



Delegated Report

Full Planning Application

Planning Application No: 20250937

Location: 90 Downs Road Istead Rise Gravesend Kent

Description: Erection of a 3 bed detached residential property and garage.

Applicant: Alder Homes Ltd

Site Visit Date: 3rd November 2025

Submitted Documents/Plans

Planning Application Form;
Drawing No. 90-DRG-1001 Rev B – Site Location Plan;
Drawing No. 90-DRG-001 Rev A – Proposed Floor Plans;
Drawing No. 90-DRG-002 Rev A – Proposed Elevations;
Drawing No. 90-DRG-003 Rev A - Proposed Garage Plans and Elevations;
Drawing No. 90-DRG-10 Rev B – Site Plan with Topo;
Drawing No. 90-DRG-11 Rev B – Site Plan without Topo;
Drawing – On-site Post Intervention Map;
Drawing – On-site Baseline Map;
Supporting Information – Planning Statement;
Supporting Information – Design and Access Statement;
Supporting Information – Preliminary Ecological Appraisal;
Supporting Information – Covering Letter;
Supporting Information – Biodiversity Net Gain Report (Ref: 1527); and
Supporting Information – BNG Metric.

Relevant Planning History

Reference	Description	Decision	Decision Date
20190372	Erection of four bedroom dwelling with associated parking and landscaping.	Application Refused	06.09.2019
20130911	Erection of detached two storey, three bedroom dwelling with detached double garage.	Application Refused	15.01.2014
19860594	Change of use of land to residential garden and formation of vehicular access on land between 88 and 90 Downs Road	Permitted	29.09.1986
19850187	Outline application for the erection of a two storey dwelling with detached double garage	Application Refused	26.04.1985
19800403	Outline application for the erection of two detached two storey dwellings with garages	Application Refused Appeal Dismissed	24.06.1980 29.12.1980
19800153	Outline application for the erection of 5 detached two storey dwellings with garages	Application Refused	15.04.1980

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)

- C11 – Change of Use of Redundant Buildings in the Countryside
- 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)

Consultations, Publicity and Representations

Consultees



External

KCC Biodiversity

25.11.25

We have reviewed the submitted ecological information and advise that further information is required in relation to baseline habitats. This is due to individual trees being present from a review of aerial and street imagery, however not being shown on the baseline habitats plan or within the BNG metric. We also require further information as to whether Ground Level Tree Assessments (GLTAs) for roosting bats have been undertaken on these trees, as they appear to be mature/semi-mature.

There will be some small loss of bramble scrub, which has potential to support nesting birds and links to woodland with suitability for dormice. It is considered that so long as woodland and PRF-I trees are retained as outlined within the post-development habitats plan, and as long as grassland is managed in its current short sward, that impacts to protected species as a result of proposals can be avoided through the implementation of sensitive working methods without the need for further survey. This is dependent on the results of the GLTA as referenced above. To summarise we require the following prior to determination:

- Ground Level Tree Assessment (bats) on trees identified for removal
- BNG baseline revisions for all trees within centre/east of the site that will need to be removed (or have already been removed)

BATS

Three trees within the northern woodland have been identified as PRF-I as outlined within the Preliminary Ecological Appraisal (EcoAssistance, Aug 25). These appear to be retained, and no further survey is necessary. It is not clear whether a GLTA has been undertaken on the individual trees present across the site as shown below. The results of this are required prior to determination, as their removal will be required to facilitate the development footprint.



Fig 1. Street view of site

BASELINE HABITATS

The BNG metric shows habitats onsite to consist primarily of modified grassland, with small patches of introduced shrub, bramble and lowland mixed deciduous woodland. As acknowledged within the PEA, the entire site is mapped as woodland, however the woodland edge only covers a small section of the western site boundary. A number of individual trees appear to be present across the site as shown below in Fig 2.



Fig 2. Aerial of site

The PEA and BNG report/metric have not referenced these trees, and it is not clear whether they have therefore already been removed. If they have been removed, then it appears to have been done post-2020 and therefore they still must be included within the BNG baseline in line with the BNG guidelines. If trees are no longer present then a 'good' condition score and precautionary assessment should be given as to their DBH, as a full survey will no longer be possible.

We are satisfied that the post-development habitats have been accurately recorded, however it is likely that the net loss on site will be larger than 0.05 units as currently shown, if the individual trees in the east of the site are taken into consideration. An updated metric and baseline habitats plan will need to be submitted to reflect these comments.

30.12.25

We have reviewed the submitted ecological information and advise that sufficient information has been provided to determine the planning application.

Protected/Notable Species.

We advise that we are satisfied that the submitted ecological information is sufficient to determine the planning application. It is considered that so long as woodland is retained as outlined within the post-development habitats plan, and as long as grassland is managed in its current short sward, that impacts to protected species as a result of proposals can be avoided through the implementation of sensitive working methods without the need for further survey.

Three trees within the northern woodland have been identified as PRF-I as outlined within the Preliminary Ecological Appraisal (EcoAssistance, Aug 25). These appear to be retained, and no further survey is necessary. A GLTA was not undertaken on the individual trees present across the site as shown below. However we understand that these trees were removed prior to survey being carried out.



Fig 1. Street view of site

No development shall be undertaken (including any ground works, site and/or vegetation clearance) until a construction ecological management plan (CEMP) which contains full details of the ecological mitigation has been submitted to and approved in writing by the local planning authority. The CEMP shall be based on up-to-date ecological survey information, as advised by a suitably qualified ecologist and include the following:

- *Measures to avoid impacts to the retained habitats including identification of a construction exclusion zone (and the use of protective fences, exclusion barriers and warning signs);*
- *Extent and location of proposed construction and mitigation works, shown on appropriate scale maps and plans;*
- *Specific measures (which may be presented as a series of method statements) to avoid impacts to protected/notable species and a timetable for implementation of the measures;*
- *Persons responsible for implementing the measures, including times during construction when specialist ecologists need to be present on-site;*
- *The role and responsibilities of an Ecological Clerk of Works (ECow) or similarly competent person(s);*

The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

Biodiversity Net Gain

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications⁵⁸ for development (unless exempt^{59,60}), must deliver at least a 10% biodiversity net gain (BNG), shown via use of the Statutory Biodiversity Metric prior to commencement of any development. Significant on-site gains, and all off-site gains will need to be secured for at least 30 years. Having reviewed submitted information⁶¹, we consider a 10% biodiversity net gain is a statutory requirement of this proposed development.

Any application which is required to achieve a 10% BNG must submit the following information as a minimum¹:

- confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition;
- the pre-development biodiversity value(s), either on the date of application or earlier proposed date (as appropriate);
- where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date;
- the completed metric calculation tool showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value;
- a statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value ('degradation'), and where they have:
- a statement to the effect that these activities have been carried out;
- the date immediately before these activities were carried out;
- the pre-development biodiversity value of the onsite habitat on this date;
- the completed metric calculation tool showing the calculations, and
- any available supporting evidence of this;
- a description of any irreplaceable habitat (as set out in column 1 of the Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) on the land to which the application relates, that exists on the date of application, (or an earlier date); and
- plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).

We have reviewed the submitted information and we are satisfied that sufficient information has been submitted to meet the requirements for mandatory net gain.



The BNG metric shows habitats onsite to consist primarily of modified grassland, with small patches of introduced shrub, bramble and lowland mixed deciduous woodland. As acknowledged within the PEA, the entire site is mapped as woodland, however the woodland edge only covers a small section of the western site boundary. 2024 Aerial photos show a number of individual trees appear to be present across the site as shown below in Fig 2.



Fig 2. Aerial of site

We understand that these trees have been removed and therefore we previously advised that they must be included within the BNG baseline in line with the BNG guidelines.

Additional information has been provided detailing that the trees are less than 300mm DBH and therefore do not need to be included within the metric. GBC have confirmed that this land is considered to be part of the residential curtilage of the adjoining property and therefore we do agree that the trees do not need to be included within the metric.

The submitted information has detailed that a BNG loss of 45% for habitats will occur within the site. The loss of habitat is very small and it will only require 0.06units to achieve a BNG of over 10%.

Off site habitat creation will be required to achieve a BNG either through habitat creation within the applicants landholdings (if there is any) or the purchasing of off site units Further details of off site habitat creation can be found at the end of the report. We advise that it will be possible to purchase off site units to achieve a BNG as part of this proposal and we direct the applicant towards the Kent Biodiversity Net Gain Site Register for off site habitat providers in Kent Kent Biodiversity Net Gain Site Register | Making Space For Nature Kent.

We advise that as there is less than 0.25units of habitat required to achieve a BNG statutory credits can be purchased without having to demonstrate that insufficient off site options are available.

We advise that details of the off site habitat creation are not required prior to determination however we advise that how the offsite habitat creation will be implemented must be agreed and registered on the biodiversity gain site register prior to the submission of the biodiversity gain plan (if granted). Search the biodiversity gain sites register - GOV.UK

The development, if permitted, will be subject to the deemed condition of planning permission relating to biodiversity gain as per Schedule 7A 13(1) of the Town and Country Planning Act 1990. The condition is that the development may not be begun unless—

- (a) a biodiversity gain plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The condition cannot be varied or removed. An application must be made to discharge it as any other condition. We recommend it is referred to in decision notices in the form of an informative. The government's published Biodiversity Gain Plan (BGP) template should be used to discharge it: Biodiversity

gain plan - GOV.UK. Please note that the submission of the finalised Statutory Biodiversity Metric/BGP is required by law prior to the commencement of any development.

BIODIVERSITY AND ENHANCEMENTS

Under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and paragraphs 187 and 193 of the National Planning Policy Framework (NPPF) 2024, biodiversity should be maintained and enhanced through the planning system.

If planning permission is granted we recommend that a condition is included requiring an ecological enhancement plan. We suggest the following:

Within 3 months of works commencing within the site an ecological plan must be submitted demonstrating that ecological enhancement features (including bat, bird and insect boxes) have been incorporated in to the site and adjacent habitat. The plan must be implemented as proposed.

Lighting

Common Pipistrelle have been recorded within the site and lighting can have a negative impact on bats (and other nocturnal species) and therefore any lighting must be designed to minimise light spill.

We recommend that if planning permission is granted a condition requiring a lighting plan is submitted and it has the following requirements:

- Be designed following best practice guidance within Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 08/23 Bats and Artificial Lighting at Night'2
- Site plan showing the location and types of lighting
- Downward facing lighting only.

KCC Heritage

The site of application lies within the area of a paleochannel tributary which has palaeolithic potential and palaeolithic artefacts and deposits may be present within the area of development.

Additionally, cropmarks of an enclosure along with potentially associated roman dated finds are noted c.770m to the northwest of the site.

I therefore recommend the following condition is placed on any forthcoming consent:

AR4 *No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved by the Local Planning Authority.*

Reason: To ensure that features of archaeological interest are properly examined and recorded.

KCC Highways and Transportation

Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.

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. If foul sewage is to be removed using non-mains sewerage systems, a sewage treatment plant or septic tank system will be considered in preference to a cesspool. Such a system may require the prior consent of the Environment Agency under the terms of the Water Resources Act 1991. Applicants are therefore advised to discuss their requirements with the Environment Agency at the earliest opportunity. It should be ensured that the septic tank or cesspool is of adequate capacity to serve the proposed development and suitable access and hardstanding area shall be maintained to it on site.

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).

Neighbouring properties

The application was advertised by the displaying of a site notice and individual letters sent to three surrounding properties with an overall expiry date of 03.11.25. Two letters of objection have been received making the following summarised comments;

- Detrimental impact on the area
- Set a precedent
- Change in character of the community
- Overdevelopment
- Loss of open space
- Local wildlife
- Loss of trees
- Lack of consultation with neighbours
- Erosion of the area
- Green Belt land
- Increased traffic, road use
- Noise
- Dust
- Disruption
- Destroy rural character

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 20190372. This application was refused for the following reasons:

1. The site is within the Metropolitan Green Belt. 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. National Planning Policy Framework Section 9 (Protecting Green Belt Land) indicates that the most important attribute of Green Belts is their openness. The development will not preserve the openness of the Green Belt through construction of 1 dwelling, associated hardstanding, lighting, car parking and residential paraphernalia and will conflict with the purposes of including land within the Green Belt as it will encroach into the countryside and urbanise the site. In the absence of any 'very special circumstances' that may otherwise outweigh the harm by reason of inappropriateness, and any other harm, the proposed development is considered to be contrary to the advice in National Planning Policy Framework Section 9 (Protecting Green Belt Land), and

Policy CS02 (Scale and Distribution of Development) of the Borough Council's adopted Gravesham Local Plan Core Strategy (September 2014).

2. The application site lies within the locally designated Istead Arable Farmlands, where local and national planning policy and guidance expect developments to conserve, restore and enhance the natural landscape. The proposed development, if permitted, would be harmful to the landscape character when compared to the existing site which is laid lawn and trees. The harm from the redevelopment of the site in this instance would be derived from the bulk and massing of the dwelling, the associated hardstanding, lighting, car parking and residential paraphernalia. The application is therefore contrary to Policies CS12 and CS19 of the Borough Council's adopted Gravesham Local Plan Core Strategy (September 2014).

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 3 bed detached residential property and garage, located to the north of No. 90 Downs Road, within the existing side garden.

The property would be a chalet style property within rooms at first floor level served by dormer windows at the front and a gable window and rooflight at the rear. The garage to the side would be a detached barn style car port and enclosed garage. The property would comprise of porch and entrance, open plan lounge/kitchen/diner, shower room and bedroom 2 at ground floor level, with 2 bedrooms, one with en-suite and family bathroom on the first floor.

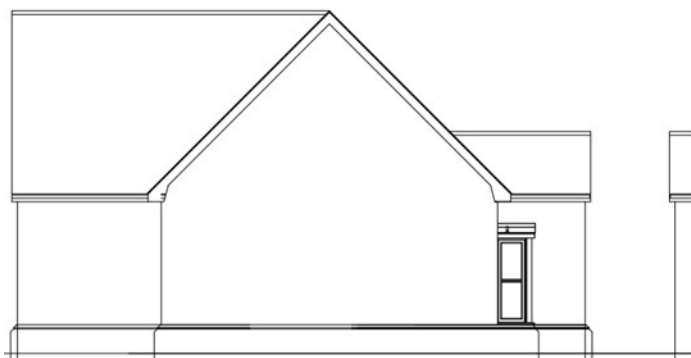
Proposed Elevations *House*



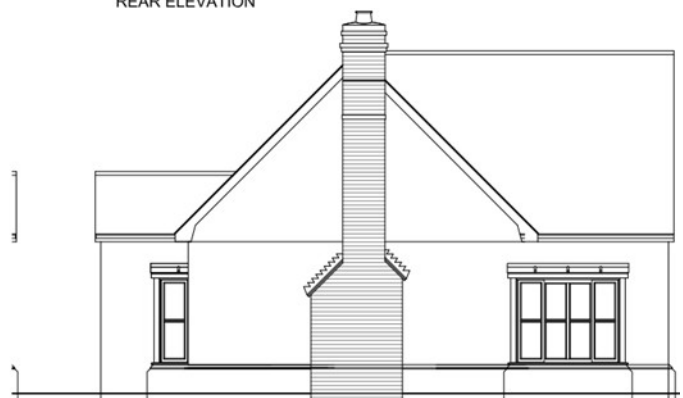
FRONT ELEVATION



REAR ELEVATION

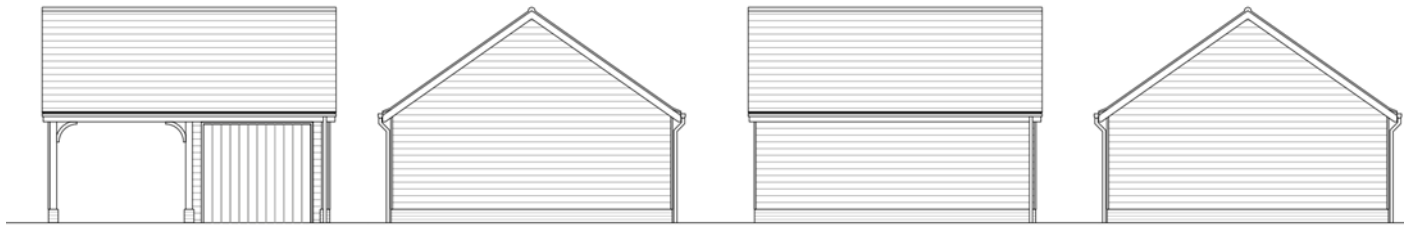


SIDE ELEVATION



SIDE ELEVATION

Garage



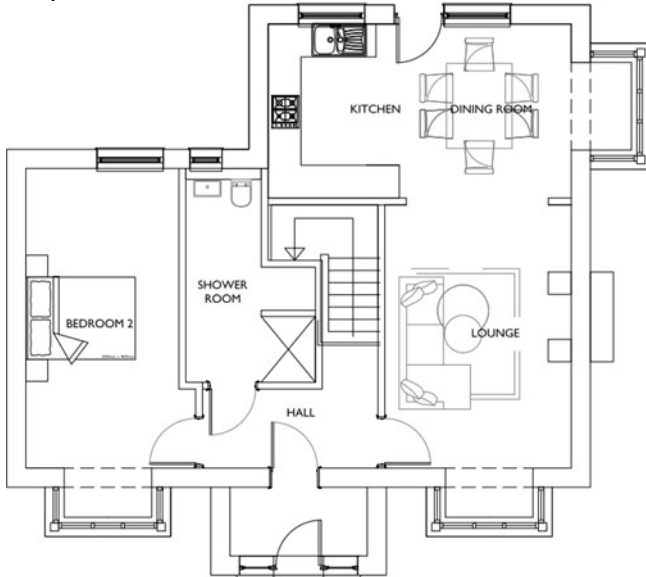
FRONT ELEVATION

SIDE ELEVATION

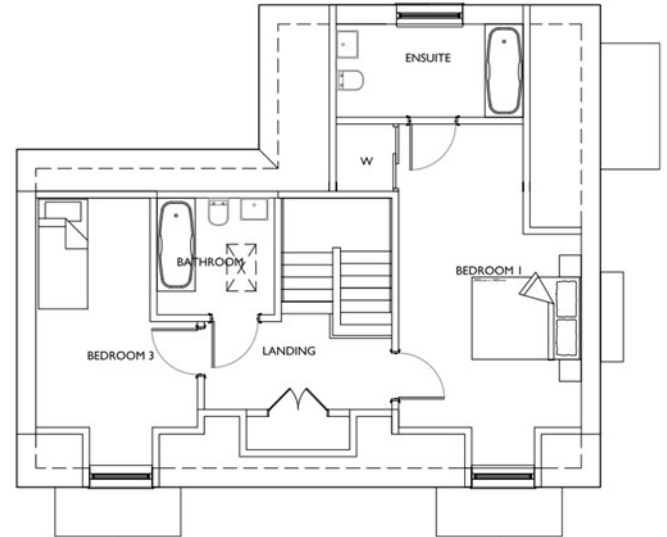
REAR ELEVATION

SIDE ELEVATION

Proposed Floor Plans



GROUND FLOOR PLAN



FIRST FLOOR PLAN

Principle of Development

The principle issues in determining this application are as follows:

- Housing Need;
- Grey Belt;
- Green Belt;
- The effect on the character and appearance of the area and landscape;
- Residential Amenity;
- Parking and Highways; and
- Other matters.

The application site is located in the Green Belt and as such Local Plan Core Strategy (LPCS) Policy CS02 is relevant. Development in the urban area is prioritised as the sustainable location for development. In the rural area, Policy CS02 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, i.e. in the Green Belt, will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the LPCS.

Housing Need

In *Hopkins Homes Ltd v Secretary of State for Communities and Local Government* [2017] 1 W.L.R. 1865, Lord Carnwath re-emphasised that the National Planning Policy Framework is only a material consideration in planning decisions and that planning applications should be determined in accordance with the development plan. Paragraph 12 of the National Planning Policy Framework (NPPF) (2024) expressly states that the starting point for decision-making is the development plan. Lord Carnwath as part of the Supreme Court decision, stated,

"It is important, however, in assessing the effect of the Framework, not to overstate the scope of this policymaking role. The Framework itself makes clear that as respects the determination of planning applications (by contrast with plan-making in which it has statutory recognition), it is no more than "guidance" and as such a "material consideration" for the purposes of section 70(2) of the 1990 Act... It cannot, and does not purport to, displace the primacy given by the statute and policy to the statutory development plan. It must be exercised consistently with, and not so as to displace or distort, the statutory scheme."

It is a matter of law that all planning applications need to be considered in accordance with the legislation and relevant policy that applies at the point a decision is taken. The Council published a revised 5 year housing land supply statement in February 2025, it demonstrates that based on data up for the period 2024-2029, the Council can only demonstrate a land supply of 3 years.

Given the Council's current inability to demonstrate a 5-year housing land supply, and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Gravesham's Local Plan Core Strategy (LPCS) (2014) Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the National Planning Policy Framework (NPPF) (2024). This requires that in regard to housing development, planning permission should be granted unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF at footnote 7 (rather than those in development plans) relating to any of the following:

- 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.

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 130(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 for a net increase of '1' residential units would offer a minimal contribution towards meeting this local need and, accordingly, officers consider that this should be accorded limited weight in support of the application. However, this has to be balanced against other requirements of the Development Plan and material considerations such as the NPPF (2024), which requires new development to contribute positively to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers.

Green Belt (inc. Grey Belt)

The application site is located within the Metropolitan Green Belt, just outside the rural settlement of Istead Rise and is located between No. 88 and No. 90 Downs Road and forms the side garden of No. 90, as seen from the following excerpt from the Local Plan, Satellite Image and site photos:

Local Plan



Satellite Image



Streetscene



Existing Site



Policy CS02 of the Gravesham Local Plan Core Strategy (LPCS) (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 LPCS.

The NPPF (2024) states at Paragraph 142, that Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. At Paragraph 153, it is stated that, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. At Paragraphs 154 and 155 the Government sets out the exceptions to development in the Green Belt not being inappropriate, and where the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate.

Paragraph 155 needs to be considered which discusses grey belt land and states:

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

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- b. There is a demonstrable unmet need for the type of development proposed;*
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and*

d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below."

The definition of 'grey belt land' is set out in the Glossary 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."

It is important to consider whether the site can be defined as constituting grey belt land by reviewing the various Green Belt purposes and the contribution that the site makes to each of these. However, before doing so it is important to clarify that the NPPF when considering if land falls within Grey Belt, only allows for the consideration of the following Green Belt purposes, set out in the NPPF at Paragraph 143:

- a. to check the unrestricted sprawl of large built-up areas;
- b. to prevent neighbouring towns merging into one another; or
- d. to preserve the setting and special character of historic towns

Gravesham's Stage 2 Green Belt Study shows that in respect of (a), (b) or (d), the site which is within parcel (IR10) makes relatively limited contribution to purpose b (preventing towns from merging). The release of this parcel for development was assessed in the Study as having a moderate harm on the Green Belt. The parcel does not check the unrestricted sprawl of a large built area, nor does it preserve the setting and special character of a historic town.

Therefore, the site does not strongly contribute to Green Belt purposes (a), (b) or (d) in respect of paragraph 143 of the NPPF (2024).

The proposed development would sit between residential dwellings and is located just outside the rural settlement boundary.

As such the proposed development does not strongly contribute to the purposes of (a), (b) and (d) of paragraph 143 of the NPPF. In addition, the proposed would not affect area of assets in footnote 7 of the NPPF (Other than Green Belt). The development is considered to be on grey belt land.

Whilst the proposal would intensify the use of the existing garden space, due to being located between residential dwellings in a residential location, the perceived effect upon the openness and impact on spatial openness would not be unacceptable due to the location of the site and the existing character of the area. As such the spatial harm to openness is not sufficient to harm green belt openness due to visual perception being a factor which reduced spatial harm.

The development would utilise grey belt land, not harm openness, and would not fundamentally undermine the purposes, taken together, of the remaining Green Belt across Gravesham. Therefore, the proposal would comply with criterion (a) of Framework paragraph 155.

Paragraph 155 (c) of the NPPF (2024) related to the site being a sustainable location. The proposed site sits just outside of the rural settlement boundary of Istead Rise. To the north of the site is Istead Rise Primary School and Kiddiecare Kindergarten some 0.3miles away and a 6 minute walk. Arcadia Road to the north is a 4 minute (0.2 mile) walk which is served by the local bus service. The Local Centre is located 0.7 miles (approximately 16-minute walk) to the north. The section of Downs Road that the application site lies is not served by a footpath. The footpath stops/starts outside of No. 74 and therefore an approximate section of 140 yards (2 minute walk) would not be served by a footpath. From No. 74 onwards there is a footpaths and streetlighting.

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.

Local Centre and Bus Stops



Lewis Road Shops



Taking above into account, the proposed site is considered to be in a sustainable location and would accord with criterion (c) of Framework paragraph 155.

Green Belts are of great importance and 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), with the Green Belt serving five purposes (paragraph 143):

- 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.*

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. A Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt unless it falls within the specified exceptions of paragraphs 154 and 155 of the NPPF (2024).

In the case of this proposal, it needs to be considered against paragraph 154 (g) which states the following:

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.

The NPPF (2024) defines previously developed land as land which is or was occupied by a permanent structure, including the curtilage, and any associated fixed surface infrastructure. As the site forms the side garden of No. 90 Downs Road and has been maintained as such, the site is considered previously developed land and would fall to be considered under Paragraph 154 (g).

In order for the exception to apply the impact of the proposal on openness needs to be considered.

One of the most significant changes to the NPPF in December 2024 was the loosening of restrictions on infill development and the redevelopment of previously developed land (PDL).

The previous NPPF stated that PDL could not have any greater impact on openness than the existing situation which essentially meant a like for like replacement. The current version of the NPPF instead now allows redevelopment of PDL land which would not cause Substantial Harm to the Openness.

There is no policy requirement for volumetric calculations between existing and proposed development on PDL land and a development may be larger than the existing development on the site until point where substantial harm threshold is crossed.

Referring back to paragraph 154(g) of the NPPF, this allows for the limited infilling or the partial or complete redevelopment of previously developed land, which does not cause **substantial harm to the openness of the Green Belt**. As set out previously, the site is previously developed land and therefore it is relevant to consider if the proposal meets the stated fundamental aim of Green Belt policy that is to prevent urban sprawl by keeping land permanently open (paragraph 142). It also states that the essential characteristics of Green Belts are their openness and permanence.

The openness of the Green Belt has both spatial and visual aspects and the Courts have identified a number of factors to be taken into account when assessing the impact of a proposed development on the openness of the Green Belt (PPG Paragraph: 001 Reference ID: 64-001-20190722), which include both spatial and visual consideration, as well as duration and remediability of the development, and the degree of activity likely to be generated, such as traffic movement.

The application is therefore considered against the benchmark of whether the development will cause substantial harm to the openness of the Green Belt.

The proposal involves the construction of a new single dwelling within the side garden of No. 90 Downs Road. There is no doubt that the construction of a new dwelling, with the introduction of built form where there currently is none, along with the associated residential paraphernalia (lighting, car parking, etc), would give rise to a degree of change to the site. Therefore, officers acknowledge that a degree of harm to openness will occur with this development.

In a spatial sense, the proposal would intensify the current use of the site with the introduction of a new dwelling, however, with the existing host property of No. 90 and the row of dwellings to the north which are within the boundary of the rural settlement of Istead Rise, it is considered that a new dwelling in this location would appear as a continuation of the existing residential built form.

Taking all these factors together, there would be a minimal erosive effect on the openness of the Green Belt.

This stance is reflected in a number of appeal decisions such as APP/T0355/W/24/3356463 where a replacement dwelling was considered but the previous dwelling had already been demolished. In this appeal, the Inspector considered the difference in impacts between the remaining foundations of the dwelling and the proposed replacement dwelling. The Inspector found that there would be an increased impact on openness, but that this would not breach the substantial harm threshold, noting:

“Given the new building would be raised above ground level, and due to its width and length, the proposed dwelling would be larger and taller than the demolished bungalow, and it would have a greater volume and floor area. Therefore, there would inevitably be a loss of openness in spatial terms. Due to its increased height, bulk and mass, the new dwelling would partially inhibit views across the wider area from neighbouring properties, and there would be a reduction in the upward views towards the sky that can currently be gained from Bell Weir Close. Therefore, the loss of openness would also occur in visual terms.

Nonetheless, the site lies within an established residential area with no through traffic, and the proposed dwelling would be surrounded by existing buildings on three of its sides. Consequently, whilst there would be some loss of openness resulting from this single replacement dwelling, it would be of a moderate scale and localised in nature. It follows that the harm caused to the openness of the Green Belt would be less than substantial.”

Taking into account the various appeal decisions from Inspectors and the revised wording of the NPPF, and considering both the spatial and visual dimensions of openness, officers acknowledge there would be some harm to the openness of the Green Belt. However, it is not considered that the proposal would cause **substantial harm to the openness of the Green Belt** and would not constitute inappropriate development in the Green Belt and complies with 154(g) of the NPPF (2024).

The affect on the character of and appearance of the area and landscape

In addition to being within the Green Belt, the application site falls within the Istead Arable Farmlands Landscape Character Area. Paragraph 189 of the NPPF (2024) states that great weight should be given to conserving and enhancing landscape and Policy CS12 (LPCS) seeks to protect the Green infrastructure within the Borough and states at 5.7.26 the overall landscape character and valued landscapes will be conserved, restored and enhanced.

Policy CS19 (Development and Design Principles) (LPCS) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area. Moreover, Section 12 (Achieving well-designed places) of the NPPF (2024) sets out that developments should function well and add to the overall quality of the area, be visually attractive and sympathetic to local character.

Gravesham's Householder Extensions/Alterations Design Guidance SPD (2021) set out key principles for developments. Generally, the SPD highlights the importance of new development complementing and corresponding to existing character and the wider context. In this case, the rural character of the area and other surrounding dwellings should be considered. This is corroborated by the Borough's recently adopted Design Code; Design for Gravesham (2024), which expects new development to reflect the prevailing pattern of built form in rural villages, meet a minimum density of 30dph in rural areas and pay close attention to materiality amongst other key design concepts.

The surrounding properties on Downs Road are relatively generous extended bungalows at first level detached dwellings on generous plots. No. 90 is a large detached two storey dwelling. The proposed property would be a modest detached chalet style property and it is not considered to be out of character with the surrounding buildings within the vicinity.

There is no general objection to a modern, contemporary design in a rural setting; however, it is considered important in both local and national planning policy for new development to complement and correspond to locally distinctive features. The chalet style of the property would complement the existing row of bungalows to the north. Overall, the proposed property and garage would not detract from the character of the area and is more of a rural design with the barn style carport/garage.

The surrounding properties have relatively large plots with extensive gardens. The proposed private amenity space is sufficient in size to provide future occupiers with sufficient private amenity space without being intrusive in the wider landscape.

The submitted drawings do not show any proposed hard or soft landscaping and conditions will be added to any forthcoming decision to secure this information.

Subject to conditions the development complies with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014), Gravesham's design code: Design for Gravesham (2024) and Gravesham's Householder Design Guidance SPD (2021), as well as Sections 12 and 15 of the National Planning Policy Framework (2024).

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). Paragraph 198 of the NPPF (2024) seeks to ensure that new development takes into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. The impact on amenity is also considered with regard to the criteria within Policy CS19 (LPCS), which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those of neighbouring properties and land and avoid adverse impacts from pollution.

Future Occupiers

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.

The proposed property would have an internal area of 123sqm which would exceed the 93sqm minimum for a 3-bed 5 person dwelling. All of the habitable rooms exceed the minimum standards as laid out in the Technical Housing Standards – Nationally Described Space Standard (2015) and the Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020 and would have access too a good level of natural light and outlook.

The proposed garden area would be 229sqm which would accord with the minimum area of 60sqm for a 3-bed property.

In relation to the existing property of No. 90 Downs Road and its retained garden area, this would be 382sqm which would exceed the minimum garden size of 100sqm for a 4-bed property.

The proposal would provide sufficient internal and external amenities which would safeguard the amenity of future occupiers, together with the external space for the existing property of No. 90 Downs Road, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014), Section 12 of the National Planning Policy Framework (2024) and the Gravesham Residential Layout Guidelines (2020).

Neighbours

The existing area is residential in character. Whilst the proposed development would bring the built form closer to the adjacent property of No. 88 Downs Road, the proposal is for a residential property within a residential area. There would be no side windows at first floor level that would result in an unacceptable level of overlooking and the property would be set over 5m away from the common boundary. The only rear windows serve the en-suite and bathroom which are non-habitable rooms and therefore no detrimental overlooking to the rear would occur. In addition, due to the spatial layout of the area and the orientation of the proposed dwelling and No. 88 Downs Road, the rear and side gardens would only have views upon the side elevation and front driveway of No. 88. Therefore with the proposed dwelling located further forward



than No. 88, any overlooking would be upon the driveway and garage areas only.

In terms of impact on residential amenity in terms of noise, disturbance, overlooking, overshadowing and loss of the light, the proposal would not result in a detrimental impact above what is already experienced in this residential area.

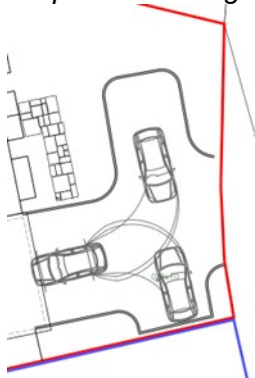
As such, the proposal is considered to safeguard the amenity of surrounding properties in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014), Section 12 of the National Planning Policy Framework (2024) and the Gravesham Residential Layout Guidelines (2020).

Parking and Highways

The proposed property is a 3-bed dwelling which would require two car parking spaces as stated within the KCC Parking Standards (2006). The proposal includes a detached car port/garage for two vehicles and off-road surface parking for 2-3 vehicles together with a turning area. As such the proposal would provide sufficient car parking and cycle storage for the property and would accord with the minimum parking standards.

In terms of highway safety, the existing property of No. 90 Downs Road has its own access, with an additional access to the front of the application site for parking. The proposal would utilise this existing access and includes a turning area, allowing for vehicles to enter and leave in a forward gear. As such would not have any further impact on highways.

Proposed Parking and Access



The proposal would accord with saved policies T1 and P3 of Gravesham Local Plan First Review (1994) and Policy CS11 of the Gravesham Local Plan Core Strategy (2014) and Section 9 of the National Planning Policy Framework (2024).

Any Other Material Planning Considerations

Heritage and Archaeology

Policy CS20 (LPCS) gives a high priority towards the preservation, protection and enhancement of its heritage and historic environment as a non-renewable resource, central to the regeneration of the area and the reinforcement of sense of place. Particular attention in this regard will be focused on those heritage assets most at risk. When considering the impact of a proposed development on a designated heritage asset, the weight that will be given to the asset's conservation value will be commensurate with the importance and significance of the asset. For non-designated assets, decisions will have regard to the scale of any harm or loss and the significance of the heritage asset.

Saved Policy TC7 (LPFR) 1994 indicates that planning permission may be refused without adequate assessment of the archaeological implications in areas of archaeological potential.

At a national level paragraph 214 of the NPPF (2024) advises that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest (evidence of past human activity), local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

The site of application lies within the area of a paleochannel tributary which has palaeolithic potential and palaeolithic artefacts and deposits may be present within the area of development.

Additionally, cropmarks of an enclosure along with potentially associated roman dated finds are noted c.770m to the northwest of the site.

The application has been reviewed by KCC Heritage who have recommended an archaeological planning condition be attached, should permission be forthcoming.

Therefore, subject to conditions, it is considered that the proposal complies with Policy CS20 of the Gravesham Local Plan Core Strategy (2014), Saved Policy TC7 Local Plan First Review and paragraph 214 of the National Planning Policy Framework (2024).

Ecology

The submitted Preliminary Ecological Appraisal (EcoAssistance, Aug 25) that as long as the woodland is retained as outlined within the post-development habitats plan, that impacts to protected species can be avoided through sensitive working methods. In addition, no trees are to be removed as part of the current proposal.

The submitted information is considered acceptable as detailed in KCC Biodiversity's comments, subject to condition.

Biodiversity Net Gain

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.

The proposed development would be the erection of one new dwelling in the side garden of an existing property and as such, would result in a loss of biodiversity.

The BNG metric shows habitats onsite to consist primarily of modified grassland, with small patches of introduced shrub, bramble and lowland mixed deciduous woodland.

Offsite habitat creation will be required to achieve a BNG either through habitat creation within the applicants landholdings (if there is any) or the purchasing of off-site units. There is less than 0.25 units of habitat required to achieve a BNG statutory credits can be purchased without having to demonstrate that insufficient off-site options are available. Details of the off-site habitat creation are not required prior to determination.

The proposed development is subject to the biodiversity gain condition which will be attached to any forthcoming decision.

Recreational Pressures on the Thames Estuary and Marshes Special Protection Area (SPA) and SAMMS

The Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) are internationally important for nature conservation as the area is a wetland and supports important numbers of wintering water birds and migrating birds. There has been a decline in the number of birds using these sites in recent years. Studies show that this could be due to people using the estuary and marshes for recreation purposes. The North Kent Bird Disturbance Report concludes that all new housing development within 6km of the North Kent Ramsar Sites or Special Protection Areas (including the Thames Estuary and Marshes) and larger housing development beyond 6km from the sites could have an adverse impact on them. This is because new housing development is likely to lead to further increases in recreational use of the sites, which means that further declines in the bird population cannot be ruled out. Possible mitigation measures are set out in the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy. Having considered a number of options, the Council have decided to impose a tariff on new housing development. Developers will need to pay £337.49 for every new dwelling provided within 6km of the Ramsar site and SPA and for larger housing developments beyond 6km from them. The money raised will be used to pay for schemes to avoid the adverse impacts of new housing development on the birds.

In this instance, the proposed development would result in the creation of one additional residential property and as such, additional recreational activity would result. Therefore, it is considered that there would be an adverse impact to the Thames Estuary and Marshes Ramsar Buffer Zone, which should be mitigated in line with Policy CS12 (LPCS). In such cases the Borough Council has adopted a tariff that is payable for each new dwelling unit within 6km of the SPA/Ramsar site of £337.49 per new dwelling unit.

The applicant has made the SAMMS Mitigation Contribution for the new residential property and therefore has met the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 192 and 193) of the National Planning Policy Framework (2024) and Policy CS12 of the Gravesham Local Plan Core Strategy (2014).

Conclusion

The proposed new dwelling with associated parking is deemed to comply with paragraph 154(g) of the NPPF (2024), which allows redevelopment of previously developed land which does not cause substantial harm to the openness of the Green Belt.

In this case the proposal does not cause substantial harm to the openness of the Green Belt and there is no conflict with paragraph 154(g) of the NPPF (2024) and the proposal complies with policies of the development plan, as set out within the report, notably Policies CS01, CS02, CS12 and CS19 (LPCS) (2014).

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 Gravesham. Therefore, the proposal would comply with criterion (a) of paragraph 155 of the National Planning Policy Framework (NPPF).

The proposed development is within a sustainable location and is considered to meet the requirements of paragraph 110 and 115 of the NPPF (2024) and Policies CS01, CS02 and CS17 (LPCS) 2014.

The proposal has no adverse impact on the Istead Arable Farmlands Landscape Character Area, no adverse impact on the highway network or the amenity.

As the proposal complies with adopted Development Plan policies and the NPPF (2024) planning

permission is recommended subject to conditions.

Recommendation

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ms Amanda Cue	Team Leader:	Richard Hart
Signed:	<i>A Cue</i>	Signed:	<i>R Hart</i>
Dated:	2 nd February 2026	Dated:	4th February 2026