainable development, as follows:

- a) National decision-making policy S4 of the Framework should be applied when considering development proposals within settlements;
- b) National decision-making policy S5 of the Framework should be applied when considering development proposals outside settlements; and
- c) In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies of the Framework are to be approved without delay.

The Council's most recent Five-Year Housing Land Supply Statement, covering the period 2025-2030, identifies a deliverable supply of 2,053 dwellings against a buffered requirement of 4,056 dwellings (based on the 2025 outcome of the standard method). The Council is therefore currently unable to demonstrate a five-year supply of deliverable housing land. This position equates to a housing land supply of 2.53 years.

National decision-making policy HO7 sets out that substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community, taking into account evidence produced for the Council e.g. a local housing needs assessment, and the needs for different groups.

The proposed development is for a net increase of one residential unit, which would contribute towards meeting an unmet need for general market housing as identified in the Council's Local Housing Need Assessment (October 2025). Therefore, substantial weight should be afforded to meeting the needs of the housing needs of the community.

However, this has to be balanced against other requirements of the Development Plan and the NPPF 2026, including as set out in National decision-making policy DP3 Para.3, compliance with relevant development plan policies when assessing the design quality of proposals i.e. Local Plan Core Strategy Policy CS19: Development and Design Principles. This and other matters will be discussed in detail in the sections below.

Site Description

The application site is a piece of land to the south of 'Tall Trees'. It contains a dilapidated building which is surrounded by vegetation. The photo below was taken in September 2024:



There are properties to the north and further to the south closer to Whitepost Lane however the plots within close proximity are mostly vacant and overgrown.

The site is shown below roughly outlined in red (Google 2026):



The site is rectangular in shape and is approx. 61m deep and 12m wide.

Proposal

This application seeks permission in principle for the erection of up to 1 No. dwelling. No plans have been submitted with the application.

Permission in Principle Limitations

The scope of consideration for this Permission in Principle application is limited to location, land use and amount of development proposed, with reference to the Development Plan and other material considerations, including the National Planning Policy Framework (NPPF) 2026.

There are certain limitations set out in the Town and Country Planning (Permission in Principle) (Amendment) Order 2017 in relation to the types of development that a local planning authority may not grant permission in principle. For the avoidance of doubt the proposed development must not be:

- (a) Major development
- (b) Habitats development
- (c) Householder development
- (d) Schedule 1 development

The proposed development is not major development, habitats development, householder development or considered to be Schedule 1 or 2 development within the meaning of the Environmental Impact Assessment Regulations.

Location and Land Use

The site lies outside the nearest settlement boundary of Culverstone Green, and has a number of constraints, including being within the Green Belt (as defined in the Local Plan Core Strategy Proposals Map), in the Harvel Wooded Downs Landscape Character Area and in an Archaeological Notification Area. With regard to the latter constraint, matters relating to this would not be considered as 'in principle' issue and would be considered at the technical details consent stage.

The discussion below will consider the in-principle matters relating to the proposed change of use and development of the site for one dwelling. (The change of use of the land relates to the conclusion of application 20250795 that the land does not have a residential use).

Location – Green Belt

The site has historically been used as a weekend and holiday chalet but has not been used for such for many years. The application property is a derelict building, which has not been in a habitable condition for a significant period. The application site is completely overgrown with trees and vegetation, which precludes any access to the derelict building. There is no existing residential occupation.

According to the Borough Council's Revenues Team, there are no records in Council Tax for the property/plot. Furthermore, according to surveys of the Culverstone Valley Area undertaken by the Borough Council in 1983, 1986, 1989, 1992, 1995 and 2001, the application site has contained a derelict and abandoned chalet.

After a site visit on 30 September 2024, a Borough Council officer described the application property as follows;

"the structure is dilapidated with very little of the original building retained, and substantial overgrowth in terms of brambles and trees on the plot and within the structure itself"

It is noted that within the 20250795 application a local resident corroborated that the building at the application site is dilapidated and overgrown with vegetation and trees. Furthermore, the local resident highlighted that there are no utility connections to the property (water, electricity, gas or sewage).

As the site is located within the Green Belt, this is the main starting point for the consideration of the principle of the proposal.

Applications for development in the Green Belt are assessed against section 13 of the National Planning Policy Framework 2026. The objective of Green Belt policy, as set out in this chapter, is to prevent urban sprawl by keeping land permanently open. The government attaches great importance to Green Belts, the essential features of which are their openness and permanence.

The five purposes of the Green Belt are:

- a. Check the unrestricted sprawl of large built-up areas;
- b. Prevent neighbouring towns merging into one another;
- c. Assist in safeguarding the countryside from encroachment;
- d. Preserve the setting and special character of historic towns; and
- e. Assist urban regeneration by encouraging the recycling of derelict and other urban land.

Policy GB6 (Control of development in the Green Belt) of the NPPF states:

- 1. Development in the Green Belt is inappropriate unless it falls within one of the categories in policy GB7.
- 2. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposed development, is clearly outweighed by other considerations. In making this assessment, substantial weight should be given to the harm to the Green Belt which would be caused, including harm to its openness.
- 3. In the case of proposals for renewable and low carbon energy development, very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

Policy GB7 (Development which is not inappropriate in the Green Belt) of the NPPF states:

- 1. The following categories of development are not inappropriate in the Green Belt, and therefore should not be regarded as harmful to the Green Belt or be required to demonstrate very special circumstances:
 - a. Development which is for agriculture, horticulture and forestry, or which is solely for nature conservation, restoration and/or enhancement;
 - b. The reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the original building. In the case of proposals for a replacement building, it should be for the same use and not materially larger than the one it replaces;
 - c. Limited infilling in villages lying within the Green Belt;
 - d. Limited affordable housing for local community needs under policies set out in this Framework or the development plan (for instance, on a rural exception site);
 - e. The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential), which would not cause substantial harm to the openness of the Green Belt;
 - f. Certain other forms of development, provided the impact on the openness of the Green Belt is minimised, and there would not be a significant conflict with the Green Belt purposes. These are:
 - i. Mineral extraction and processing, engineering operations, and transport, electricity network, water and telecommunications infrastructure required in a Green Belt location);
 - ii. Development brought forward under a Community Right to Build Order or Neighbourhood Development Order;
 - iii. Material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - iv. 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.

g. Development where all of the following apply:

i. 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;

ii. There is an evidenced unmet need for the type of development proposed;

iii. The development would be in a sustainable location, with particular reference to policy TR3 of this Framework; and

iv. In the case of major development involving the provision of housing, the development proposed complies with policy GB8.

h. Residential or mixed-use development which would:

i. Be within reasonable walking distance of a well-connected station (applying the definitions in the glossary Annex B);

ii. Be physically well-related to the station or the settlement within which the station is located;

iii. Be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure;

iv. Not prejudice any proposals for long-term comprehensive development in the same location; and

v. In the case of proposals for major development, comply with policy GB8.

The applicants, in their Planning Statement, have stated that, in their opinion, the proposed development meets exception (c), (e) and (g).

The proposal for one dwelling on the site would not meet the exception (a) as the site is not in agricultural use. It does not meet (b) because the building does not appear to be of substantial construction and any replacement building would likely be larger than the dilapidated chalet that is currently on site. The site has also been found to have nil use and therefore a dwelling would not be in the same use.

(c) allows limited infilling in a village lying in the Green Belt.

Neither the NPPF (2026) or the development plan define the terms 'limited', 'infilling' or even what constitutes a 'village'. Because of this, the following points need to be addressed to determine whether the proposal should be considered as an exception or be deemed 'inappropriate' development.

These points are:

- Whether the settlement to which the site relates is a village or not?
- Whether the site is within a village?
- Does the proposal constitute infilling?
- If the proposal does constitute infilling, is the infilling limited?

The adopted Gravesham Local Plan Core Strategy (2014) at 4.2.4, Table 2 and at 4.2.6 sets out a settlement hierarchy with 13 rural settlements inset from the Green Belt and two others (Harvel and Luddesdown) that are 'washed over'. None are specifically identified as 'villages'.

It is stated at 4.2.6 that where the rural settlements have been inset, the boundaries do not define the full extent of each settlement but relate to a coherent and established built up area where infilling would not

adversely affect local character and identity or impact on the openness of the Green Belt.

This settlement hierarchy (Table 2 from the Local Plan Core Strategy) is reproduced below:

First Tier Settlements	Gravesend/Northfleet/Ebbsfleet, i.e. the urban area
Second Tier Settlements	Istead Rise, Hook Green Meopham, Higham
Third Tier Settlements	Culverstone Green, Meopham Green, Vigo
Fourth Tier Settlements	Cobham, Shorne, Sole Street
Other Settlements	Harvel, Lower Higham, Luddesdown, Lower Shorne, Shorne Ridgeway, Three Crutches

As noted above, there is no definition of a 'village' in either the NPPF (2026) or the development plan. Whilst the boundaries and status of individual rural settlements may be subject to review in the context of the emerging Site Allocations and Development Management Policies DPD, the boundaries shown on the policies map derive directly and are unchanged from those shown on the Gravesham Local Plan First Review proposals map (1994) as villages under now defunct policy V1.

This issue in Gravesham's context has been considered at appeal a number of times, for example the Planning Inspector for an appeal reference no. APP/K2230/W/16/3161653 (see Appendix 1) considered whether Culverstone Green (to the south of the Borough) is a village stated:

Culverstone Green is defined in the Council's Core Strategy (CS) 2014 as a 3rd tier settlement and it is inset from the Green Belt boundary. Paragraph 4.2.6 of the CS states that where settlements have been inset, the boundaries do not define the full extent of each settlement but relate to a coherent and established built-up area where infilling would not adversely affect local character and identity or impact on the openness of the Green Belt. From what I have seen and read, it seems to me that Culverstone Green may be regarded as a 'village' for the purposes of this aspect of this appeal.

Whether or not a proposal would constitute limited infilling in a village for the purposes of Policy GB7 (c) is a question of fact and planning judgment for the decision maker, dependant on an assessment of the position on the ground, as established in *Julian Wood v SSCLG, Gravesham Borough Council* [2015] EWCA Civ 195; and *R (Tate) v Northumberland CC* [2017] EWHC 664 (Admin).

The village boundary, if taken from the settlement inset from the Green Belt, is approx. 30m to the south of the application site and is the third tier settlement Culverstone Green. Village facilities such as a shop, school and village hall are approx. 1.3km further to the west of the site. The nearest railway station is some 6.2km away to the north and is in the second tier settlement Hook Green. The built form of the area surrounding the application site is much more sporadic than the built form along Whitepost Lane, within the settlement, which does have a more tightly knit line of houses and more of an appearance of a village.

Whether the site is within a village is a matter for assessment on the ground and having regard to the evidence. Development plan settlement boundaries may not be determinative, especially given these were drawn up some years ago since which time, the settlement of Culverstone may have undergone changes. Taking into consideration the overall settlement characteristics of Culverstone, the location of Rhododendron Avenue and in particular the relative main built-up area further south on Whitepost Lane, together with the limited built form to the east, west and north, it is clear that the site is outside of a village. As such based on various site visits, it is considered this site is very much removed from the settlement of Culverstone Green.

The applicants refer to the site being closest to Vigo village however this is also not easily accessible from the site due to intervening fields and woodland. The roads to Vigo contain no pavements and no lighting and the local centre provides limited services. The site is located within Culverstone Valley and not Vigo.

As the site lies outside the village boundaries the application fails exception (c) and it is not considered

necessary to determine if the proposal is considered 'limited infilling'. However, given the size of the gap, the proximity of neighbouring development and the open nature of the site, the site to the south and opposite to the west, it is not considered that the proposal would constitute infilling, albeit the delivery of one dwelling could be considered to be limited in nature. It is noted that the applicant has stated that the plot is between two properties, Tall Trees and Oakley Dene Lodge, but this is not strictly the case as there is another vacant plot before Oakley Dene Lodge.

Exception (d) does not apply as the proposal does not involve affordable housing.

Exception (e) relates to the redevelopment of previously developed land, including a change of use to residential, which would not cause substantial harm to the openness of the Green Belt.

Previously developed land is defined in the NPPF as:

Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed but where provision for restoration has been made through development management procedures (including development related to minerals extraction, waste disposal by landfill and renewable and low carbon energy development, where provision for restoration exists); land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

The site therefore can be considered previously developed land.

Openness

Exception (e) requires there to be no substantial harm to the openness of the Green Belt. Aside from the dilapidated chalet on the site, there is no other built form. The site is overgrown with vegetation and trees. A dwelling on the site will increase the amount of built development in terms of the dwelling itself, pressure for garages, outbuildings and the spread of domestic paraphernalia and residential activities across the site which will impact on openness in both spatial and visual terms by reason of greater built form. The comparative starkness of the site from how it is currently would result in a significant impact on the openness of the site and would cause substantial harm. As such the proposal would be contrary to policy GB7 (e).

GB7 (f) does not apply to this site.

GB7 (g) allows development where all of the following would apply:

- i. 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;
- ii. There is an evidenced unmet need for the type of development proposed;
- iii. The development would be in a sustainable location, with particular reference to policy TR3 of this Framework; and
- iv. In the case of major development involving the provision of housing, the development proposed complies with policy GB8.

[Note – (d) is not relevant to this proposal as it does not meet the threshold for major development.]

The submitted Planning Statement considers that the proposed development is an exception under paragraph (g).

The proposal relates to the development of one dwelling and can therefore be considered under this paragraph. Each point will be considered in turn below:

(i) 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

The definition of 'grey belt land' is set out in the Glossary (Annexe B) of the NPPF (2026) and 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 policy GB2.'

Whether the site is Grey Belt Land?

In relation to whether the site is Grey Belt land, firstly, the site is considered PDL and therefore accords with the first part of the definition. The second part of the definition relates to whether the land strongly contributes to any of purposes (a), (b), or (d) in policy GB2 listed below:

- a. Check the unrestricted sprawl of large built-up areas;**
- b. Prevent neighbouring towns merging into one another;**
- c. Assist in safeguarding the countryside from encroachment;
- d. Preserve the setting and special character of historic towns; and**
- e. Assist urban regeneration by encouraging the recycling of derelict and other urban land.

In the Gravesham Stage 2 Green Belt Study the application site can be identified within parcel CG5. The Study sets out the contribution of the parcel to the Green Belt purposes. The largest built-up area closest to the application site is the town of Gravesend. In terms of checking the unrestricted sprawl of this large built-up area (a), the application site is considered to have limited/no contribution, as it does not have a strong enough relationship with this large built-up area to be considered to contribute to this purpose. In terms of preventing towns merging into one another (b) the land is considered to have limited/no contribution, as it does not lie in a gap between neighbouring towns and does not make any contribution to this purpose. In terms of preserving the setting and special character of historic towns (d) the land makes no significant contribution as it is not close to any historic town. Point (e) is not relevant to this application as the site is not urban land.

In relation to point (c) the Green Belt Study states:

Although the area contains some urbanising development, it retains relatively strong openness. However, its residential use creates an association with the inset settlement, and although the wooded slopes to the west create distinction between the area and the inset settlement edge there is less distinction from the inset edge to the south. As such, the parcel contains characteristics of the countryside and has a relationship with both the settlement and the countryside.

The Study finds that this parcel of land does provide a moderate contribution to the wider Green Belt in terms of safeguarding the countryside from development. The proposal would impact on this purpose, as the development of a house on this site would involve a spread of built development that would encroach on the countryside. However, it is recognised that the development of one dwelling on this site alone would not fundamentally undermine the purposes of the remaining Green Belt across the whole area of the plan, and point (i) of policy GB07 (g) is therefore met.

(ii) There is an evidenced unmet need for the type of development proposed

As detailed in the 'Housing Need' section of this report above, the Council do not dispute that there is unmet need for housing. The proposal would therefore comply with criterion (ii) of this policy.

(iii) The development would be in a sustainable location, with particular reference to policy TR3 of this Framework

Policy TR3 states:

1. So that development is located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure, development proposals should reflect the following principles, taking into account the vision for the site, the type of development and its location:

a. Development proposals which could generate a significant amount of movement, in the context of the area within which they would be situated, should be in locations that are sustainable (or which can be made so, taking into account planned improvements, including any provided for as part of the development itself). This means the location should limit the need to travel, particularly by private car, and offer a genuine choice of transport modes for residents and users, unless the nature of the development would make this impractical;

b. Opportunities should be taken to utilise existing or proposed transport infrastructure in optimising the amount or density of development which can be accommodated in different locations, especially where this can support more walking, wheeling, cycling and public transport use;

c. Any significant adverse impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, should be mitigated to an acceptable degree using a vision-led approach;

d. The environmental impacts of traffic and transport infrastructure should be identified, assessed and taken into account – including taking opportunities to avoid or mitigate any adverse environmental effects, and to secure net environmental gains such as reductions in air pollution; and

e. In rural areas, opportunities to improve walking, wheeling, cycling and public transport and enhance the connectivity of an area should be taken where they exist and can be supported by the development proposed.

The application site is located in the open countryside, outside of the settlement of Culverstone Green. This settlement has limited services/infrastructure, including a primary school, petrol station and shop. These facilities are located some 1.3 kilometres away along a unlit road with no pavement.

The application site is accessible from Rhododendron Avenue, a public bridleway (NS293) and Whitepost Lane to the south. These are mostly single track, rural routes with no footpaths and no lighting. Rhododendron Avenue is not hard surfaced and Whitepost Lane is steeply sloping in places. As such, these routes are not conducive to walking or cycling. The route to the main road (A227) is not safe and the distance on this kind of route is too far to reasonably expect residents to choose this mode of transport over the private car. For instance, a child would not be able to walk safely to school.

The nearest bus stop is located some 0.6 kilometres away (on South Street, Wrotham Road via Whitepost Lane/Newlands Lane and the bus service comprises of two daytime routes only; the 308 to Gravesend to Sevenoaks and the 306 Gravesend to Vigo. The 308 service is approximately every 1.5 hours on Mondays to Saturdays and the 306 service is twice daily at school times. There are no bus services on Sundays. Additionally, there are three specific school services that are available on weekdays only, the VIG01 (Gravesend to Vigo) and 223 (Gravesend to Weald of Kent School) 418 (New Ash Green to Wrotham School).

It is recognised that policy TR3 (1) (a) of the NPPF (2026) is less applicable to this proposed development of one dwelling which would not result in significant amounts of movement but the general aim of the policy

is to encourage the management of patterns of growth to support the objectives of promoting sustainable transport. The location of development should limit the need to travel however this location would result in the future occupiers of the dwelling to rely on private car with no other reasonably viable sustainable methods of travel available.

In the case of an appeal at White Post Farm in Cobham (ref. APP/K2230/C/23/3328720 (Appendix 2)), which related to an enforcement notice for the change of use of the land from equestrian use to residential use including the stationing of mobile homes, the Inspector agreed that:

55 ...the site was located in an unsustainable location due to its location away from the nearest settlements and services, even accounting for the fact that the Framework recognises that sustainable transport options will vary between rural and urban areas... Whilst the site is part way between Sole Street and Meopham, as the crow flies, the road network of rural lanes is circuitous and the location of the site therefore weighs against the development in terms of accessibility to local services.

The Inspector concluded that the site:

59. ...is poorly located in terms of the distance from shops and services with limited travel choices beyond the private car. Those matters attract moderate weight of themselves. Consequently, there are a range of factors weighing against the grant of permission...

A more recent appeal at an adjacent site at White Post Farm (ref. APP/K2230/W/25/3363212 (Appendix 3)) for the change of use of the land to form a gypsy/traveller site, the Inspector stated:

18. The appeal site is located between Sole Street and Meopham which each contain some limited services and facilities, as well as public transport links. However, the site is linked to those settlements only by White Post Lane, which is narrow and unlit. I observed it to be a fairly busy route and it lacks any footpaths or significant verges. As such pedestrians would need to walk in the path of traffic and it would not provide a safe or attractive route for occupiers of the site, particularly with children. Cycling could provide an alternative, but is unlikely to be attractive throughout the year... it remains the case that [those individuals not travelling for work] would be heavily reliant on private vehicles for all day to day needs as a result of the site's location. For these reasons the site's location is not one which could be considered sustainable.

Another recent local appeal that discusses the matter of sustainability is APP/K2230/W/24/3356605 (Appendix 4). This related to a change of use of an agricultural building to holiday lets at a site at Abbey Farm Barn in Higham. The site is on an unlit country road with no demarcated footway, similar to this site on Rhododendron Avenue. The Inspector stated that:

12... The nature of this route would be likely to deter pedestrian and cycling access to the village, particularly in the evenings and during the winter months.

13. On balance, the proposal would not be located where future occupiers would be able to rely on accessible local services and facilities to serve their everyday needs without having to travel some distance and in all likelihood by car.

In an older appeal more specific to this site, the location was also considered to be unsustainable. In the appeal ref. APP/K2230/W/22/3291577 (Appendix 5) for the construction of a detached bungalow at 75 Valley Lane (just to the north of the application site), the Inspector concluded the nature of the site would result the development being unsustainable for the following reasons:

19. Whilst the appeal site is not isolated within the terms of Framework Paragraph 80, given its proximity to neighbouring residential development, it is functionally divorced from the aforementioned services and facilities. This is because the routes from the appeal site to these settlements are largely unlit, lack footways and traverse hilly terrain. These are all factors which are likely to discourage walking and cycling,

particularly in darker winter months. As a result, future occupiers of the proposed development are likely to rely heavily on the private motor vehicle.

20. In turn, it is logical to conclude that they would likely travel to larger settlements further afield in order to access a wider range of services and facilities to meet their needs. In this regard, the proposal would offer very limited support to the services and facilities in rural settlements of Vigo and Culverstone Green. As such, the proposal derives little support from Framework Paragraph 79 [now paragraph 83], which outlines that, in rural areas, housing should be located where it would support local services.

21. In summary, the appeal site offers poor access to services and facilities and the future occupiers would largely depend on the private motor vehicle in this regard. The proposed development would therefore conflict with Framework Paragraph 92 [now paragraph 96], which states in part that decisions should ensure healthy and inclusive places, including through providing access to local shops. It would also conflict with Framework Paragraph 105 [now paragraph 110], which states that significant development should be focused on locations which are, or can be made, sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

The above appeal examples are local, but there are various other examples further afield where similar sites were considered to be unsustainable. Appeal ref. APP/B1930/W/24/3349988 (Appendix 6) is a recently dismissed appeal relating to an outline proposal for 9 dwellings at Moor Mill Tanker Depot in Hertfordshire. Whilst the Inspector recognised that some services around the site fell within acceptable, comfortable or realistic walking distances outlined in the Manual for Streets and other guidance:

20... pedestrian and cycle access to them would be via unlit paths, PROWs and lanes through a largely undeveloped rural area with some PROWs only being accessible by crossing the busy Smug Oak Lane.

21. Walking, cycling and the use of buses would be an option for some trips by some people, but the rural, unlit nature of the route and distances to bus stops and services would limit their attractiveness, particularly for older people, those with a disability or with children and at times of darkness and bad weather. As such, I consider that future occupiers of the proposed dwellings would be likely to be reliant on private vehicles to access services.

The Inspector concluded:

23. Consequently, the site would not be a suitable location for the proposed development, having regard to the accessibility of services and facilities. Therefore, it would fail to prioritise sustainable transport modes as required by the Framework. As the proposed development would not be in a sustainable location, it would not fall within the exception in paragraph 155 of the Framework.

Similarly, under appeal ref. APP/M1595/W/25/3360211 (Appendix 7), which related to an outline application for four dwellings on land adjacent to Starlight, Patricia Drive in Fobbing, the Inspector considered the paragraph 155 criteria. In relation to 155(c) the Inspector set out the following:

10. ...There is a farm shop in Fobbing, with a public house and church around a 20 minute walk from the site. There are no doctors or dentists close by. The nearest bus stops lie on High Road, providing limited bus services (comprising four buses a day) from Mondays to Fridays between Orsett Hospital and Basildon.

11. In this case, walking, cycling and use of buses would be an option for some trips by some people. However, the frequency of buses and the distance to services would limit their attractiveness, particularly for older people, those with reduced mobility or with children and at times of darkness and bad weather. As such, I consider that the future occupiers of the proposed dwellings would be likely to be reliant on private vehicles to access services. Consequently, the proposed development would not be in a sustainable location so would not fall within the exception in paragraph 155 of the Framework.

Drawing the above together, the current application proposal would not be in a sustainable location, having

regard to the failure to ensure safe and suitable access for all users and to prioritise sustainable transport modes. The proposal would therefore not comply with the GB7 (g) exception regarding the development of Grey Belt land.

GB7(h) relates to residential or mixed-use development which would:

- i. Be within reasonable walking distance of a well-connected station (applying the definitions in the glossary at Annex B);*
- ii. Be physically well-related to the station or the settlement within which the station is located;*
- iii. Be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure;*
- iv. Not prejudice any proposals for long-term comprehensive development in the same location; and*
- v. In the case of proposals for major development, comply with policy GB8.*

As the site is over 6km away from a station, and all of the above criterion listed have to be met, the proposal fails to meet this exception.

In the context of this application, the location of the site over 1km from the nearest village of Culverstone Green would mean that future residents of the proposed dwellings would be likely to rely on private car(s) to reach essential local services and facilities, particularly as the country roads leading to them are not safe to walk or cycle on. It is therefore considered that the proposal would result in an unsustainable development in the countryside.

Overall, as there are no pedestrian footways, street lighting or bus stops near to the site, because the available bus services are very limited and because the distance from services and the absence of nearby infrastructure would severely limit travel choice, the occupants of the proposed development would be entirely dependent on use of a private motor vehicle to meet their day-to-day needs. For these reasons, the proposal would not be in a sustainable location and as such, it would be contrary to Policy GB7 of the NPPF 2026.

To be considered as appropriate development, all the criteria of GB7 of the NPPF (2026) must be met and therefore, by virtue of its unsustainable location, the proposed development would be inappropriate development in the Green Belt.

Conclusion on Green Belt

The relevant NPPF (2026) paragraphs have been considered in the assessment of the principle of one dwelling on this site in the Green Belt.

On the basis of the spatial, visual and activity impacts of such a development, it is considered that the proposal would have a significant impact on the openness of the site that would cause substantial harm to the openness of the Green Belt, and therefore the proposal would not meet the relevant exception criterion under paragraph GB7 (e) of the NPPF (2026), which would render the development inappropriate in the Green Belt.

Policy GB6 of the NPPF (2026) states that development in the Green Belt is inappropriate unless it falls within one of the categories in policy GB7. In this case, the proposal would not meet all the applicable criteria and as a result of the unsustainable nature of the proposed development, it is also regarded as inappropriate in the Green Belt under this paragraph.

In conclusion, in relation to the narrow scope of consideration allowable when assessing and determining a PiP, in terms of the location of the site within the Green Belt, the proposed residential development is

inappropriate and would therefore be harmful to the Green Belt. This is given substantial weight in accordance with policy GB6 of the NPPF (2026). Such development should not be approved except in very special circumstances. There are no special circumstances that have been put forward that would outweigh the harm to the Green Belt by reason of inappropriateness, and therefore the application should be rejected on this basis.

Policy CS02 of the Gravesham Core Strategy 2014 allows development in the rural area, outside of rural settlements that are inset from the Green Belt, provided the proposals are compatible with national policies for protecting the Green Belt and policies in the local plan.

The proposed development therefore conflicts with policy CS02 of the Gravesham Core Strategy 2014 and Section 13 of the National Planning Policy Framework 2026.

Design, Character and Appearance

Landscape Character

The application site is located in the countryside and in the Harvel Wooded Downs Landscape Character Area within the Gravesham Landscape Character Assessment (GLCA) 2009 and as such, Policy CS12 of the Core Strategy 2014 is relevant. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the GLCA will be taken into account in determining applications. The GLCA states that the key characteristics of this landscape include a varied topography with steep valley sides and ancient woodland, small paddocks and pasture. The condition and sensitivity of the area are moderate and the guidelines are to conserve and create.

Policy N2 of the NPPF 2026 aims for development to consider the environmental qualities of land proposed for development including landscape character and the natural beauty of the countryside and identify opportunities for those qualities to be conserved or enhanced.

Section 14 of the NPPF 2026 relates to achieving well-designed places and sets out the Government's requirements in relation to design issues. Policy DP3 sets out the key principles for well-designed places, including that development proposals should respond to their context so they integrate with and enhance their surroundings. DP3 (g) states that development should be visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting.

Policy CS19 of the Core Strategy 2014 reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.

Whilst at this stage, no plans have been submitted for the development, the clearance of the site, construction of new buildings, laying down hardstanding and parking of vehicles would significantly alter the visual appearance of the site from the existing site to one of a semi-urban nature. The change would be discordant with the verdant rural surroundings and the effect of the development would be urbanising within the rural landscape setting. At this stage, there are concerns that the proposed development would result in the application site losing its undeveloped, natural appearance, undermining the character of the landscape, contrary to Section 14 of the of the NPPF (2026) and Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014).

Amount of Development

As discussed above, Section 14 of the NPPF 2026 relates to achieving well-designed places and Policy CS19 of the Core Strategy 2014 requires new development to be well designed and respectful of the character and appearance of the surrounding area.

Whilst it is recognised that development which makes effective use of land should be supported (policy L3 of the NPPF 2026), this comes with the proviso that it should safeguard and improve the environment

and not conflict with other policies in the NPPF.

In a similar vein, Policy CS14 of the Core Strategy 2014 sets out that new housing development is expected to provide a range of dwelling types and sizes, taking into account the existing character of the area and evidence of local need to create sustainable and balanced communities. The proposal would involve the erection of one dwelling in an area where neighbouring dwellings are largely detached on generous plots. Given the size of the site, the development would have the potential to sufficiently accommodate this amount of development and this would be commensurate with existing surrounding uses.

Policy CS15 of the Core Strategy seeks to achieve a minimum density for residential development in the rural area of 30 dwellings per hectare (dph), subject to the overriding consideration that all new housing will be at a density that is consistent with achieving good design and does not compromise the distinctive character of the area. The application site measures 0.073ha; one dwelling on this site would be below the density target of 30 dph at 13 dph.

In principle, whilst no plans have been submitted with this application, the proposal for one dwelling would have the potential to be consistent with the general aims of Policies CS14 and CS15. However, the details of the layout, scale and appearance of the proposed dwellings would have to be properly assessed at the technical details consent stage.

Conclusion

The National Planning Policy Framework (2026) states that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise, with the national decision-making policies in the Framework being a material consideration of critical importance.

The Council is currently unable to demonstrate a five-year housing land supply. In these circumstances, the policies relating to the supply of housing attract significant weight in favour of boosting housing delivery. However, the site lies within the Green Belt and the proposal must therefore be assessed against the Green Belt policies in the Framework. The 2026 NPPF continues to recognise Green Belt protection as a matter of substantial importance, and development that is inappropriate in the Green Belt should not be approved except in very special circumstances. As such, the benefits of the proposal, including its contribution to housing supply, must be balanced against the harm to the Green Belt and any other identified harm.

The proposed development would provide a net increase of one residential unit on the application site, which would contribute towards meeting the identified unmet housing needs of the Borough, and would carry weight in favour of the scheme.

However, in this application, the Green Belt policies in the NPPF provide a strong reason to refuse the development, and therefore the presumption in favour of sustainable development is not engaged.

The NPPF (2026) makes it clear that inappropriate development in the Green Belt should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the harm, by reason of inappropriateness and any other harm, is clearly outweighed by other circumstances.

In this case, there would be a significant impact on the openness of the site from the proposed development that would cause substantial harm to the Green Belt, rendering this proposal inappropriate. Harm caused by inappropriateness carries substantial weight.

Furthermore, the site is not considered to be in a sustainable location and would not ensure the provision safe and suitable access for all users. In addition, such an urbanising development would fail to conserve the rural character of the landscape. Altogether, these adverse impacts would significantly and demonstrably outweigh the housing benefits of the scheme.

Consequently, the proposal conflicts with the Development Plan there are no material considerations, that indicate that the proposal should be decided other than in accordance with it.

When considering the location and land use of the proposed development, as the site is located within the Green Belt, its spatial, visual and activity impacts would have a significant impact on the openness of the site that would cause substantial harm and fail to align with the policy GB7 exceptions, including the development of grey belt land as a result of its unsustainable location and failure to ensure the provision safe and suitable access for all users.

The proposed residential development is regarded as inappropriate and would therefore be harmful to the Green Belt. This is given substantial weight in accordance with policy GB6 of the National Planning Policy Framework 2026. Such development should not be approved except in very special circumstances. There are no special circumstances that would outweigh the harm to the Green Belt by reason of inappropriateness, and therefore permission in principle cannot be granted. The proposal would be contrary to the relevant requirements of Section 13 of the National Planning Policy Framework 2026 and Policy CS02 of the Gravesham Local Plan Core Strategy 2014.

The proposed development would significantly alter the visual appearance of the site, which would be discordant with the verdant rural nature of the area, undermining the character of the Harvel Wooded Downs Landscape Character Area, and contrary to the requirements of the Gravesham Landscape Character Assessment (2009), policies DP3 and N2 of the NPPF (2026) and Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014).

Recommendation:

Refusal

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Mrs Alison Webster	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	23 September 2026	Dated:	23 September 2026