



The countryside charity  
Kent

**Application: 20240544 - Land At Cobham House Vineyard Gold Street Cobham Gravesend Kent DA12 3AA**

**Proposal: Application to determine if prior approval is required for a proposed; Erection of a winery building and hardstanding for Agricultural or Forestry use of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 6.**

We at CPRE Kent are increasingly concerned about the use of the permitted development regime by developers to force through development within the countryside that would ordinarily be deemed inappropriate.

We are concerned this is because the route is seen as a means of securing a permission of sorts at locations where full or outline planning permission would ordinarily be refused. This is because at the initial prior notification stage, the Council's decision may only be based on very limited criteria, bypassing the necessary upfront scrutiny of other detailed matters as would be the case with a normal full or outline planning application.

In this instance, it is clear from the level of local public concerned and objections already raised that the proposed location is extremely locally valued and therefore clearly a location of higher sensitivity in terms of assessing landscape impact. This is understandable given the level of constraint at this location, which includes Metropolitan Green Belt, Kent Downs National Landscape and within the Istead Arable Farmlands Landscape Character Area.

Accordingly, and with respect to the first test, clearly prior approval will be required in this instance.

As to whether prior approval should be given, CPRE Kent would remind the Council that this is entirely at their discretion as decision maker and that they need to fully be satisfied that the design and sitting of the development is acceptable before giving approval. This includes having all the necessary information available to make this decision. If there is insufficient information, or if it's clear a constraint cannot be overcome, the application should be promptly refused.

In this instance, it is clear from Gravesham's local list validation requirements that, were this a usual planning application, a Landscape and Visual Impact Assessment would ordinarily be required given the sensitive location. Comments would also usually be sort from the North Downs National Landscape unit. Without such information, it would appear to CPRE Kent that there is insufficient information to give prior approval and so the application should be promptly refused.

From what information has been provided, we are not convinced the issue of design and sitting can be agreed. It remains that the proposed location is isolated and divorced from any other agricultural building or structures. Likewise, the scale of the proposed building at such a location would have a negative and harmful impact on the overriding open rural character or natural beauty of the landscape. Again, it would seem to us that only the necessary scrutiny that comes from a full planning application would give Gravesham the ability to properly assess whether these impacts could be overcome.

Further, whilst it is noted that the Council previously gave prior approval to a similar scheme that was subsequently quashed, this should not be considered to have set a precedent. Amongst other

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considerations, this previous decision failed to give regard to the new statutory duty introduced via Section 245 of the Levelling-up and Regeneration Act 2023 for all relevant authorities to 'seek to further' the purpose of conserving and enhancing natural beauty of any landscape with AONB designation, such as the Kent Downs.

Therefore, and as it stands, it seems clear to CPRE Kent that the proposed development would be harmful to the openness and natural character of the surrounding Kent Downs National Landscape, Green Belt and Istead Arable Landscape Character Area and contrary to Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014) and Sections 12 and 15 of the National Planning Policy Framework (2023)

We therefore trust that the Council will refuse to give prior approval.

Yours sincerely

**Richard Thompson**

Planner



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