



Delegated Report

Full Planning Application

Planning Application No: 20251290

Location: Land Between Adjacent To 2 Gore Green Cottages Gore Green Road
Higham Rochester

Description: Erection of a detached 2 bedroom custom self build bungalow

Applicant: Mssrs S & C Milner

Site Visit Date: 2nd March 2026

Submitted Documents/Plans

Planning Application Form;
Site Location Plan;
Drawing No. LAGGC2511.01 – Site Plan Existing, Outbuilding Existing and Location Plan;
Drawing No. LAGGC2511.02 – Ground Floor Plan Proposed;
Drawing No. LAGGC2511.03 – Elevations Proposed Bungalow;
Drawing No. LAGGC2511.04 – Roof Plan Proposed Bungalow;
Drawing No. LAGGC2511.05 – Contextual Elevations;
Drawing No. LAGGC2511.07 – Site Plan Proposed And Outbuilding Proposed;
Covering Letter;
Supporting Information – Planning Statement – December 2025;
Supporting Information – Design and Access Statement;
Supporting Information – Preliminary Ecological Appraisal – August 2025; and
Supporting Information – Ecology Reptile Report – October 2025.

Relevant Planning History

Reference	Description	Decision	Decision Date
20100186	Erection of detached two bedroom bungalow with two car parking spaces at the front	Application Refused	09.04.2010
20070931	Erection of a detached three bedroom bungalow.	Application Refused	21.12.2007
20060168	Outline application for the erection of a detached dwelling.	Application Refused	16.05.2006
19880185	Outline application for the erection of a detached dwelling.	Application Refused Appeal Dismissed	03.05.1988 27.02.1989
19740329	Outline application for erection of four bungalows at land fronting.	Application Refused	14.10.1974

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Design
- CS15 – Housing Density
- CS18 – Climate Change
- CS19 – Design and Development Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on the Highway Network
- T4 – Development outside the Built-Up Area

Paragraph 34 of the NPPF (2024) sets out that 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 as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

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 (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving sustainable development
- Section 5 – Delivering a sufficient supply of homes
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 13 – Protection Green Belt Land
- Section 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic 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)
- SPG 4 – KCC Parking Standards (2006)
- Gravesham Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)
- Gravesham Landscape Character Assessment (2009)

Emerging Local Plan as a Material Consideration

Paragraph 48 of the Framework makes it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise. An emerging Local Plan, does not form part of the Development. The Framework, at Paragraph 49 allows local planning authorities to give weight to relevant policies in emerging Local Plans, according 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 consistency of the relevant policies in the emerging plan to the Framework, the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given to those policies.

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 (Paragraph 49) of the Framework.

The Council's emerging Local Plan, is in the process of being consulted upon (it has reached Regulation 19 stage), the Council is not yet aware of whether third parties will support or object to specific policies within the Plan, or whether they will consider the policies with the emerging Local Plan to be broadly sound and consistent with the NPPF (2024). 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

External

KCC Biodiversity

SUMMARY – SUFFICIENT INFORMATION

We have reviewed the information submitted by the applicant and advise that sufficient ecological and biodiversity net gain information has been provided for determination. Recommended condition wording is provided below.

Precautionary Mitigation

No reptiles were recorded during the surveys. We advise that we are satisfied that no specific reptile mitigation is required for the site.

We are satisfied that the precautionary mitigation set out in the Preliminary Ecological Appraisal (PEA) will be suitable for breeding birds and hedgehogs (Section 4.5 and 4.9). We advise that the applicant follow the precautionary mitigations set out in section 4 of the PEA and advise that if planning permission is granted, a condition is included to secure those precautionary measures in a Construction Environmental Management Plan (CEMP). We have not provided suggested condition wording as we feel Gravesham Borough Council would be best placed to write that condition. We suggest that the following bullet point is included in the condition wording:

- Inclusion of section 4.5 and 4.9 of the Preliminary Ecological Appraisal (KB Ecology Ltd. 22 August 2025), which covers the precautionary measures for Breeding Birds and hedgehogs.

Designated Sites

The application site falls within the 6km zone of influence of the Thames Estuary and Marshes Special Protection Area, Medway Estuary and Marshes Special Protection Area and their associated Wetland(s) of International Importance under the Ramsar Convention (Ramsar Site).

This type of development may cause additional recreational disturbance, and likely significant effects on birds using the SPA and Ramsar sites. As such, the North Kent Strategic Access Management and Monitoring Strategy (SAMMS) applies and the applicant will be required to make a tariff payment which is based on the net number of additional dwellings/overnight accommodation proposed. The payment is to mitigate for additional recreational effects on the designated sites. The local planning authority must ensure that adequate means are in place to secure this mitigation before first occupation.

Choose an item. must consider the impact the proposal will have on these designated sites in accordance with the Conservation of Habitats and Species Regulations (CHSR) 2017 (as amended) and the National Planning Policy Framework (NPPF) 2024.

A decision from the Court of Justice of the European Union (CJEU: C-323/17) has detailed that mitigation measures cannot be considered when carrying out a screening assessment to decide whether a full 'Appropriate Assessment' is needed under the Habitats Directive. Therefore, we advise that there is a need for the local planning authority to carry out an Appropriate Assessment as part of a Habitats Regulations Assessment (HRA).

Biodiversity Net Gain

The applicant considers the proposals to be exempt from statutory biodiversity net gain under the self-build exemption. For this exemption to apply, the proposals must:

- consist of no more than 9 dwellings;
- on a site that has an area no larger than 0.5 hectares; and
- consist exclusively of dwellings that are self-build or custom housebuilding as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015

It is not within our remit to verify that the proposed dwelling(s) meet the definition of self-build or custom housebuilding as defined in the 2015 Act. The LPA should therefore ensure that the proposals meet the definition and that a mandatory 10% biodiversity net gain does not apply.

Government guidance on self-build and custom housebuilding indicates that "[in] considering whether a home is self-build or custom build home, relevant authorities must be satisfied that the initial owner of the home will have primary input into its final design and layout ... Off-plan housing, homes purchased at the plan stage prior to construction and without input into the design and layout from the buyer, are not considered to meet the definition of self-build and custom housing".

A recent appeal decision¹ indicates that a "suitably robust mechanism such as a planning obligation/legal agreement or other means" is necessary to properly secure a development

1 APP/P4415/W/24/3356246 - 38 Goose Lane, Wickersley, Rotherham, S66 1JS.

as self-build and to prevent it reverting to an open market dwelling where a mandatory 10% biodiversity net gain would otherwise apply.

Ecological Enhancements

The proposed development provides opportunities to incorporate features into the design which are beneficial to wildlife, such as native species planting, including the landscaping proposed in the Design and Access statement, and the installation of integrated bat/bird nest boxes. We advise that measures to enhance biodiversity are secured as a condition of planning permission, if granted. This is in accordance with Paragraph 193 of the NPPF that "opportunities to improve biodiversity in and around developments

should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity”.

Suggested Condition Wording:

Prior to any works above slab level, a Biodiversity Enhancement Plan (BEP) shall be submitted to and approved in writing by the local planning authority. The Plan shall include full details of the biodiversity enhancements to be implemented on-site. The Plan shall include:

- A detailed, scaled soft landscaping plan, planting schedule and relevant habitat management measures;
- Provision of suitably placed bat and/or bird boxes, with the exact locations, make and model and height from ground level shown on scaled plans suitable for construction. In the case of building mounted boxes, scaled elevation plans shall be provided. Boxes for breeding birds shall be targeted at S41 priority species and/or red/amber listed species as listed within the latest British Trust for Ornithology Birds of Conservation Concern report. Boxes shall be building integrated and/or constructed of woodcrete to ensure durability;
- The creation of labelled hedgehog highways (by creating small 13×13cm gaps in close board fencing if being used) to facilitate the movement of hedgehogs across the site;
- The provision of bee bricks and/or the provision of log piles/artificial refugia for reptiles and amphibians. The exact locations, make and model, height from ground level, size and construction materials shall be shown on scaled plans suitable for construction.

The Plan shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

KCC Heritage

In this instance I suggest that no archaeological measures are required.

KCC Highways and Transportation

Before we can comment further, we would like the applicant to provide visibility splays from a 2.4m set back in the first instance as this is for a new access onto a classified road.

Once we have this information we can supply our full comments.

Higham Parish Council

Higham Parish Council feel it is in the best interest of parishioners to provide comments in relation to the above planning application for ‘Erection of a detached 2-bedroom custom self-build bungalow.’

Higham Parish Council’s Planning Committee considers that the proposed self-build bungalow would result in a significant loss of natural light to the two neighbouring properties. In addition, the application makes no provision for a driveway or off-street parking. Gore Green Road is narrow and already unsuitable for on-street parking, and any increase in parked vehicles would compromise existing safety and access issues.

The site also lies within the designated Green Belt. Higham Parish Council places strong importance on protecting Green Belt land within the village and the planning application does not justify development in this location.

Internal

GBC Environmental Protection

There is no objection to this application. The following to be considered:

Drainage/sewerage informative

The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable.

Lighting

Artificial lighting can cause a statutory nuisance under the Environmental Protection Act 1990. It is important that the applicants are not permitted to install external lighting that illuminate anything other than the ground within the curtilage of the new properties in order to assist in preventing a nuisance from occurring (which would be most likely if the bedrooms on neighbouring properties are illuminated).

GBC Waste Services

No comments received.

Neighbouring properties

The application was advertised by the displaying of a site notice and individual letters sent to six surrounding properties with an overall expiry date of 21.01.26. Three letters of objection have been received making the following summarised comments;

- Loss of light – bungalow and trees
- Loss of privacy if windows are added to west elevation
- Parking
- Highway safety – no visibility splay – lack of pedestrian footpath
- Increase in traffic
- Intensification of parking and vehicle movements
- Incongruous materials design – out of character with other properties
- Previous applications refused – reasons still may be valid

Non-material planner matter

- Removal of conifer hedge outside of site ownership – civil matter relating to boundaries

Officer's Analysis

Background

There have been a number of applications at this site for an additional dwelling, all refused, with the most recent being application reference number 20100186. This application was refused for the following reasons:

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 Development in the Green Belt) of the Gravesham Local Plan Second Review Deposit Version 2000.
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.



Since the determination of this application, there has been a number of revisions to the National Planning Policy Framework (NPPF). The current application will be assessed against the current NPPF (2024) together with the current Local Plan (2014).

Proposal

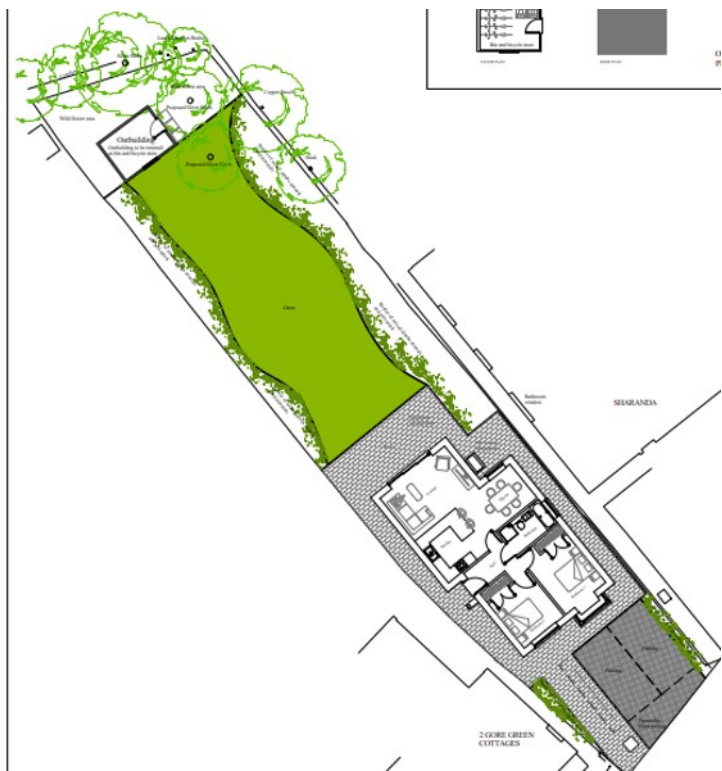
The proposal is for the erection of a detached 2 bedroom custom self-build bungalow, located to the northeast of No. 2 Gore Green Road.

Location Plan



The property would be a pitch roof two bedroom four person bungalow, consisting of ground floor accommodation only consisting of entrance hall, bathroom, open plan kitchen/dining/lounge and two double bedrooms. Parking would be 2no. surface parking space to the front with the existing outbuilding to the rear of the site being retained to provide cycle storage.

Proposed Site Layout



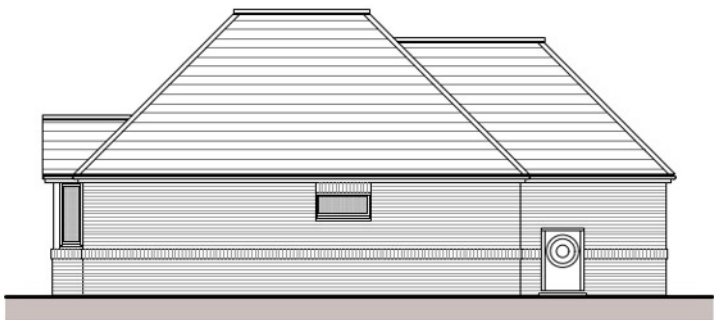
Proposed Elevations



SOUTH EAST ELEVATION



SOUTH WEST ELEVATION

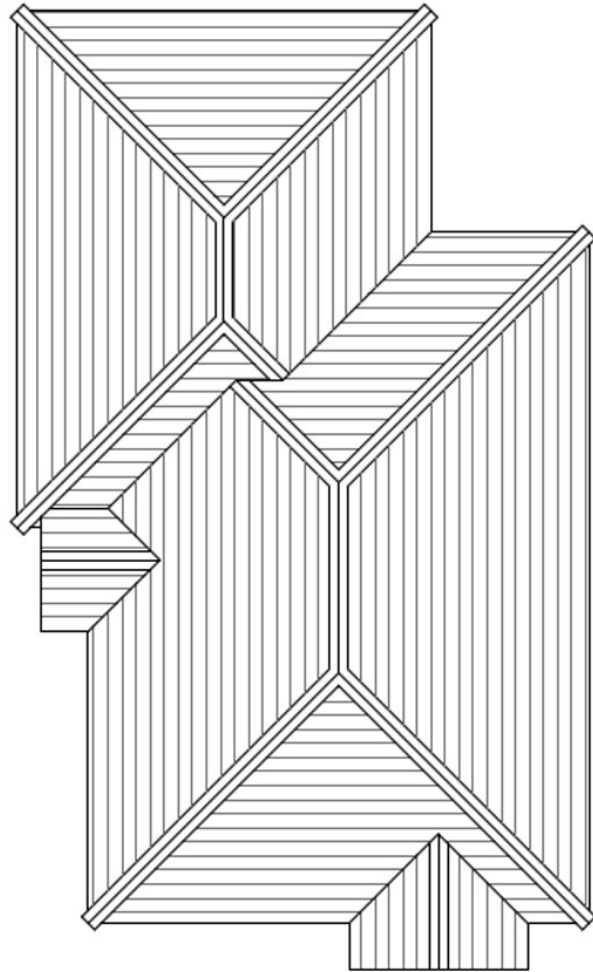
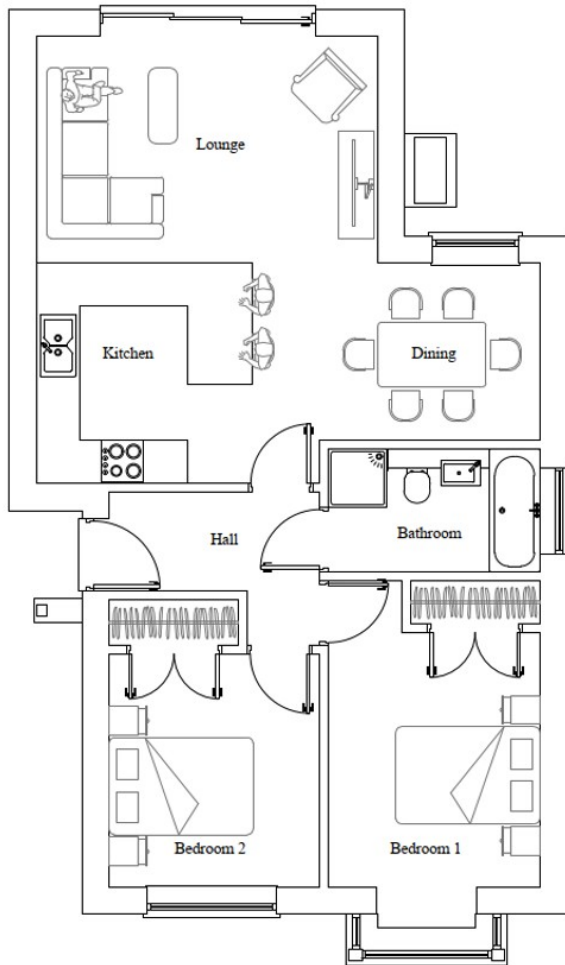


NORTH EAST ELEVATION



NORTH WEST ELEVATION

Proposed Floor and Roof Plans



Principle Issues

the application site which comprises a parcel of land in-between two existing properties, being No. 2 Gore Green Cottages and Sharanda, is located in the countryside, outside the rural settlement and in the Green Belt. It is also within the Higham Arable Farmlands Landscape Character Area. Taking into account these designations, the main issues for consideration in the determination of this application are the principle of the development in the Green Belt, the impacts on landscape character and the appearance of the surrounding area, on residential amenities and on highways.

Green Belt Matters

Firstly, the use of the land must be considered. The site is a parcel of land that is enclosed on either side by existing properties and fronts onto Gore Green Road. The boundaries include existing fencing and hedging to the sides and hedging to the rear. The site contains an existing detached outbuilding to the rear and is currently overgrown. This section of Gore Green Road has properties on both sides of the road and generally a built-up section, with the exception of the application site. The site itself contains the aforementioned detached outbuilding, a polytunnel and a concrete path.

Existing Site



As the application site is located in the Green Belt, paragraphs 142 and 143 and 152-156 of the NPPF (2024) and Policy CS02 of the Core Strategy (2014) are most relevant.

Policy CS02 of the Core Strategy 2014 prioritises development in the urban area as a sustainable location for development. In the rural area it states that development will be supported within rural settlements that are inset from the Green Belt and defined on the Policies Map. Development outside those settlements (which is the case here), will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the Core Strategy 2014.

Green Belts are of great importance. The fundamental aim of Green Belt policy is to prevent urban sprawl by preserving the open and permanent characteristics of Green Belts (paragraph 142 of the NPPF 2024). Paragraph 153 of the NPPF 2024 states that 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

Any harm to the Green Belt should be given substantial weight. Development in the Green Belt is inappropriate unless either one of the exceptions in paragraph 154 applies:

- 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. These are:
- i. mineral extraction;
 - ii. engineering operations;
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

In this instance, the proposed dwelling does not fall within any of the exceptions set out in paragraph 154 of the NPPF (2024) and would therefore be deemed inappropriate development.

The proposal then falls to be considered against paragraph 155 of the NPPF (2024), which provides a further exception for the development of homes.

The submitted Planning Statement considers the development is potentially not inappropriate under paragraph 155, which states as follows:

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

- a) *The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- b) *There is a demonstrable unmet need for the type of development 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.*~~

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

The proposal relates to the development of a home and can therefore be considered under this paragraph. All the criteria should be met in order for the development to be deemed not inappropriate. Each point will be considered in turn below:

(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

The definition of 'grey belt land' is set out in the Glossary (Annexe 2) of the NPPF (2024) and is defined as:

Grey belt: 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."

Footnote 7 states:

The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.

The proposal is not considered to be on land where the application of policies related to the areas or assets in footnote 7 of the NPPF (2024) provide a strong reason for refusing or restricting development; the only applicable asset would relate to heritage as the site is within an archaeological notification area. This will be examined in more detail below.

Whether the site is Grey Belt Land?

Paragraph 155 (a) has two parts. One is the assessment of the land as grey belt (above) and the second part is a determination of whether the development would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.

In relation to the second part of the definition, paragraph 143 of the NPPF (2024) sets out the five purposes of the Green Belt (with the relevant points highlighted):

- 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 of historic towns; and**
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The largest built-up area closest to the application site is the town of Strood. As Higham is considered a village, it is not a large built up area. The site therefore does not contribute to the unrestricted sprawl of large built-up areas (a). In relation to (b) the land is not close to a town and therefore does not prevent neighbouring towns merging into one another. As Higham is not a historic town point (d) does not apply.

Therefore, the proposal is not considered to fundamentally undermine the purposes of the remaining Green Belt across the area of the plan. Point (a) of paragraph 155 is therefore met.

(b) There is a demonstrable unmet need for the type of development proposed

In relation to criterion (b) of paragraph 155, paragraph 34 of the NPPF 2024 sets out that 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 as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy 2014 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.

With regard to housing need, Policy CS02 of the Core Strategy 2014 sets out the Borough's objectively assessed need for housing over the Plan period (up to the year 2028) and finds that there is a need for at least 6,170 new dwellings to be delivered at variable rates over the plan period (2028).

Paragraph 78 of the NPPF 2024 states that the Borough's five-year land supply should be demonstrated against either the housing requirement set out in adopted strategic policies or against the local housing need where strategic policies are more than 5 years old. As the Borough's Local Plan Core Strategy (2014) is more than 5 years old, the Government's Standard Method now forms the basis of the Borough's housing need against which supply must be identified.

Evidence now available shows that the Council is not able to demonstrate a five-year housing supply. A 5 year supply has most recently been calculated within the Five Year Housing Land Supply Statement 2025-2030 (dated July 2026), and as the delivery of housing was substantially below that required by the Housing Delivery Test (less than 75%) at 59%, which engages the presumption in favour of sustainable development and requires a 20% buffer to be applied to the Borough's housing need figure. As set out in

the 2025-2030 statement, the Borough's five-year local housing need figure with a 20% buffer is 4,056 dwellings which equates to an annual requirement of 676 dwellings.

This engages footnote 8 of the NPPF 2024, which means that, for decision taking, as set out in Paragraph 11(d) of the NPPF 2024, planning permission for applications involving the provision of housing should be granted, unless there are clear areas or asset protection reasons (including land designated as Green Belt, as is the case with the proposal site) for refusing the development or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole. A balancing exercise would therefore be undertaken when considering any future application for housing on these sites, to ensure that the correct weight is attached to the shortfall in meeting the five-year housing land supply requirement and the provisions within the NPPF.

In determining applications for planning permission involving housing, the Council will therefore apply a weighted balance in favour of granting planning permission in accordance with relevant case law and guidance, having regard to the acceptability or otherwise of the proposals when evaluated against development plan policy, the need to make efficient use of land (paragraph 129(c)) in context, the relative contribution the proposal makes towards the alleviation of any shortfall in housing delivery at that time and any other considerations material to the proposed development.

The proposed development would provide a net increase of 1 residential unit on the application site, which would contribute towards meeting the identified unmet housing needs of the Borough. Consequently, it would comply with criterion (b) of paragraph 155.

(c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework

Planning Practice Guidance for Green Belts, sets out that:

Whether locations are sustainable should be determined in light of local context and site or development-specific considerations. However, in reaching these judgements, national policy is clear that authorities should consider opportunities to maximise sustainable transport solutions, as set out in paragraphs 110 and 115 of the NPPF (2024).

Paragraph 110 states:

The planning system should actively manage patterns of growth in support of these objectives. 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. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

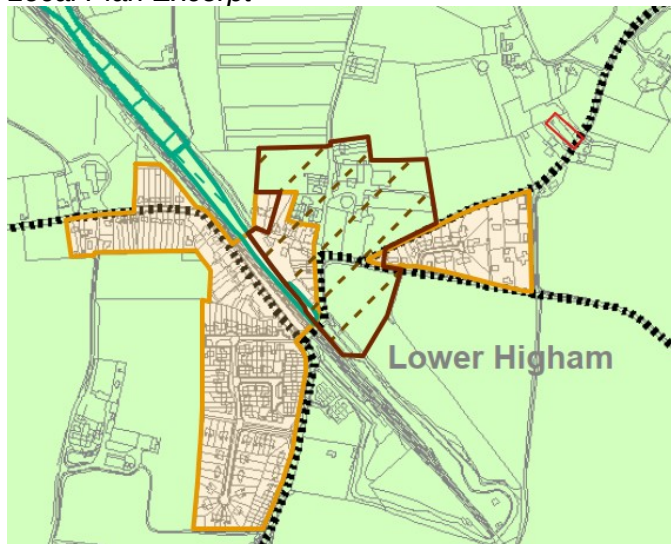
Paragraph 115 states:

In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- (a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;*
- (b) safe and suitable access to the site can be achieved for all users;*
- (c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*
- (d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.*

The application site is just outside the rural settlement of Lower Higham, located around 1.5km to the north of Higham. It is recognised that it would be unrealistic to expect this part of the rural area to be served to a similar standard by sustainable modes of transport as the most accessible part of the Borough, namely Gravesend Town Centre.

Local Plan Excerpt



The main sustainable transport link serving Lower Higham is Higham Railway Station, located off School Lane. This is approximately 0.5 miles (10 minute walk) from the site. It is primarily served by Southeastern and Thameslink, providing regular services to London Bridge, Luton and Rainham via the Medway Towns. London St Pancras International is accessed by changing at Gravesend to High Speed 1 trains or via Thameslink.

With regards to the bus network, routes 311 and 111 provide school-related transport, with route 417 operated by Kent Country (Go-Ahead) Buses connects Gravesend to Cliffe and Bluewater via Lower Higham adj Railway Station on School Lane, but it provides a limited service starting from 07:44 to 16:40. The nearest bus stop to the site is on Chequers Street which is approximately 0.3 miles (6 minute walk).

In terms of cycling and walking, Lower Higham is well-positioned for active travel with National Cycle Network Route 1 and the Saxon Shore Way linking Lower Higham to Gravesend. National Cycle Network Route 1 passes through the area, following the Thames and Medway Canal it provides a largely traffic-free route towards Gravesend Town Centre. Saxon Shore Way provides a long-distance walking route traversing the marshes to both Gravesend and the Hoo Peninsula. Whilst the application site is not located within the rural settlement of Lower Higham, it is only located approximately 91m from the eastern boundary.

A number of facilities are situated within an approximate 13-minute walking distance of the site, with Higham Primary School, Higham Village Pre-School and Higham Recreational Grounds being approximately 0.6 miles to the south of the site.

Further afield, local facilities in Higham are within a c.1.2m walk to the Local Centre and could be used on a day-to-day basis. This includes, but is not limited to, a hairdresser, fish and chip takeaway, Chinese takeaway, a village grocer, Gardeners Arms Public House, post office, and local churches. These particular facilities are at the upper limit of what people can reasonably be expected to walk to; in addition to this, the routes to these facilities are generally not well-lit and do not have pavements for the entirety of the route.

In a recent appeal (Appeal Ref. APP/K2230/W/25/337111, Land at Stoney Wood), the Inspector stated that in the matter of sustainability that;

“Although the site is outside of a settlement, Meopham Green and Culverstone Green can be reached by walking along a pedestrian footpath. I am advised that there are a primary school, secondary school, nursery, church, public house, café, shop, leisure centre, library and medical practice within a 25-minute walk from the site, which are capable of meeting some day-to-day needs. I appreciate that the length of this walk and because the footpath is unlit, could deter future occupiers from walking or cycling to these settlements. However, the area is served by a local bus service, and the nearest bus stop is a relatively short walk away from the site.”

The Inspector concluded that;

“within the context of its rural location, the proposed development would be located in a sustainable location, fulfilling the requirement of part c) of paragraph 155 of the Framework. The proposed development would utilise Grey Belt land, there is a demonstrable unmet need for housing, it would be in a sustainable location, and the Golden Rules are not applicable.”

In another appeal (Appeal Reference APP/K2230/W/25/3370656 Starwood, Pear Tree Lane), the Inspector stated that;

“This section of Pear Tree Lane has a rural character but, due to the presence of existing dwellings in the vicinity of the site, the proposed development would not be in an isolated location. Furthermore, Pear Tree Lane connects the site with nearby settlements including Shorne and Higham, which are classified by the Council as 2nd and 4th tier settlements.”

The Inspector acknowledged the lack of footpath for 320 metres and the need for *“future occupiers to walk along the unlit and relatively busy stretch of Pear Tree Lane”*. In this case the appeal site would be served by a local bus service for 3no. routes and by local shops and facilities such as coffee shop, village hall, a beauty salon, play area, pharmacy and church and public house. They did acknowledge that *“there could still be, to some degree, a level of reliance upon a private motor vehicle to access other shops, services and larger settlements given the routes and distances involved. Nevertheless, the proposal offers a genuine choice of transport modes, commensurate with the site’s rural location.”*

The Inspector concluded that;

“the proposal would utilise grey belt land. Within the context of its rural location, I am satisfied the proposal would be in a sustainable location, as required by criterion c) of Framework paragraph 155. The proposal would therefore satisfy criteria a)-d) of paragraph 155 of the Framework. Consequently, the proposed development would not be inappropriate development within the green belt.”

In relation to this current application site, a small 2-minute section of the walk would not be served by a footpath, however the remainder would be served by streetlighting and footpath and would only be a 16-minute walk to the local centre and much less to the nearest bus stop, which would be served by 5no. bus services to Sevenoaks (308), Vigo (306), Vigo Village (school bus) (VIGO1), Weald of Kent School (223), Meopham (M1) and the 416 (Gravesend and Meopham), together with and local primary school and nursery. The local centre has a mini market, post office, Indian restaurant, Pharmacy, fish and chip shop, butchers, dry cleaners, and convenience store. In addition there are local facilities on Lewis Road including dentist, florist and hairdressers, with a doctors and Community Centre off of Worcester Close; all within walking distance of the application site. Therefore, the application site provides for local services/facilities with a number of options for sustainable travel modes with bus services going to local schools, towns and train stations.

As such, and taking the above into account, the site is considered to be in such a location that allows for sustainable and active travel, thereby encouraging alternative modes of transport to the car, including the ability to walk or cycle to nearby bus stops and Higham railway Station, which provides a reliable train service. It is considered that the proposed development, given its rural context, would be in a sustainable location for the purposes of paragraph 155(c) of the Framework.

On this basis, as the proposed development would comply with all the relevant criteria under paragraph 155 of the NPPF (2024).

Conclusion on Green Belt

Paragraph 155 of the NPPF (2024) states that the development of homes in the Green Belt should not be regarded as inappropriate where all the paragraph 155 criteria apply. In this case, the proposal would meet the applicable criteria and as a result the development is not regarded as inappropriate, and the Green Belt would not be harmed. The proposal is acceptable on this basis.

Landscape Impact

Paragraph 135 of the NPPF 2024 seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. 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.

Paragraph 187 of the NPPF 2024 aims for development to contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside.

The application site is located in the Higham Arable Farmlands Landscape Character Area within the Gravesham Landscape Character Assessment (GLCA) 2009 and as such, Policy CS12 of the Core Strategy 2014 is also relevant. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the Gravesham LCA will be taken into account in determining applications.

The Higham Arable Farmlands is characterised by;

- Very gently undulating topography
- Open arable farmland
- Views out to the marshes and the River Thames in the north
- Original Saxon village of Lower Higham and more recent development to the south
- Marsh side hamlets and settlements
- Isolated farmsteads and scattered properties with locally distinct styles and materials
- Pockets of orchards and garden nurseries
- Historic sites including a Priory and Gad's Hill, once home to Charles Dickens
- Thames and Medway Canal (disused) runs to Lower Higham

The overall condition of the landscape is poor and has moderate sensitivity. It is recommended that key landscape elements should be restore and create.

The application site is read in the context of surrounding residential development and is therefore not considered to be within a visually sensitive area. This proposal for one single storey dwelling on the established rural edge of a built settlement, with existing properties to either side and to the front. Such a proposal will not adversely affect the wider landscape character area, and the proposal will therefore comply with the requirements of Policies CS12 and CS19 of the Core Strategy 2014.

The submitted drawings show sensitive hard and soft landscaping, with moderate hard landscaping to the front to create off road parking, with the rear garden being laid to lawn with a good level of soft landscaping along the boundaries and the existing trees and hedging to the rear being retained. Further landscaping details should be conditioned to ensure the site is appropriately landscaped taking account of its position in a Landscape Character Area, together with a planting schedule.

Design, Character and Appearance

Section 12 of the NPPF 2024 relates to achieving well-designed and beautiful places and sets out the Government's requirements in relation to design issues. Paragraph 131 emphasises the importance of achieving high quality, beautiful and sustainable buildings and places. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 of the NPPF 2024 also seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. 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 it is recognised that development which makes effective use of land should be supported (paragraph 124 of the NPPF 2024), this comes with the proviso that it should safeguard and improve the environment and not conflict with other policies in the NPPF. Relevant to this proposal, paragraph 129 of the NPPF states that developments that makes efficient use of land should be supported, taking into account the identified need for different types of housing, the desirability of maintaining an area's prevailing character and setting (including residential gardens), and the importance of securing well-designed places.

In a similar vein, Policy CS14 of the Core Strategy 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 forms a 1no. two bedroom detached dwelling and would therefore be supported by Policy CS14, providing design and character is also acceptable.

Policy CS15 of the Core Strategy seeks to achieve a minimum density for new 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 0.05 hectares; 1 dwelling on this site would be well below the density target at 9 dph and would be appropriate for the area.

The proposed building has been designed with a pitch roof, this is not dissimilar to that of the adjacent dwelling Sharanda. This section of Gore Green Road is made up of a mix design of properties, with no uniformity. The modest footprint, height and design of the proposed bungalow would not result in a dominant structure, and being set back from the building line of the adjacent Gore Green Cottages, gives a stepped approach along Gore Green Road.

The general appearance of the proposed dwelling is considered to be subservient and appropriate for its setting on the edge of the rural settlement of Lower Higham and would not appear at odds with surrounding properties or obtrusive within the street scene:

Google Earth Street View:



Gore Green Cottages



Sharanda



On balance, the proposed dwelling is considered to be appropriate in terms of its size, scale and appearance, and would respect the character and appearance of the area. As such, the proposal would comply with the requirements of Policies CS14, CS15 and CS19 of the Core Strategy (2014) and paragraphs 124, 129, 131 and 135 of the NPPF (2024).



Residential Amenity

The NPPF 2024 states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 135f).

Policy CS19 (LPCS) requires that all development should be 'fit for purpose' and be 'adaptable to allow changes to meet the need of users' and that 'the design and layout of new residential development, including conversion, will accord with the adopted Residential Layout Guidelines' (RLG) (2020). Moreover, on 25 March 2015 the Government issued a written ministerial statement, which introduced new technical housing standards in England and set out how these would be applied through planning policy. These standards came into effect on 1 October 2015.

Future Occupiers

The proposal complies with the Technical Housing Standards - Nationally Described Space Standards 2015 in terms of the size of the proposed accommodation, which with a gross internal floor area (GIFA) of approximately 71.3m², exceeds the minimum standard for a 2 bedroom, 1 storey dwelling which would require a minimum GIFA of 70m².

The proposed rear garden amenity space would measure approximately 285m², which would exceed the 37.2m² minimum laid out within the adopted Residential Layout Guidelines. Therefore the property and amenity space would be acceptable for future occupiers.

The adjacent property, Sharanda, has three windows within its side elevation that overlook the application site. The submitted drawings indicate that the window closest to the proposed patio area serves a bathroom. However, during the officer's site visit, this window did not appear to be fitted with obscure glazing. Consequently, all three side-facing windows would provide clear views over the proposed private rear amenity space.

Site Photos



Sharanda



No. 2 Gore Green Cottages also has a large window and door in the side of the rear extension, however the majority of views over the site are obscured by the existing fencing.

Whilst it is acknowledged that there would be some overlooking from the existing neighbouring properties, the established boundary treatments would provide a degree of mitigation. In particular, the existing conifer hedge along the eastern boundary could be allowed to grow to a greater height, and the proposed perennial planting along the site boundaries would provide additional screening over time.

Furthermore, any overlooking would be limited to the rear garden areas. No harmful overlooking of habitable rooms would arise, owing to the position and orientation of the proposed windows, together with the oblique angles between the properties. Future occupiers of the development would also be aware of the relationship with the neighbouring properties and their existing windows prior to occupation.

Neighbouring Properties

The neighbouring properties most likely to be affected by the proposed development, by virtue of their proximity, are No. 2 Gore Green Cottages to the south-west and Sharanda to the north-east. The proposed dwelling would be set further back within its plot, extending beyond the rear building line of No. 2 Gore Green Cottages. Sharanda is positioned further to the rear than the proposed dwelling.

In terms of outlook and overshadowing, the proposed dwelling would be single storey and would be approximately 3.3m and 2.05m from the side elevations of No. 2 Gore Green Cottages and Sharanda respectively. Having regard to the scale and height of the proposed dwelling, together with the existing boundary treatments, it is not considered that the development would result in an unacceptable loss of outlook or harmful overshadowing to either neighbouring property.

With regard to privacy, all habitable room windows would be located at ground-floor level within the front and rear elevations, with only a bathroom window proposed in the side elevation. A condition will be attached to any planning permission requiring this window to be fitted with obscure glazing and to be non-opening below 1.7m above internal floor level. A further condition will remove permitted development rights for the insertion of additional side-facing windows, thereby safeguarding the privacy of neighbouring occupiers.

Site Layout



The side-facing windows at Sharanda would have an oblique relationship with the proposed dwelling and its garden. As discussed in the 'Future Occupiers' section above, the existing conifer hedge could be allowed to grow to a greater height, while the proposed perennial planting would provide additional natural screening over time. Although there may be some reduction in light to these side windows, it is noted that a 2m-high boundary fence could be erected under permitted development rights without requiring planning permission. In these circumstances, it would not be reasonable or necessary to impose a condition preventing such boundary treatment, and the proposal is not considered to result in an unacceptable impact on residential amenity.

Overall, the proposal is not considered to adversely affect amenity and would comply with the requirements of the SPG2 Residential Layout Guidelines (2020), Policy CS19 of the Core Strategy (2014) and paragraph 135f of the NPPF (2024).

Parking and Highways

Neighbour objections have been received in relation to parking provision and highway safety, with concerns raised regarding the loss of on-street parking and the suitability of the proposed access.

The proposal has been assessed against Policy CS11 of the Core Strategy (2014), which requires new development to mitigate its impact on the public highway and, where appropriate, to be supported by transport assessments to promote sustainable travel choices. The policy also requires sufficient parking provision in accordance with the Council's adopted standards, having regard to the accessibility of the site by alternative modes of transport. These objectives are reflected in Saved Policies T1 and P3 of the Local Plan (1994), which require development to be adequately served by the highway network and to provide appropriate parking in line with the Council's adopted standards.

The proposed dwelling would provide two off-street parking spaces to the front of the property, which accords with the adopted parking standards for a dwelling of this size. The site is relatively level, and the submitted plans indicate that the existing front boundary treatments would be reduced to approximately 600mm in height, subject to agreement with the adjoining landowner. This would provide adequate visibility for vehicles entering and leaving the site.

Concerns have also been raised regarding the loss of informal on-street parking to the front of the application site. Whilst it is acknowledged that the proposed access and parking area would remove this opportunity, the majority of surrounding properties benefit from dedicated off-street parking. Only Nos. 1 and 2 Gore Green Cottages do not have private parking provision, and there remains available

on-street parking immediately to the front of these properties and elsewhere within Gore Green Road. Consequently, it is not considered that the loss of this informal parking space would give rise to a level of harm sufficient to justify refusal of the application.

It is also noted that concerns have been raised regarding the potential impact of the adjacent Nuralite site, including associated Heavy Goods Vehicle (HGV) movements and the possible introduction of a one-way traffic management system. Whilst the planning permission relating to the Nuralite site has been lawfully implemented and forms part of the established planning context of the area, it is not considered that the level of vehicle activity associated with that development would give rise to conditions that would materially harm the living conditions of future occupiers of the proposed dwelling or result in an unacceptable impact on highway safety. The proposed dwelling would benefit from its own dedicated access and parking provision, and future occupants would reasonably be expected to experience the existing and approved traffic conditions within the locality. Accordingly, the presence of the implemented Nuralite permission does not weigh against the acceptability of the proposed development.

Having regard to the scale of the proposal, which comprises a single additional dwelling, it is not considered that the development would result in a severe or otherwise unacceptable impact on the operation or safety of the local highway network. Accordingly, the proposal is considered to comply with Policy CS11 of the Core Strategy (2014) and Saved Policies T1 and P3 of the Local Plan (1994).

Any Other Material Planning Considerations

Heritage

The NPPF 2024 places great significance on the desirability of sustaining and enhancing heritage assets, and on new development making a positive contribution to local character and distinctiveness (paragraph 203). This is echoed in Policy CS20 of the Core Strategy 2014, which states that the significance of the Borough's heritage assets and their setting should always be preserved or enhanced. Saved Policy TC7 states that development on important archaeological sites will not normally be permitted.

The site is within an Area of Archaeological Potential. KCC Heritage has confirmed that no archaeological measures are required in respect of the development. It is therefore unlikely the proposal would have a significant below-ground archaeological impact.

In this respect the proposal complies with the relevant requirements of saved Policy TC7 of the Local Plan 1994, Policy CS20 of the Core Strategy 2014 and Section 16 of the NPPF 2024.

Biodiversity Net Gain (BNG)

Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

In this case, the proposed development is covered by an exemption: it is a self-build development and

meets the conditions necessary to qualify for such an exemption. Therefore, the development would not be subject to biodiversity net gain. However, the proposed landscaping of perennial planting along the border will add to the biodiversity provision on the site, and further details of biodiversity enhancement measures can be included in an appropriate condition to ensure such provision on site, as well as a lighting condition to ensure a wildlife sensitive lighting scheme is brought forward.

Non-Material Consideration

Boundary Dispute

Representations have been received from the occupiers of Sharanda raising concerns regarding the existing conifer hedge along the shared boundary and objecting to its potential removal.

In response, the applicant's agent has confirmed that the existing site layout plan (Drawing No. LAGGC2511.01) identifies the location and height of the conifer hedge. Although the proposed site layout plan (Drawing No. LAGGC2511.07) does not include this annotation, the applicant acknowledges that the trunks of the conifers are located outside the application site and has confirmed that there are no proposals to remove the hedge as part of the development.

Notwithstanding this clarification, the ownership, maintenance or removal of boundary features is a civil matter between the respective landowners and is not a material planning consideration. As such, it carries no weight in the determination of this planning application.

Conclusion

The proposed development would result in a net gain of one dwelling, making a modest contribution towards meeting the Borough's identified housing needs. This attracts moderate weight in favour of the proposal, particularly given that the Council is currently unable to demonstrate a five-year supply of deliverable housing sites.

This benefit must be balanced against the need to safeguard and enhance the environment, a key objective of the National Planning Policy Framework (2024). As set out in the assessment above, the proposal is not considered to constitute inappropriate development within the Green Belt. Furthermore, the development is acceptable in terms of its design, scale and appearance, and would preserve the character of the application site and the surrounding area. It is also considered to have an acceptable impact on the living conditions of neighbouring and future occupiers and would not give rise to unacceptable highway safety or parking impacts.

The proposal is therefore considered to accord with Policies CS11, CS12, CS14, CS15 and CS19 of the Core Strategy (2014), Saved Policies T1, T5 and P3 of the Local Plan (1994), and the relevant provisions of the National Planning Policy Framework (2024), including paragraphs 115, 124, 129, 131, 135 and 154.

Having regard to all material considerations, including the identified housing benefit, it is concluded that planning permission should be granted, subject to the conditions.

Recommendation

Permission subject to conditions.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ms Amanda Cue	Team Leader:	Richard Hart
Signed:	A Cue	Signed:	R Hart



Dated:	22 nd July 2026	Dated:	22 nd July 2026