
SUMMARY REPORT

Application Ref:	20211478
Site Address:	Little Acres, Longfield Avenue, Gravesend, Longfield, Kent, DA3 7LA
Application Description:	Demolition of all buildings and the erection of 16 static homes restricted to those aged 55 and above, with associated management office, internal vehicular access road and parking.
Applicant:	Mr William Cook
Agent:	Mr Alex Bateman
Ward:	Istead
Parish:	Non-Parish Area
Decision due date:	8 July 2022
Publicity expiry date:	6 May 2022
Decision Level:	Planning Committee – Wednesday 27 th July 2022
Reason for referral:	Team Leader Discretion
Recommendation:	Refusal

Summary of Reasons for Recommendations

The proposal is for the demolition of all buildings and the erection of 16 static homes restricted to those aged 55 and above, with associated management office, internal vehicular access road and parking.

The recommendation is for the application to be REFUSED Planning Permission, for the following reasons:

1. The site is within the approved 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 2021 Section 13 (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 15 additional residential units occupied on a permanent basis, 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 Section 13 (Protecting Green Belt Land) of the National Planning Policy Framework (NPPF) 2021, 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 Landscape Character Area, 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. The harm from the redevelopment of the site in this instance would be derived from the increase of 15 residential units, the associated hardstanding, lighting, car parking and residential paraphernalia. The application is therefore contrary to Policy CS12 and CS19 of the Borough Council's adopted Gravesham Local Plan Core Strategy (September 2014) and Section 15 of the National Planning Policy Framework (NPPF) 2021.

3. The proposal would result in 16no. static homes, in an open plan site in an area that consists of single residential dwelling, within self-contained plots and as such the proposed development would be out of character with the area and would constitute an overdevelopment of the existing site and would be incongruous considering the existing pattern of development and the character of the surrounding area. It is therefore harmful to the character and appearance of the site and the wider locality and would contravene Policies CS14, CS15 and CS19 of the Gravesham Local Plan Core Strategy September 2014 which ensure new development will integrate well with the surrounding local area. At a national level the proposed development would also contravene paragraph 130 of the National Planning Policy Framework (2021) which states 'developments will add to the overall quality of the area; are visually attractive as a result of good architecture; and are sympathetic to the local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation of change (such as increased densities)'.
4. The proposed homes fail to offer the space required for adequate living accommodation to the detriment of future occupants and the enjoyment of these dwellings contrary to Policy CS19 of the Core Strategy 2014 and paragraph 130f of the National Planning Policy Framework 2021.
5. Due to the proximity and relationship of the proposed properties and access road to the rear and side elevations and rear gardens of the properties to the east and west of the site, the proposal would result in a detrimental impact on the amenities of the occupiers of the properties in terms of increase of noise and disturbance, contrary to Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 and paragraph 130 of the National Planning Policy Framework 2021.
6. The proposal fails to provide adequate sight lines for the access and insufficient cycle storage and as such would be contrary Policy T1 of the Local Plan First Review 1994 and Policy CS11 of the Core Strategy 2014.

MAIN REPORT

1. Site Description and Surroundings

- 1.1. The application site is the property known as Little Acres, Longfield Avenue, Longfield, which is located within the rural part of Gravesham and on land designated as Green Belt by the Local Plan.
- 1.2. Access is via Longfield Avenue, a section of unmade road, to two gated entry points. The front boundary has a high level brick wall and mature hedging.
- 1.3. The site itself has a number of buildings and structures within it including;
 - Single storey residential dwelling;
 - Single storey detached double garage – appears to be used for business purposes;

- Detached static home;
 - 3no. large timber storage buildings with padlocked gates;
 - Metal storage building;
 - Small timber stable block;
 - Timber 6 unit dog kennel;
 - Large 'L' shaped timber stable block; and
 - x3 timber sheds.
- 1.4. In addition to the buildings within the site, there are a number of domestic vehicles (approximately 23), a tow truck with commercial van on top, 7no. (approx.) commercial vehicles, metal storage container, 1no. skip and a touring caravan.
 - 1.5. A large majority of the site has been tarmacked including the front driveway, a large area immediately to the rear and west side of the property, the whole area from the static home to the 'L' shaped stables along the eastern side, where the majority of the timber storage buildings, stables and vehicles are.
 - 1.6. There is one area directly to the rear of the dwelling, sectioned off with post and rail fencing that appears to be used as residential garden area.
 - 1.7. Further north, beyond the residential garden area there is an overgrown area that during the officer site visit was confirmed to having been previously used for dog training. This also contains a small timber structure within it.
 - 1.8. To the far north (rear) of the site is the sand school.
 - 1.9. The site is surrounded by a substantial number of trees and mature hedging / landscaping.
 - 1.10. The following photographs show the existing site and access.





1.11. The surrounding area is characterised as residential in nature with properties within the immediate area being predominantly detached single storey dwellings set within large plots, with some being extended to provide habitable space within the roof and

some examples of two storey detached dwellings. Beyond to the north, east and south are open fields, predominately sitting within the Green Belt.

- 1.12. To the west of the site is the residential area of New Barn which is a rural settlement inset from the Green Belt, in Dartford. It is characterised by clusters of residential roads and closes/cul-de-sacs with single residential properties set in much smaller plots.
- 1.13. The site does not benefit from being within close proximity to any local amenities, or centres, nor is it served by any local transport links. The main Wrotham Road (A227) is approximately 0.7 miles (approx. 15 minute walk) to the east, and the nearest train station being Meopham is 1.5 miles (approx. 29 minute walk). Walnut Hill Road, Nash Bank and Nurstead Avenue do not benefit from footpaths. In terms of bus links, the nearest bus stop is along New Barn Road, located approximately 0.5 miles (approx. 10 minute walk).
- 1.14. The site is also located within the Istead Arable Farmlands Landscape Character Area.

Procedural Issues

- 1.15. The application has been determined in accordance with the above submitted documents/plans and Paragraph 38 of the National Planning Policy Framework (NPPF) (2021) sets out adopting a positive and proactive approach to development proposals. In this case, prior to this application being submitted, pre-application advice was sought for the demolition of all buildings and the erection of up to 27 static homes restricted to those aged 55 and above (PRE20200528).
- 1.16. As discussed further in this report there is principal objection to the proposed development, and it would not be possible to negotiate with the applicant to overcome the conflict with local and national policy.
- 1.17. Therefore, a decision issued would give the applicant a formal stance from the Local Planning Authority on its position with this application. In this instance an extension of time would not be appropriate to address the above issues and there is a strong reality that even with an extension of time, the applicant's proposed development could not overcome the fundamental conflict with local and national planning policy.

2. Relevant Planning History

Reference	Description	Decision	Decision Date
20210713	Application for Lawful Development Certificate in respect of the existing use of the site as a single unit within Use Class C3.	Certificate Refused	17.11.2021
20190003	**AMENDED APPLICATION/REVISED DESCRIPTION** Demolition of garage, outbuildings and removal of two mobile homes and the erection of detached chalet bungalow with associated car parking and garden and the use of existing stable block, sand school and paddock for equestrian purposes, including the enlargement of the paddock area and the formation of a new access from Longfield Avenue.	Permission	06.04.2020

20160920	Application for a Lawful Development Certificate in respect of the continued use of land as domestic garden ancillary to the main dwelling.	Certificate Granted	24.04.2017
20160942	Application for a Lawful Development Certificate in respect of the continued use of land and buildings for domestic purposes ancillary to the main dwelling.	Withdrawn	25.11.2016
20140129	The change of use of land to the stationing of caravans for residential purposes for 4no. gypsy pitches together with the formation of hardstanding and utility/dayrooms ancillary to that use.	Refused Appeal Dismissed	11.04.2014 06.01.2016
20140051	Erection of a detached storage building at the rear.	Permission	30.05.2014
20130552	Change of use from residential to mixed use as residential and breeding of horses.	Withdrawn	09.09.2014
20100811	Retention of the six metal containers for storage of household and personal goods.	Refused Appeal Allowed	21.02.2011 20.01.2012
20100810	Relocation and retention of the mobile home on a permanent basis as ancillary accommodation.	Temporary Permission	16.03.2011
20090299	Retention of two caravans	Temporary Permission	16.06.2009
20080987	Application for the variation of condition 2 of planning permission ref. no. GR/20060896 relating to the erection of a detached bungalow with detached garage, to allow the continued use of the garage as a games room/leisure area.	Permission	15.06.2009
20060896	Detached bungalow with detached garage and amenity space.	Permission	13.11.2006
20060729	Erection of single storey detached dwelling with rooms in the roof space and detached double garage, store and shower room.	Refused	04.10.2006
20060509	Continued stationing of a caravan and a mobile home for a temporary period.	Temporary Permission	08.08.2006
20060061	Demolition of the front bay window and the existing garage, erection of single storey western side and front extension to form enlarged living room and dining area; extension of the roof on eastern side and erection of a detached building on eastern side to form double garage and store.	Permission	27.02.2006
20031017	Demolition of the front bay window and the existing garage, erection of single storey extension on the western side elevation to form two bedrooms and two en-suite bathrooms and erection of a detached building on the eastern side to form double garage and stores.	Permission	13.05.2004
20030547	Erection of single storey side and rear extensions to form a double garage, two storerooms, covered double car port and a kitchen/dining room/living room and erection of a front porch.	Permission	23.07.2003
19480979	The erection of two dwellings	Permission	02.11.1948

3. Proposal

- 3.1. This current application is for the Demolition of all buildings and the erection of 16 static homes restricted to those aged 55 and above, with associated management office, internal vehicular access road and parking.
- 3.2. The proposal would remove all the existing structures as listed at Para 1.3 above and would essentially result in a full redevelopment of the whole site, providing 1no. management office located to the front south west side of the site and 16no. static homes.
- 3.3. The management office would measure 12.14m wide, 8.04m wide, 2.73m in height to the eaves and 5.6m to the ridge with a pitch roof and solar panels on the front roof slope. It would provide a management office, kitchenette, toilet, community day room and 2no. community electric charging points.
- 3.4. The 16 no. static homes would be delivered in 3 dwelling types. Type 01 which would measure 12.51m in length, 4.94m deep, 3.67m in height at the front and 3.2m in height at the rear with a shallow pitch green roof and solar panels. The unit would provide lounge, kitchen/dining area, bathroom, storage cupboard and 2no. double bedrooms, one with en-suite.
- 3.5. Dwelling Types 02 and 03 would measure 15.72m in length, 6.77m deep, 3.63m in height at the front and 3.03m in height at the rear with a shallow pitch green roof and solar panels. The unit would provide entrance hall, an open plan lounge / kitchen diner, bathroom, storage cupboard and 2no. double bedrooms.
- 3.6. There would be 7no. dwelling type 02 and 6no. dwelling type 03. Dwelling type 03 being affordable units.
- 3.7. Each unit would have its own vehicle access and parking space for 1no. vehicle and would be restricted to occupants aged 55 and above.
- 3.8. A large area to the rear northwest of the site, currently the overgrown parcel of land and sand school would be a communal allotment gardens and a green area. There would also be a community garden in the southeast corner (currently garden space).
- 3.9. The site would be accessed from a modified 2-point crescent arrangement. The existing entrance gates and brick wall would be rebuilt further back within the site in order to provide suitable visibility splays.
- 3.10. To the front of the management office would be a mini-bus stop, there would be guest / staff parking to the east side of the access driveway and bin store adjacent to the parking which would be accessed directly from Longfield Avenue.
- 3.11. The access road would run centrally down the site from south to north with 2no. turning points at the far north. The road would measure 165.3m in length from the front access to the rear boundary.
- 3.12. The existing laurel hedging that borders the majority of the site would be retained.

4. Planning Policy, Development Plan and other Material Considerations

- 4.1. Gravesham Local Plan Core Strategy (September 2014)
 - CS01 – Sustainable Development
 - CS02 – Scale and Distribution of Development
 - CS11 – Transport

- CS12 – Green Infrastructure
 - CS14 – Housing Type and Size
 - CS15 – Housing Density
 - CS16 – Affordable Housing
 - CS18 – Climate Change
 - CS19 - Design & Development Principles
- 4.2. Paragraph 33 of the National Planning Policy Framework (NPPF) (2021) sets out those 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.
- 4.3. The Council undertook such a review in September 2019 and the review found that the adopted Local Plan Core Strategy (LPCS) 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 a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the National Planning Policy Framework (2021), the Council will also seek to replace these saved policies via the emerging Local Plan.
- 4.4. Saved Policies in the Gravesham Local Plan First Review (November 1994)
- T1 – Impact of development on the highway network
 - T5 – Access to the Identified Highway Network
 - P3 – Vehicle Parking Standards
- 4.5. National Planning Policy Framework (2021)
- Section 2 – Achieving sustainable development
 - Section 4 – Decision-making
 - Section 5 – Delivering a sufficient supply of homes
 - Section 8 – Promoting healthy and safe communities
 - Section 9 – Promoting Sustainable Transport
 - Section 11 – Making effective use of land
 - Section 12 – Achieving well-designed places
 - Section 13 – Protecting Green Belt land
 - Section 15 – Conserving and enhancing the natural environment
- 4.6. Supplementary Planning Guidance
- SPG2 - 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)
 - Landscape Character Assessment (2009)
 - Policy CS10:4 - adopted Dartford Core Strategy (2011)

5. Consultations and Publicity Responses

Consultations

5.1. Kent Fire and Rescue

I confirm that the means of access is considered satisfactory subject to the details within the Transport Statement (Appendix D) being complied with.

Applicants should be aware that in the event of planning permission being granted the Fire

and Rescue Service would require emergency access, as required under the Building Regulations 2010, to be established.

Fire Service access and facility provisions are a requirement under B5 of the Building Regulations 2010 and must be complied with to the satisfaction of the Building Control Authority. A full plans submission should be made to the relevant building control body who have a statutory obligation to consult with the Fire and Rescue Service.

5.2. Dickens Country Protection Society

The Society would wish to raise an objection to the application on the grounds that it notes the site is in an area within which Green Belt Policies apply where new residential development would not normally be permitted. No special circumstances have been put forward which would warrant overriding Green Belt Policy.

The Society is concerned that the proposal is for high-density, low-grade development of part of the site. The proposed units are cramped, poorly designed and have inadequate amenity land. In the Society's view, if the site is to be considered for development, better use should be made of the land.

Following reconsultation, additional comments were received;

The Society notes the submission of some additional and some revised documents. The Society has reviewed these and considers that there is not a material change to the application and that the original objection as set out in the letter of 6th January 2022 remains valid.

For the avoidance of doubt, the Society wishes to register an objection to the application on the following grounds,

- a) This site is in an area within which Green Belt Policies apply where new residential development would not normally be permitted. No exceptional circumstances have been put forward which would warrant overriding Green Belt policy.
- b) The proposal is for high density, low grade development of part of the site. The proposed units are cramped, poorly designed and have inadequate amenity land attached.
- c) The proposed development is out of character with the area which is basically individual houses with some estate development.
- d) The Society questions the suitability of the site for this use; it is not well served by local services, the nearest of which are in the centre of Longfield.

5.3. Environment Agency

We object to this development because there is insufficient information to demonstrate that the risk of pollution to controlled waters can be appropriately managed. We therefore recommend that planning permission is refused.

Reason(s)

Controlled waters are particularly sensitive in this location because the development site is within source protection zone 2, close to the Source Protection Zone 1 boundary and is located upon a principal aquifer/safeguard zone.

The application does not demonstrate that the risks of pollution have been understood or provide adequate mitigation for these risks.

In particular there is a presumption to use a large scale septic tank for foul drainage. This would not meet the General Binding rules for non mains drainage and such a large unit would

need a permit from the EA. At this location for this volume of effluent we cannot guarantee that a permit would be granted.

There appears to be a mains sewer in close proximity and we would therefore expect that any proposed development could connect to mains sewer, especially a development of this scale.

This planning application has therefore failed to meet the requirements of paragraphs 174 and 183 of the National Planning Policy Framework.

Overcoming our objection

The applicant should provide information to demonstrate to the local planning authority that the risk to controlled waters has been fully understood and can be addressed through appropriate measures.

This information should include confirmation that any development can connect to mains sewer.

5.4. Southern Water

The proposed development is directly on the unconfined Lewes Nodular Chalk (no superficial deposits present) in Source Protection Zone 2 (SPZ2), and approximately 700m west of Northfleet water supply works (WSW).

Due to the close proximity to Northfleet WSW, this is a medium risk planning application, with the proposed construction activities and communal septic tank. Therefore, hydrogeological risks need to be considered, presented in the form of a hydrogeological risk assessment, which should also set out as required enhanced groundwater protection measures. This has not been presented to date, and so we would object this planning application in its current form.

The attached plan shows that the proposed development will lie over an existing public foul sewer, which will not be acceptable to Southern Water. The exact position of the public apparatus must be determined on site by the applicant before the layout of the proposed development is finalised.

It might be possible to divert the sewer, so long as this would result in no unacceptable loss of hydraulic capacity, and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant statutory provisions.

- The 150 mm foul sewers require a clearance of 3 metres on either side of the gravity sewers to protect it from construction works and to allow for future access for maintenance.
- No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewers without consent from Southern Water.
- No new soakaways should be located within 5 metres of a public sewers.
- All existing infrastructure should be protected during the course of construction works.

Alternatively, the applicant may wish to amend the site layout, or combine a diversion with amendment of the site layout. If the applicant would prefer to advance these options, items above also apply.

Furthermore, it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an

investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

We have restrictions on the proposed tree planting adjacent to Southern Water sewers, rising mains or water mains and any such proposed assets in the vicinity of existing planting. Reference should be made to Southern Water's publication "A Guide to Tree Planting near water Mains and Sewers" (southernwater.co.uk/media/3027/ds-tree-planting-guide.pdf) and the Sewerage Sector Guidance (water.org.uk/sewerage-sector-guidance-approved-documents/) with regards to any landscaping proposals and our restrictions and maintenance of tree planting adjacent to sewers, rising mains and water mains.

In order to protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission; for example, the developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert the public sewers, prior to the commencement of the development.

Southern Water would not support the proposals for septic tank or private treatment plant in the presence of public foul sewerage network in the close vicinity of the development site. The foul sewerage shall be disposed in accordance with Part H1 of Building Regulations hierarchy.

It may be possible for the foul flows from the proposed development to be connected to a nearby public sewer, and the applicant shall investigate this option. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

We request that should this planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

5.5. Kent Police Designing Out Crime Team

We have reviewed this application in regard to Crime Prevention Through Environmental Design (CPTED) and in accordance with the National Planning Policy Framework (NPPF).

We use CPTED and Secured By Design (SBD) as appropriate along with details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict. There is a carbon cost for crime and amendments to developments give an opportunity to address it.

The points below are site specific and designed to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our and Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998.

If this application is to be approved then the following are required:

1. Development layout to help ensure that there is good natural surveillance around the park. The routes through the park to create safer accessible routes and avoid a minimum number of access routes. This may require vehicle mitigation at key points.
2. Continuous boundary treatments to provide a secure perimeter for security. Densely planted native hedging is acceptable to reinforce any fencing or as a "stand alone" security feature once it is adequately mature. This should reach 1.8m min height and ideally include native, prickly (non-toxic) species.
3. The parking including the visitor spaces require should be managed and allocated to avoid conflict. Security could be provided for Motorbikes, Mopeds, Electric bikes and similar. Ground or wall anchors can help provide this.
4. Lighting is required, approved by a professional lighting engineer e.g. Member of the ILP or the SLL to help avoid conflict and light pollution. It must work with any CCTV.
5. Access Control at the access point(s).
6. Management plan for park security with reporting structure.
7. Any Cycle and Bin Stores to be lockable and lit with strong natural surveillance opportunity.
8. Any gas bottle storage with security, strong natural surveillance and to meet BS EN ISO 9809-1:2019 or the latest BS EN standard – applicant to check before proceeding.

If approved, site security is required for the construction phase. There is a duty for the principle contractor "to take reasonable steps to prevent access by unauthorised persons to the construction site" under the Construction (Design and Management) Regulations 2007. The site security should incorporate plant, machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

We welcome a discussion with the applicant/agent about site specific designing out crime. If the points above are not addressed, they can affect the development and local policing.

This information is provided by Kent Police DOCO's and refers to situational crime prevention. This advice focuses on CPTED and Community Safety with regard to this specific planning application.

5.6. Longfield and New Barn Parish Council

The Longfield and New Barn Parish Council met last night and discussed the application for Little Acres which lies on the parish boundary.

This site is within the Green Belt where development would not normally be granted. The applicant argues that there are Very Special Circumstances as defined in planning due to the need for housing within Gravesham. However, the addition of 16 units would do little to meet the 6,000 plus shortfall in Gravesham, and the development is out of keeping with the local area due to its unacceptable scale and plot coverage. The level of additional vehicles using the local roadwork would be detrimental to the area, and the development would be a major change to the character and appearance of that part of New Barn.

The road in front of the plot is unmade and therefore traffic would be naturally diverted up Longfield Avenue.

The nearest bus stop is a 15-minute uphill walk and the bus service is to be radically reduced by Kent County Council.

The application states that the nearest doctor's surgery is 15 minutes away, which it may be, but it involves walking down a country lane with no lighting, no footpath/pavement and when returning, the gradient on the hill to that plot is extremely high challenging the fittest person.

Taking all these issues into account, the Longfield and New Barn Parish Council strongly

objects to this application for the reasons given above.

5.7. Dartford Borough Council

Initial comments raised no objections, however upon reviewing the history of the site and Dartford's Environmental Health Team comments, the following was received;

I refer to the above application which has now been considered by the Borough Council and wish to thank you for the opportunity to comment thereto.

Following on from the letter dated 29 April 2022, taking on board comments from the Council's Environmental Health Team relating to the history of the site and having also had the opportunity to consider further the infrastructure impact of the development, Dartford Borough Council now raises objection to the proposed development of the site.

The Council considers that it is for Gravesham Borough Council as the relevant Local Planning Authority to consider an application of this scale within the Green Belt having regard to their own planning policies and, in this case, against Green Belt Policy set out within the National Planning Policy Framework. DBC has concern that the proposal results in encroachment of the countryside, urban sprawl and would impact the rural character of this part of Longfield Avenue and would create a more urban appearance across the entire site. It is also for Gravesham Borough Council to consider the impact of the proposal on the amenity of existing surrounding residents and future residents of the site, GBC's attention is drawn to the concerns raised by DBC's environmental health team and the potential for disturbance of adjacent existing residents. If the proposed mobile homes are considered to fall within the definition of "caravans", DBC would also request that consideration is given to whether the proposed layout would meet the private site licence requirements for a caravan site.

The Council considered that the site is an unsustainable location which is unlikely to discourage car use and would be contrary to the objectives of the Dartford Local Plan to locate new development close to local facilities in order to encourage modal shift away from the car. This quantum of development is likely to result in impact on infrastructure within Dartford, including health services, transport infrastructure and green infrastructure.

The Council requests that Gravesham Borough Council considers the proposal against the criteria set out in Policy CS10:4 of the adopted Dartford Core Strategy given the proximity of the site to Dartford Borough and the cumulative impacts of development on the infrastructure in Dartford.

5.8. KCC – Highways & Transportation

I have the following comments to make with respect to highway matters :-

The application is supported by a Transport Statement dated October 2021, the content of which appears to be generally acceptable although it is felt that some of the walking distances to local facilities are excessive for residents over 55 and are more likely to travel by private car. However, this is not considered to be sufficient grounds for refusal.

The main concern relates to the visibility available at the egress point which is given as 11m x 2.4m in both direction, appropriate to a 10mph approaching vehicle speed. No evidence is provided for this assessment and it is suggested this may be low, even taking into account the width of the road and the unmetalled surface. A speed of 20 mph is considered more appropriate which would require visibility splays of 25m x 2.4m. A vehicle speed survey should be submitted to provide evidence that a lower speed is appropriate.

Car and cycle parking is proposed in accordance with KCC standards.

I therefore confirm that provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority:-

- 1 Provision and maintenance of 25 metres x 2.4 metres x 25 metres visibility splays at the access with no obstructions over 1.05 metres above carriageway level within the splays, prior to use of the site commencing.
- 2 Provision and permanent retention of the cycle parking facilities shown on the submitted plans prior to the use of the site commencing.
- 3 Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing.
- 4 Submission of a Construction Management Plan before the commencement of any development on site to include the following:
 - (a) Routing of construction and delivery vehicles to / from site
 - (b) Parking and turning areas for construction and delivery vehicles and site personnel
 - (c) Timing of deliveries
 - (d) Provision of wheel washing facilities
 - (e) Temporary traffic management / signage

Informative: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

5.9. KCC – Heritage Conservation (E & W)

No comments to make on this application.

5.10. KCC – Flood and Water Management

Kent County Council as Lead Local Flood Authority have reviewed the Surface Water SuDS Drainage Strategy prepared by Meridian dated February 2022 and agree in principle to the proposed development.

The proposals seek to discharge to ground by a crated soakaway which ensures compliance with the discharge hierarchy.

Whilst we agree with the proposed Drainage Strategy we would recommend that full consideration is given to the use of an open attenuation basin with possible underground soakaway and associated landscaping of the basin with promotion of multi-functional design. The current underground soakaway arrangement does not maximise the open space and biodiversity opportunities available.

Should your authority be minded to grant permission for the proposed development, we would recommend the following conditions are attached:

Condition:

Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the Surface Water SuDS Drainage Strategy prepared by Meridian dated February 2022 and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason:

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

Condition:

No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was

approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason:

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

5.11. KCC – Biodiversity

We have reviewed the ecological information submitted by the applicant and advise that sufficient ecological information has been provided.

A primary ecological concern is the potential impact to the ancient woodland along the northern boundary. Whilst there is no proposed development within 15m (in alignment with current guidance), there are potential indirect impacts from lighting and non-native plant species. These issues can be addressed with the conditions below.

Biodiversity and Lighting

To mitigate against potential adverse effects on bats, and in alignment with recommendations within the ecology report, we suggest that the Bat Conservation Trust's 'Guidance Note 8 Bats and Artificial Lighting' is consulted in the lighting design of the development. We advise that the incorporation of sensitive lighting design for biodiversity is submitted to the local planning authority and secured via an attached condition with any planning permission.

Suggested wording:

Prior to occupation, a lighting design plan for biodiversity will be submitted to, and approved in writing by, the local planning authority. The plan will show the type and locations of external lighting, demonstrating that areas to be lit will not adversely impact biodiversity. All external lighting will be installed in accordance with the specifications and locations set out in the plan and will be maintained thereafter.

Breeding Bird Informative

Habitats are present on and around the site that provide opportunities for breeding birds. Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (March to August) to avoid destroying or damaging bird nests in use or being built. If vegetation/structures need to be removed during the breeding season, mitigation measures need to be implemented during construction. This includes examination by an experienced ecologist prior to starting work and if any nesting birds are found, development must cease until after the juveniles have fledged. We suggest the following informative is included with any planning consent:

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while

that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Breeding bird habitat is present on the application site and assumed to contain nesting birds between 1st March and 31st August, unless a recent survey has been undertaken by a competent ecologist and has shown that nesting birds are not present.

Biodiversity and Ecological Enhancement

Under section 40 of the NERC Act (2006), paragraph 174 of the NPPF (2021) and the Environment Act (2021), biodiversity must be maintained and enhanced through the planning system. Additionally, in alignment with paragraph 180 of the NPPF 2021, the implementation of enhancements for biodiversity should be encouraged.

We are satisfied that the development can achieve a biodiversity net-gain, as denoted within the report. However, to safeguard the ecological integrity of the surrounding countryside (including the ancient woodland), we advise that any landscaping consists of native species only. Suggested condition wording:

Within six months of works commencing, details of how the development will enhance biodiversity will be submitted to, and approved in writing by, the local planning authority. This will include a native species-only landscape scheme. The approved details will be implemented and thereafter retained.

5.12. Natural England

No comments received.

5.13. Southern Gas Networks

No comments received.

5.14. KCC – Economic Development

No comments received.

5.15. KCC – Dartford Group Fire Safety Office

No comments received.

5.16. GBC – Environmental Protection Team (Regulatory Services)

The following comments are provided after reviewing the latest applicant submissions.

Drainage/sewerage

The application's proposed site plan (Ref: P201) still indicates the 16 static homes and additional buildings will be served by a communal Septic Tank/Bio-digester. There are no further details provided with the application leading us to surmise that the applicant intends to connect the new properties to the site's existing drainage system, which we also have no details of.

We do not consider the use of a septic tank system or cesspit at this site for 16 plus buildings as suitable and any existing similar system already on site is unlikely to be able to accommodate the increase in use. Septic tank systems require sizable drainage fields, which increase in size the greater the capacity required. We do not believe there is sufficient suitable land at the site to accommodate a drainage field for this development. In addition, septic tank systems can be rendered ineffective by the use of bacteria killing cleaning agents. Bacteria is

an essential part of a septic tank as it helps break down the contents prior to entering a drainage field. It would only take one of the 16 households to use an unsuitable cleaning agent to render the septic tank system ineffective, and for untreated effluent to be entering the ground. This in turn would contaminate the site and potentially cause nuisance and public health risks to the occupiers and neighbours.

A cesspit would also be impractical for this number of households. This leaves mains drainage as the only viable option for this proposed development.

Where practical and reasonable foul effluent should be disposed of via the Local Water Authorities main sewage network. According to records provided by Southern Water Services the site has a main sewer line running beneath it with 4 inspection chambers. This is also indicated in the Utilities report by Meridian Civil Engineering Consultancy dated February 2022 and confirmed by Southern Waters representation to the application.

This is a reasonable proximity to the site for a connection to be made with approval by the Local Water Authority. Therefore prior to a decision by the LPA, we advise that the applicant resubmits document P201 with a proposed mains drainage system that links all buildings requiring foul drainage to the main public sewer network. We also advise that the applicant should remove mention of a septic tank/cesspit from their plans, confirm in writing that they will be connecting to mains drainage, and approval is not granted until the LPA has seen satisfactory evidence from Southern Water that they are happy with the proposed drainage.

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).

Contaminated Land Watching Brief

The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the local planning authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the LPA as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Caravan Site Licencing - Informative

As soon as possible after planning permission has been granted, the owner of the land must make an application to Gravesham Council's Private Housing Service for a caravan site licence.

Provision of Electric Vehicle Charging Points

This Service would wish to see the inclusion of suitable electric vehicle charging facilities at the proposed dwellings in support of the Council's commitment to become carbon neutral by 2030.

Code of Practice on Construction and Demolition

Please apply.

5.17. GBC - Highways Officer

20.12.2021

The first thing to note is the Travel Plan states the development is age restricted for residents over 60 years old whilst the application is for 55 years and above. Whilst the Travel Plan goes into detail regarding walking distances and proximity of services very little is relevant. The greatest need is shops for (29 minutes), medical (27minutes dentist) and public transport, (Bus stop 10 minutes and 16 metres), the times given are all for walking given in the Travel Plan. Very few of the walking routes benefit from any street lighting and on occasions there is not the benefit of a footway or even a well maintained carriageway (Towards Istead Rise (Co-op/Dental and Nash Bank (Bus)). Walking times appear to be based on the National Average, rather than potentially a slightly lower speed for the more elderly population, which would increase the walking times. The bus stop on Longfield Avenue, whilst relatively local does not benefit from a particular bus service nor does the one on Nash Bank. Cycling may be attractive, but only if adequate provision is made for adaptive cycles as well as ordinary bicycles, so all levels of experience and capability can be readily accommodated. With an older population the need to accommodate adaptive cycles becomes more relevant.

The Transport Assessment repeats the over 60's statement and highlights that neither traffic generation or injury accidents (although if people walk towards Istead Rise this may alter) are likely to alter significantly on the wider road network due to development, there is likely to be an increase in use of the access. It also make assumptions on vehicle speeds to justify the existing sight lines at the access, but gives no supporting data to substantiate the assumption and it would be difficult to do so, given the low number of vehicles that probably use the road.

Whilst it is accepted that there are no recorded crashes at the access, given the nature of the road, any such events would unlikely result in injury. Also there is no guarantee that the road would remain in its poor state of repair which would result in an increase in vehicle speed. Given the increase in use by a larger number of people the minimum requirement should be for 43m x 2.4m x 43m which is the sight line requirement for 30mph in Manual for Streets.

In terms of car parking, The Councils car parking guidance is maximum whilst Kent County Council as Highway Authority have minimum requirements for rural areas, so one space per unit plus 3 visitor spaces and one space for every residential staff member should any be necessary or two for all other staff should suffice. Space ideally also needs to be available for the parking of a contractor's vehicle/mini bus/ambulance and it is accepted the current layout will accommodate this.

In terms of cycle parking, each unit should have space to accommodate 2 adaptive cycles to ensure all needs can be readily accommodated, no provision is shown.

I do not believe this development to be in a sustainable location and encourages the use of the private car to access most facilities. The access has poor sight lines for the increased use and no provision seems to have been made for the secure storage of bicycles. For these reasons I would recommend refusal. The discrepancy in the TA and TP as opposed to the application in regards to the minimum age of a resident is not liable to result in a significant increase in vehicle movements on the wider network, but may increase the number of vehicles using the access during peak times as the younger age group are more liable to be in employment.

If you are minded to approve, no surface water should discharge onto the highway.

14.04.2022 (*revised comments*)

The first thing to note is the revised Travel Statement still states the development is age restricted for residents over 60 years old whilst the application is for 55 years and above. Whilst the Travel Statement goes into detail regarding walking distances and proximity of services very little is relevant. The greatest need is shops for (29 minutes), medical (27minutes

dentist) and public transport, (Bus stop 10 minutes and 16 minutes). Very few of the walking routes benefit from any street lighting and on occasions there is not the benefit of a footway or even a well maintained carriageway (Towards Istead Rise (Co-op/Dental and Nash Bank (Bus)). Walking times appear to be based on the National Average, rather than potentially a slightly lower speed for the more elderly population, which would increase the walking times. Whilst there are bus services available in the surrounding area, they are not particularly frequent, the best frequency is hourly, and may not meet the needs of the population of this development. Cycling may be attractive, but only if adequate provision is made for adaptive cycles as well as ordinary bicycles, so all levels of experience and capability can be readily accommodated. With an older population the need to accommodate adaptive cycles becomes more relevant.

In terms of traffic generation, the site is unlikely to generate a significant number of vehicle movements that the local highway cannot readily accommodate, although vehicle movements at the access/egress are liable to increase. There are concerns regarding the visibility at the exit which is 11m x 2.4m x 11m, this is only suitable for a speed of 10mph and whilst the carriageway that fronts the development is in a poor state of repair there has to be some doubt that speeds would be reduced to 10mph. The applicant should carry out a speed survey for a minimum of two weeks to attempt to achieve a reasonable sample size to permit a judgement to be made on appropriate sight lines. It may be possible to condition this, as only landscaping and the boundary wall would be affected.

Each home should be provided with secure cycle parking at the rate of one space per bedroom, this can be co-located with other storage in a shed or similar, but provision should be made for charging e-cycles that do not have the benefit of a detachable battery. Also given the intended occupants may have disability issues later in life, consideration should be given to the provision of secure parking for mobility scooters (as other options are limited) which can be co-located with cycles and benefit from the e-cycle charging provision.

I do not believe this development to be in a sustainable location and encourages the use of the private car to access most facilities. The access has poor sight lines for the increased use and no provision seems to have been made for the secure storage of bicycles. For these reasons I would recommend refusal. The discrepancy in the TA and TS as opposed to the application in regards to the minimum age of a resident is not liable to result in a significant increase in vehicle movements on the wider network, but may increase the number of vehicles using the access during peak times as the younger age group are more liable to be in employment.

If you are minded to approve, no surface water should discharge onto the highway.

5.18. GBC - Waste and Recycling Manager

I have reviewed the documents and I can confirm that I am happy with the waste storage location.

We operate an alternate weekly waste & recycling service with food waste weekly.

In terms of bin provision, I recommend that the following provision is provided.

- Refuse - 3 x 1,100ltr bin
- Recycling – 3 x 1,100ltr bin with special recycling lid
- Food Waste – 2 x 140ltr bin with an individual 5ltr caddy per property

Developers are required to pay for the provision of all bins required for a development and these can be purchased through the Council. Developers are welcome to purchase their

own 1,100 litre bins however the bins must be metal and comply with European Standard EN840.

Collections from sites will not occur until containers are in place. It is the responsibility of the developer to collect and remove any waste at their cost until the Council is satisfied that all waste requirements have been met. All complaints in regard to non-collection due to the fault of the developer will be passed onto the developer for response.

The Council should be informed at least two weeks prior to the waste collections by the council taking place.

Please note that the Government are currently consulting on the Waste & Resources Strategy which may change the recycling arrangements for both domestic and commercial properties moving forward.

5.19. The application has been advertised by 4 site notices and individual letters to 57 neighbouring properties, with an overall consultation expiry date of 6th May 2022.

Neighbouring Properties

5.20. 94 letters of representation have been received, objecting to the application with the following summarised comments:

- Overdevelopment
- Traffic Issues
- Out of character
- Unsuitable for retirement age adults
- Increase in private car volume
- Will the site be commercial
- Increase in waste
- Increase in vermin detrimental to public health
- Site will become a caravan park
- Increase in noise
- Increase in pollution
- Lack of details
- Misuse of occupation
- Inappropriate development in the Green Belt
- Adversely affect the openness of the land and surrounding properties
- Change the nature of the local area
- Increase in traffic
- Highway safety
- Lack of facilities to serve the residents (doctors, dentist, schools etc)
- Lack of shops
- Vehicle reliant
- Disharmony with an established semi rural residential area
- Negative impact on adjacent ancient woodland and wildlife
- No local public transport
- Disruption during construction
- Served by unadopted road
- Road not suitable for heavy duty vehicles
- Lack of management to monitor the use being for over 55s
- Increase in population on the site
- No case for exceptional or extenuating circumstances have been made

- High density development
- Loss of amenity
- Potential congestion
- Antisocial behaviour
- Impact on bridle path
- Incongruous and inappropriate on the Area of Special Residential Character
- Problematic supply of utilities
- Lack of personal outside space
- Adverse impact both visually and environmentally
- Risk of flooding – overloading of sewers
- Negative environmental health impact
- No infrastructure
- Impact on local grid
- Erosion of the Green Belt
- Lack of bus routes / services
- Proposed walking times to local amenities not accurate and would be a challenge of over 55s
- Lack of footpaths for walking routes
- Only experienced cyclists would tackle the local cycle paths and networks
- Increase in people on the site
- Lack of storage for garden equipment, bikes etc
- Proposed planting of fruit trees – has the root growth been taken into account
- Pets on site
- Detriment impact on the local community
- Detrimental impact on local habitats
- Potential for gypsy site – previous gypsy site application rejected
- No requirement for this development in this location
- 32 additional car parking spaces to a single track road
- Site is tarmac and hard paved what was once open site with trees
- Loss of outlook
- Drainage requirement for the hard standing area and the homes significantly increased
- Noise, light and car pollution will increase
- Increase in vehicle movements from residents and visitors
- Proposed reduction by KCC for local bus service, further reducing sustainability
- Would set a precedent
- No Very Special Circumstances
- 16 units would do little to meet the 6,000 plus shortfall in Gravesham
- Previous similar proposals refused and dismissed on appeal
- Portable LPG tanks will constitute significant safety hazard for local residents
- Negative effect on local flora and fauna
- Over 55 age restriction difficult to enforce
- Access for emergency vehicles
- High-density, low-grade development
- Contrary to local and national policy
- Visual appearance would be harmful and intrusive to the surrounding area
- Concerns about the surface water drainage
- Should be formal consultation with Dartford residents
- Covenant on original dwelling

- 5.21. Additional comments were made relating to the current activities on the site which would be separate to the assessment of this current application and not a material planning consideration.
- 5.22. A representation / objection from the local MP from the Dartford Constituency, in support of residents and to highlight their objections.

6. Service Manager (Planning) Comment

Site Inspection

- 6.1. A Committee Member's site inspection was carried out on Tuesday 5th July 2022. Councillor's Sangha (Chairman), Craske (Vice-Chairman) and Lane were in attendance, together with Ward Councillor Dibben and Richard Hart (Planning Team Leader) and Amanda Grout (Senior Planner). The aim of the inspection was for Members to view the site for themselves in advance of the Committee Meeting.
- 6.2. The site was viewed and councillors had the opportunity to ask questions regarding the site and the development proposals but not to discuss the merits of the case. Notes from the site inspection are attached to this report as Appendix 1 – Little Acres Site Inspection Notes.

Definition of a Caravan

- 6.3. The Caravan Sites and Control of Development Act 1960 is relevant in this case. Section 29(1) of the Act defined a caravan as; *"any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted, but does not include –*
(a) *any railway rolling stock which is for the time being on rails forming part of a railway system, or*
(b) *any tent."*
- 6.4. A Section 13 (1) of the Caravan Sites Act 1968, deals with twin-unit caravans. Section 13 (1) provides that:
"A structure designed or adapted for human habitation which:
(A) *Is composed of not more than two sections separately constructed and designed to be assembled on a site by means of bolts, clamps and other devices; and*
(B) *Is, when assembled, physically capable of being moved by road from one place to another (whether being towed, or by being transported on a motor vehicle or trailer), shall not be treated as not being (or have been) a caravan within the means of Part 1 of the Caravan Sites Control of Development Act 1960 by reason only that it cannot lawfully be moved on a highway when assembled"*.
- 6.5. Amendment of the definition of caravan 2006
(a) Length (exclusive of any drawbar) 20m (65.6ft)
(b) Width: 6.8m (22.3ft)
(c) Overall height (measured internally from the floor at the lowest level to the ceiling at the highest level) 3.05m (10ft)
- 6.6. In terms of the proposed units as part of this application, the dimensions of all the units would fall within the above parameters. In addition, based on the information provided it would appear that the test set out in the judgement of Carter v SSE & Carrick DC [1991] JPL 131; [1995] JPL 311) which clarified that for a structure to be a caravan for the purposes of the Caravan Sites Acts the fully assembled unit must

be capable, as a whole, of being towed or transported by a single vehicle, is also met. The proposed units therefore would fall within the definition of a caravan as laid out within The Caravan Sites and Control of Development Act 1960 (as amended).

What is a Dwelling - (does a caravan constitute development)?

6.7. The term 'caravan' may be used to describe any structure falling within this definition. Caravans may also be known as park homes, mobile homes, lodges, cabins or by a trade name. It is important to note that, in law, a caravan is a use of land and not a building.

6.8. As set out above, a caravan is a legally defined term as follows:

- Construction – A structure composed of not more than two sections separately constructed and designed to be assembled on a site by means of bolts, clamps or other devices
- Dimensions – Overall external length 20m maximum. Overall external width 6.8m maximum, internal ceiling height above internal floor level 3.05m maximum
- Transportability - Capable of being moved once constructed as a single unit

6.9. It is important to note that, in planning law, caravans are not considered to be dwelling houses. Therefore, they do not benefit from the permitted development rights under Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) Order 2015 as amended.

6.10. Having established that the proposed units would fall under the definition of a caravan, the next point is to assess whether the proposed units are considered to be dwellings and constitute development or if the proposal falls within land use only.

6.11. It would appear that case law establishes that for planning purposes for a caravan (or park home) to be considered a “building” and thus “operational development” there must be a substantial degree of affixation to the land upon which it stands. *Skerrits of Nottingham Limited v SSETR* [2000] confirms earlier case law in that the primary factors to consider when determining whether a “building” exists are: size, permanence and physical attachment.

6.12. Planning law controls the carrying out of development. Development is:

- a use of land (for example, the siting of a caravan on land or use of land as a caravan site)
- a building operation (for example, erection of a building or an extension)
- an engineering operation (for example, construction of an access or hard surface)

6.13. All developments need planning permission to be granted by the local planning authority before they can be lawfully carried out. Certain buildings and land uses benefit from deemed permission through permitted development rights. These allow certain specified types of development to be carried out, without the need for express planning permission. This is subject to certain limitations (for example, the use of land for agriculture).

6.14. In the case of *Carter v SSE* [1991] JPL 131 (APP/J0405/X/17/3170455 Appendix 2) the Inspector found that *where it was accepted that the stationing of a mobile home*

without wheels, which satisfied the accepted definition of a caravan, would not amount to a building operation.

- 6.15. In a more recent appeal decision (APP/K2230/X/20/3246559 Appendix 3) the Inspector agreed with the Borough Council and stated that *a mobile home constituted a use of the land rather than operational development.*
- 6.16. As covered within Section 1 - Site Description and Surroundings as well as been clarified further within this report, the site as a whole has not been within residential use, therefore in terms of this application, the proposal would also include the change of use land.
- 6.17. In addition, whilst the siting of static homes or caravans may not constitute development or building operations, the laying of the access road, together with any hardstanding for the siting of the units, parking areas and boundary treatments would amount to building operations and therefore need to be assessed, together with any lighting and domestic paraphernalia associated with residential use.

Background

- 6.18. As the planning history shows, the site has extensive history resulting in various uses and development within the site which has resulted in a cumulative impact with a significant amount of buildings and structures, in addition to a large number of cars, commercial vehicles and domestic paraphernalia.
- 6.19. The most recent planning application (Ref. 20190003) for *Demolition of garage, outbuildings and removal of two mobile homes and the erection of detached chalet bungalow with associated car parking and garden and the use of existing stable block, sand school and paddock for equestrian purposes, including the enlargement of the paddock area and the formation of a new access from Longfield Avenue* approved 6th April 2020 has not been implemented, which at the date of the publication of this committee report, is still a valid planning permission, which expires on 6th April 2023.
- 6.20. As the current proposal seeks the removal of all the buildings and a complete redevelopment of the whole site, any previous permissions would no longer be relevant.

Housing Need

- 6.21. Policy CS02 (LPCS) 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 during the period. Evidence now available shows that the Council is not able to demonstrate a five-year housing supply (a 3.27 year supply has most recently been calculated within the statement published [here](#)), and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Core Strategy Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the NPPF.
- 6.22. This requires that in regard to housing development, planning permission should be granted unless:
"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 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."

- 6.23. In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF (2021) at footnote 7 (rather than those in development plans) relating to any of the following:
- Habitats sites (and those sites listed in NPPF paragraph 180)
 - Sites of Special Scientific Interest;
 - Green Belt,
 - Local Green Space,
 - Areas of Outstanding Natural Beauty
 - Irreplaceable habitats;
 - Designated heritage assets (& other heritage assets of archaeological interest, see NPPF footnote 67); and
 - Areas at risk of flooding or coastal change.
- 6.24. 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 125(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.
- 6.25. As part of this balancing exercise it should be noted that paragraphs 130 and 134 of the NPPF (2021) requires development to add to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers.
- 6.26. Notwithstanding the Council's shortages in housing delivery and the consequent weight to be given in favour of the proposed development it is necessary to assess the proposals against the policies in the National Planning Policy Framework (NPPF) and established local planning policy taken as a whole.
- 6.27. The proposed development for a net increase of '15' no. dwellings and would offer a modest contribution towards meeting this local need. Accordingly, officers consider that this should be accorded modest weight in support of this application. However, this has to be balanced against other requirements of the NPPF (2021) and paragraph 11(d)(i) in combination with footnote 7 in particular.
- 6.28. It is concluded that the additional dwellings proposed whilst having modest weight in support of the proposal, are not considered to be sufficient to outweigh the harm to the Green Belt/landscape that would result from the development proposal which is discussed in the following sections of the report.
- 6.29. For clarity, it should be noted that the Government's Housing Flows Reconciliation data collection, records changes to non-permanent dwellings. Non-permanent dwellings are included if they are the resident's main residence and council tax is paid on them, and can include caravans, mobile homes, converted railway carriages, houseboats and gypsy and traveller pitches.

Green Belt

- 6.30. The application site lies within the Green Belt as defined on the adopted Gravesham Local Plan Core Strategy (2014) policies map and this must be the starting point for determining this application. Given paragraph 140 of the NPPF (2021) states that Green Belt boundaries should only be amended in exceptional circumstances, in the context of the preparation or review of a Local Plan, it is not for the current application to seek to amend such a policy designation.
- 6.31. Similarly, whilst the Council is committed under Policy CS02 to meet its full objectively assessed housing need for housing and employment and to undertake a strategic Green Belt review, it is not for a planning application to pre-empt due process given the outcome of this process may be to identify preferable and more sustainable alternatives.

On this, it is noted that the Inspector in finding the Gravesham Local Plan Core Strategy sound, was clearly of the opinion that a plan-led process should be followed rather than the ad hoc release of sites. The Inspector's report states at paragraph 48 that:

Nevertheless, a small element of total new housing supply would still need to come from the Green Belt to meet the overall requirements in the plan period, albeit in the latter part thereof. This should only reasonably and realistically be identified as part of a formal Green Belt review process that includes full public consultation and a comparative assessment of realistic opportunities, rather than through any "one off" releases in advance thereof. This should be conducted through a formal statutory process, as distinct from any ad hoc site by site decisions that would not necessarily identify the most suitable and sustainable locations for any new housing that may be required in the Green Belt.

It is therefore considered that the key issues in this case relating to the Green Belt are:

- Whether the proposal is inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework and development plan policy, and
- Whether any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Whether the proposal is inappropriate development in the Green Belt

- 6.32. Paragraph 149 states that a Local Planning Authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include:-
- a) Buildings for agriculture and forestry;
 - b) Provision of appropriate facilities (in connection with existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments, as long as the facilities preserves 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 (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would:
- not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

6.33. Clearly, the first four bullet points a), b), c) and d) do not apply in this instance as the proposal is for the delivery of 16 new static homes.

6.34. The site the subject of this application is an existing residential dwelling with detached garage, a large number of storage buildings and containers, stables, associated sand school and a dog kennel. The site is not currently used for equestrian but mainly residential (Use Class C3) and what appears to be some business uses.

6.35. The Local Planning Authority therefore contends that the only exceptions that might apply under paragraph 149 of the NPPF (2021) in this case relates to; 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); or g) 'limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use'.

6.36. The closest rural settlement to the application site is New Barn, located to the west of the site in Dartford Borough Council's administrative area.

6.37. e) Limited infilling in villages

On this, it is noted that neither the NPPF or the development plan define the terms 'limited', 'infilling' or even what constitutes a 'village'. Because of this, the Local Planning Authority requires that the following points need to be addressed to determine whether the proposal should be considered as an exception or be deemed 'inappropriate' development.

These points are:

- Whether New Barn is a village
- If New Barn is a village, where its boundary lies relative to the application site?
- Whether the proposal subject to this application can be considered 'limited'; and
- Whether the proposal constitutes 'Infilling'

For the proposed development to constitute an 'exception' rather than be classed as 'inappropriate' development, it is contended that all the above criteria need to be met.

6.38. Whether New Barn Rise is a village

The NPPF (2021) does not define a 'village'. As a starting point, the site is not located within any settlement boundary as defined within the development plan. However, this is not the determinative factor in considering whether a site is within a village. Indeed, an assessment of the site-specific circumstances is necessary, this is underpinned by recent case law. Case law (Wood v Secretary of State for Communities and Local Government, Gravesham Borough Council [2014] EWHC 683 (Admin) and Julian Wood v The Secretary of State for Communities and Local Government, Gravesham Borough Council [2015] EWCA Civ 195) has determined that whether or not

a proposed development constitutes limited infilling in a village for the purpose of paragraph 89 of the Framework is a question of planning judgment for the decision maker, and that this would depend upon the decision maker's assessment of the position on the ground.

New Barn is an Area of Special Residential Character which is rural settlement inset from the Green Belt, as defined by Dartford Borough Councils Local Plan Policy Map. However, because it has all of the characteristics of a village in terms of having a school and a range of other facilities, treating New Barn as a 'village' would appear to be consistent with the intent of national Green Belt policy.

As paragraph 144 of the NPPF only allows 'villages' to be excluded from the Green Belt by way of an inset designation and the above mentioned rural settlements are inset from the Green Belt within the Gravesham Local Plan Core Strategy 2014, and New Barn is also shown to be inset from the Green Belt within the Dartford Core Strategy 2011, it is considered that New Barn should be treated as villages for the purposes of the application of planning policy.

6.39. As New Barn is a village, where does its boundary lie relative to the application site?

6.40. As New Barn is considered for the purposes of this application to be a village, the question arises what its boundaries are on the ground and whether the application site lies within those boundaries. In this context it will be noted that the Court of Appeal case for Wood v Secretary of State for Communities and Local Government [2014] EWHC 683 (Admin) (Appendix 8) in quashing the original decision did not make a planning judgement as to where the boundary might lie, rather that the original Inspector had misdirected himself in accepting the Green Belt/inset boundary as being the edge of the village after he had noted the built development continuing to the east. The officer carried out an accompanied site visit on the 7th June 2022 and the whole application site and immediate area, together with visiting New Barn and determined the boundary on the ground. The main built development of the village in relation to the site is located to the west of the site, with a clear north / south vertical line running along the Borough boundaries and Nurstead Avenue further acts as a physical boundary.

Whilst the site is outside the inset rural settlement boundary, paragraph 4.2.6 of the Local Plan Core Strategy accepts that these boundaries do not necessarily represent their full extent. Rather, they are intended to relate to the coherent and established built up area where policy accepts infilling would not adversely affect local character or identity or impact on the openness of the Green Belt.

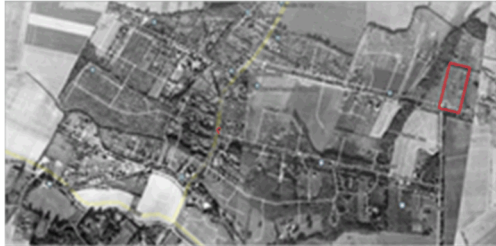
In this respect, the Local Planning Authority consider that there remains a clear distinction between the existing residential development of New Barn to the west, and the application site.

New Barn Village Outline – Dartford Policies Map Sheet 2 : East – Dartford Borough Council (application site outlined in red)



- 6.41. The following aerial photographs from 1940 to 1990 demonstrate how the village of New Barn has evolved, its relationship to the site and how the site itself has been devoid of the majority of the structures and development until more recent years.

1940 Aerial Photograph (Google Earth)



1960 Aerial Photograph (Google Earth)



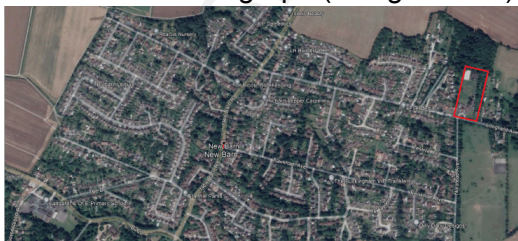
1990 Aerial Photograph (Google earth)



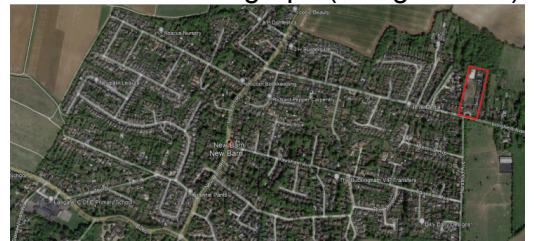
2003 Aerial Photograph (Google Earth)



2015 Aerial Photograph (Google Earth)



2020 Aerial Photograph (Google Earth)



- 6.42. The application site clearly has no relationship with the surroundings dwellings or the village of New Barn. The main concentration of dense suburban residential development is located to the west of the site. There has been and still remains a clear north south boundary line separating the site and New Barn. Furthermore as New Barn is a new village (post war redevelopment) the land now known as Little Acres and adjacent plots, predate the village and was never included within the village of New Barn.

- 6.43. There is a clear change in character between this suburban residential development to the west and the application site itself, with the plot size of Little Acres being substantial in size, with an open frontage, buildings set back from the road, mix of residential garden and paddock areas, and outbuildings.
- 6.44. Opposite the site on the southern side of Longfield Avenue are open fields with woodland/hedgerow boundaries. The neighbouring properties to the east are a mix of dwelling types but, like Little Acres, in the main, they stand well back from the road, on substantial plots where ample green open curtilages bounded by mature trees and hedging spill out into the wider countryside.
- 6.45. The site lies on the very edge of New Barn and it is considered that it has a closer relationship in terms of character with the wider countryside than with the well defined, distinct built-up area of New Barn.

As a result of the above the Local Planning Authority concludes that when viewed from the ground the designated rural village boundary shown on the adopted policies map remains justifiable and that the application site lies beyond it within the Green Belt. The proposal is therefore considered to be 'inappropriate' development in the Green Belt, as it would not comply with the exception at paragraph 149 e) of the Framework.

- 6.46. *f) Limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites)*

As already assessed, the application site is located within rural setting and does not form part of the village of New Barn. Therefore in terms of paragraph 149(f) of the NPPF (2021), the policies relating to affordable housing in rural exception sites applies.

- 6.47. Paragraph 4.2.27 of Policy CS02 (LPCS) states that development outside of rural settlements, including affordable housing and proposal to maintain and diversify the rural economy, will be supported where it is compatible with national policies for protecting the Green Belt and policies in the local plan.
- 6.48. In the preamble to Policy CS16 (LPCS), paragraph 5.12.6 states that it is not appropriate to quantify a particular number of dwellings that will be considered to be 'limited' for affordable housing in the Green Belt as this will primarily depend on the level of local community need identified together with the following:
- The size and character of the built up area of the individual settlement concerned, and its position in the settlement hierarchy;
 - As a solely affordable housing site, this may also limit the size of the site to ensure mixed communities and could mean that the development of two or more sites might be preferable to one large site; and
 - The type of affordable housing being proposed, such as extra care, where the viability of the scheme may depend on its scale.
- 6.49. Policy CS16 (LPCS), paragraph 5.12.13 states that, "*in the Green Belt, limited affordable housing in a sustainable location for a proven and justified local community need will be supported...*"
- 6.50. The proposal is for 16no. static homes for the over 55s, 6 of which are shown to be affordable units. The units are all two-bedroom static homes and not permanent dwellings.

- 6.51. As laid out in paragraph 1.13 of this committee report, the application site does not benefit from being within close proximity to any local amenities, or centres, nor is it served by any local transport links. The main Wrotham Road (A227) is approximately 0.7 miles (approx. 15 minute walk) to the east, and the nearest train station being Meopham is 1.5 miles (approx. 29 minute walk). Walnut Hill Road, Nash Bank and Nurstead Avenue do not benefit from footpaths. In terms of bus links, the nearest bus stop is along New Barn Road, located approximately 0.5 miles (approx. 10 minute walk). As such, it would be necessary for any residents to rely on a personal vehicle and therefore the site cannot be considered as a sustainable location.
- 6.52. In addition, the supporting planning statement has not been clear in identifying the community need for the proposal.
- 6.53. The proposed development as a whole has been detailed for the over 55s, which also includes the 6 affordable units, without any evidence being provided to support a justified local community need inline with Policy CS16 (LPCS).
- 6.54. A Rural Housing Needs Survey was undertaken for the nearest settlement in Gravesham, Istead Rise in 2017, which set out a need for 2 affordable units for older persons, and 9 open market properties for older households who wish to downsize/move to more suitable housing to meet their needs. There was also a requirement for 1 place in a residential care home. The 2 older persons in need of affordable units, wanted to rent from the Council or a housing association. The 12 older households said they need the following type of housing:
- 2 x flat/maisonette
 - 2 x bungalow
 - 2 x sheltered/retirement housing
 - 2 x house/bungalow
 - 1 x house
 - 1 x sheltered/retirement housing/bungalow
 - 1 x bungalow/flat/maisonette/sheltered/retirement housing
 - 1 x house/flat/maisonette/bungalow
- 6.55. As shown in the findings extracted from the Istead Rise Rural Housing Needs Survey, none of the older households in need of affordable or market units, sought a caravan/ park home.
- 6.56. As a result of the above the Local Planning Authority concludes that the proposal would not meet the criteria laid out in Policy CS16 (LPCS) for affordable housing and therefore the proposal would not fall within the criteria for Paragraph 149(f). The proposal is therefore considered to be 'inappropriate' development in the Green Belt.
- 6.57. *g) Limited infilling or the partial or complete redevelopment of previously developed land (brownfield land)*

On this, it is noted that neither the NPPF (2021) or the development plan define the terms 'limited', 'infilling'. Because of this, the Local Planning Authority requires that the following points need to be addressed to determine whether the proposal should be considered as an exception or be deemed 'inappropriate' development.

These points are:

- Does the whole site fall within the definition of previously developed land

- Whether the proposal subject to this application can be considered 'limited'; and
- Whether the proposal constitutes 'Infilling'
- Whether the proposal would have a greater impact on the openness of the Green Belt than the existing development

For the proposed development to constitute an 'exception' rather than be classed as 'inappropriate' development, it is contended that all of the above criteria need to be met.

6.58. Is the application Site Previous Developed Land

Annexe 2 of the NPPF (2021), defines Previously Developed Land, as, "*Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.*"

In the case of Dartford Borough Council v Secretary of State for Communities & Local Government (CO/3129/2015) the Deputy Judge held that the wording of the exemption to previously developed land, within the NPPF was significant. It reads "land in built-up areas such as: private residential gardens". As such, the Deputy Judge found that only residential gardens within the "built-up area" were exempt from the definition of previously developed land whereas, residential gardens outside "built up areas" were "brownfield". In terms of this current application, the site lies outside "built up areas" and whilst the site forms part of the property known as Little Acres, only part of the site has been used as residential garden. A large majority of the site has not been developed, with only a small part of the site being used as residential garden and the remaining site used for storage and equestrian use.

- 6.59. As can be seen from the above aerial images, the site was devoid of development until approximately 2007, with the exception of the main dwelling located at the most southern part. The stables are visible in 2011 and the sand school in 2012. Whilst the property has been within residential use, the site as a whole has not, and it cannot be considered as such, due to the equestrian presence of stables, sand school and related storage units.

2011 Aerial Photograph (Google Earth) 2012 Aerial Photograph (Google Earth)



- 6.60. Furthermore, the application site as a whole has clearly not been in use as residential garden which can be seen in the 2012 image where a smaller area of lawn is fenced off. This is substantiated by the granting of a lawful development certificate in 2017 (Ref. 20160920) for *Application for a Lawful Development Certificate in respect of the continued use of land as domestic garden ancillary to the main dwelling*. The associated plan, Drawing No. COO2/01 - Location Plan, clearly shows a separation of the site into residential garden area.

Approved Location Plan (Application Ref. 20160920)



- 6.61. From the officer site visit, post and rail fencing clearly separates the residential garden area from the overgrown field directly north, which as can be seen from the aerial images, from 1940 to date, it has never been developed. As such the whole site cannot be considered to be used as residential garden.
- 6.62. Therefore in terms of the full application site, it is not considered to fall within the definition of previous developed or brownfield land due to only part of the site being developed.
- 6.63. Whilst part of the area that has not been previously developed has been proposed as shared allotment space for the future residents, the proposal includes the site as a whole for redevelopment and due to the existing lawful use, the proposal would result in a change of use and therefore the site as a whole needs to be assessed against the proposal and not just where the static units would be located.
- 6.64. Taking all of the above into consideration and without any evidence to the contrary, the application site in its entirety is not previously developed land (brownfield land).
- 6.65. Under the exception to inappropriate development at paragraph 149 g) of the NPPF (2021), consideration of the impact on openness forms a part of the assessment of whether the proposals are inappropriate. Openness of the Green Belt has a spatial aspect as well as a visual aspect. Openness is also open textured and a number of factors can be relevant in its consideration.
- 6.66. The construction of 16no. static homes, single storey detached management building, together with boundary treatment and hard landscaping for vehicular access, parking, lighting and all the domestic paraphernalia that would be associated with a domestic dwelling, which overall would have a significantly more built form and clustering than the existing single residential dwelling and other lawful development/uses within the site. When these factors are taken together, the proposal would have a significantly greater effect on openness than the existing development, therefore the harm to openness would be substantial, and so the proposal would not accord with the exception under the second limb of paragraph 149 g).
- 6.67. The proposal is therefore considered to be 'inappropriate' development in the Green Belt and contrary to paragraph 149(g) for the NPPF (2021).
- 6.68. Whether the proposal subject of the appeal can be considered 'limited'.
The terms 'limited' and 'infill' development are not defined in either the NPPF (2021) or LPCS and are therefore a matter of planning judgement taking into account the nature and size of the proposed development, the location of a particular site, and its relationship to existing development adjoining and adjacent to it.

Longfield Avenue at the location of the site is a narrow-unmade road, which extends eastwards towards Walnut Hill Road and into the open countryside. Immediately opposite the site are open fields, Whilst the area to the west of the site is built up, development to the east side is sporadic. Properties on this side of Longfield Avenue are of various styles and are set out at irregular intervals with open space between some of them. Gaps between some of the properties allow glimpses of the wider countryside beyond, thereby contributing to the rural character of the lane and linking the area with the wider open space around it.

The application site has a width of 54.82m from the both side boundaries and a depth of 171.03m from the rear boundary of the site up to the front curtilage with Longfield

Avenue. This large site would be cleared of all buildings and structures and redeveloped to provide 16 static homes. The number of dwellings at this point of Longfield Avenue going eastwards is limited. In that context the demolition of the existing dwelling, and the provision of 16 regularly spaced static homes is significant, in addition to the private access, parking and turning areas, which would have a significant effect in its context. As a result this proposal could not be viewed to be 'limited'.

- 6.69. This stance is shared by the planning inspectorate who dismissed an appeal (APP/F0114/W/16/3157766 attached as appendix 9) for the replacement of an existing workshop with two dwellings. The Inspector made the following comments on limited infill.

"Furthermore, the proposed two-storey dwellings would be substantially larger (bulk and mass) and have a greater visual impact than the existing single storey workshop. Consequently, having regard to the Framework, the proposed dwellings would not amount to limited infill in the context of the village as the cumulative effect of the proposed dwellings would have a greater impact on the openness of the Green Belt, by way of their height, bulk and mass. Therefore, the proposed dwellings would have the effect of materially reducing the openness of the Green Belt."

- 6.70. Whether the proposal constitutes 'infilling'.

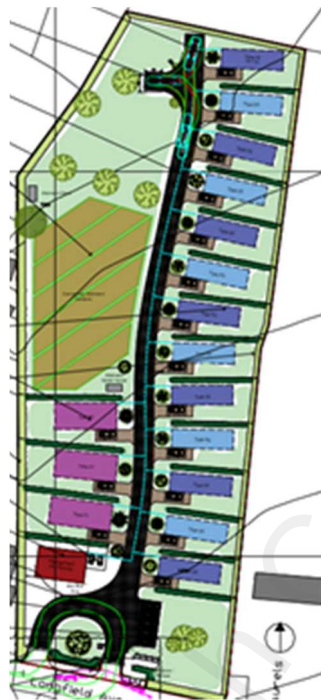
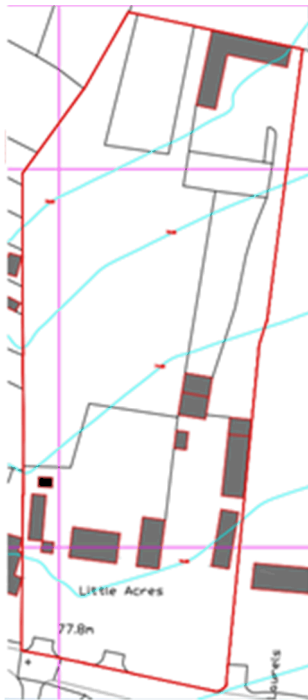
Having established that the development is not limited the next issue to evaluate is if the proposal constitutes infilling. Neither the NPPF (2021) nor the development plan currently defines the term 'infilling'. However the Local Planning Authority accepts the generally agreed definition of infilling as the following:

The development of a small gap in an otherwise continuous built-up frontage, or the small-scale redevelopment of existing properties within such a frontage.

- 6.71. This application does not see the development being of a lateral position to Longfield Avenue. The proposed dwellings would be positioned in a tandem position, moving from the front of the site to the rear. This itself could constitute a backland form of development and would be out of character with the spatial layout of the immediate area.
- 6.72. However, the existing front and the adjacent dwellings are spaciouly laid out with generous gaps. As such it is considered that this application does not meet the above definition as it is not the development of a small gap between an otherwise built up frontage. Due to the existing spatial layout of the surrounding area, there is no built-up frontage surrounding the site and in the case of this application it's clear that the development does not result in the infilling of a small gap in an otherwise continuous frontage. This application is essentially a redevelopment of a site.

Existing Site

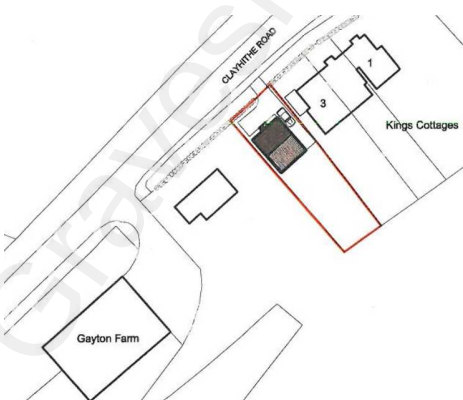
Proposed Site



- 6.73. The Inspectorate has considered the issue of infilling on numerous appeals and APP/W0530/A/13/2207789 is particularly relevant as the Inspector concludes the following

"The adjacent Kings Cottage and Gaytons Farm form a detached small group of development otherwise surrounded by countryside. As such, neither they nor the appeal site form a particularly cohesive, built-up frontage in the Green Belt which can readily accommodate an additional dwelling without an urbanising effect. Given its verdant, overgrown condition, development on the appeal site would be conspicuous. Thus, I conclude that the scheme cannot be considered to be the limited infilling or redevelopment of a previously-developed site in line with the sixth bullet point exception."

The above is demonstrated on the below aerial photograph (2018) and the proposed block plan from the above appeal decision.



- 6.74. The direct similarities with the above appeal and this application is the frontage of the above appeal decision and this application do not form a particularly cohesive, built-up frontage in the Green Belt which can readily accommodate an additional dwelling without an urbanising effect.

- 6.75. In conclusion the Local Planning Authority is of the view that the proposal does not constitute infilling under the terms of paragraph 149 of the NPPF (2021) and this is supported by appeal decisions mentioned above.
- 6.76. Conclusion on Green Belt issues and assessment of harm
The Local Planning Authority is of the opinion that the application site lies outside the defined settlement boundary (for the purposes of this assessment a village) of New Barn within the Green Belt having viewed the boundary on the ground; the applicant has not offered any evidence to warrant a different interpretation being taken; and that in any event, the entire site is not considered to be previous developed land (brownfield) and the proposal does not constitute limited infilling.
- 6.77. It is therefore considered that the proposal represents 'inappropriate' development in the Green Belt which is by definition harmful and which should only be permitted where the applicant can demonstrate 'very special circumstances' that clearly outweigh harm caused by inappropriateness and any other harm.
- 6.78. In undertaking the balancing exercise to determine whether or not those 'very special circumstances' clearly outweigh such harm, substantial weight must be accorded to the harm caused to the Green Belt.
- 6.79. The Local Planning Authority contends that harm to the Green Belt in this instance primarily comprises:
- 6.80. **Permanent loss of openness** – Openness and permanence are the essential characteristics of the Green Belt. The site currently has one detached bungalow and a static home and a number of timber buildings and structures and has substantial amount of trees and hedging surrounding the site, together with a large amount of undeveloped land, which contribute to the character of the Green Belt. The construction of a detached management office, 16no. two bedroom static homes with associated parking, hardstanding, residential paraphernalia and lighting will permanently and irrevocably harm the Green Belt through loss of openness at this point. Whilst it may be possible to mitigate visual impact to a limited degree by screening, this cannot in itself overcome the adverse impact on openness which is defined by the presence or absence of the building itself.
- 6.81. **Encroachment of the countryside** – This is a stated national purpose of the Green Belt at paragraph 138 of the NPPF (2021). The construction of 16no. additional detached dwellings on this site would introduce urbanising features (Car parking, light pollution, hard landscaping and residential paraphernalia) that would adversely affect the character of the settlement at a point of transition from the built form of existing detached bungalow and structures to the surrounding open areas and open fields beyond. Whilst there is significant soft landscaping surrounding the site that is to be retained which would reduce the impact of the development, the development would represent an increase of the built form which would result in a reduction in openness.
- 6.82. **Safeguarding the countryside by minimising the expansion of the Borough's rural settlements** - This is a stated local purpose of the Green Belt as set out at paragraph 4.2.7 of the adopted Gravesham Local Plan Core Strategy (2014). As noted above, the local planning authority considers the proposal subject of the application to represent an encroachment in the countryside. This would take place as a result of the effective expansion to the east of the New Barn rural settlement.

The Local Planning Authority is also concerned that this could establish a precedent for similar such development elsewhere in the borough.

6.83. Consideration of 'very special circumstances'

The supporting planning statement provides an argument for 'very special circumstances'. These include;

- Housing Need
- Sustainable Development
- Biodiversity Net Gain
- Landscape Enhancement
- Visual Impact
- Sites History

The supporting statement summarises that the Very Special Circumstances are the need for housing, landscaping and significant biodiversity net gains.

6.84. The above factors are assessed within the relevant sections of the report and have to be considered in light of the adopted development and the NPPF (2021). Overall, it is considered that the harm to the Green Belt is not outweighed and that the above factors do not constitute 'very special circumstances'.

6.85. Final balancing exercise on Green Belt issues

The application site lies within the Green Belt and constitutes 'inappropriate' development. The proposal introduces 16 dwellings (15 additional) onto a site which currently only has one. This proposal adversely impacts on the openness of the Green Belt at a point of transition between the more densely and finer grained development within the New Barn rural settlement, and the application site, the adjoining open fields and countryside to the north, south and east which are within the Green Belt. The introduction of built development on the application site would blur the distinction between the two areas and represent an encroachment of the countryside through the insertion of an urbanising form.

6.86. It is considered therefore that substantial weight should be accorded Green Belt harm as directed by the NPPF (2021).

6.87. In addition, the local planning authority is of the opinion that the argument for 'very special circumstances' within the supporting planning statement do not sufficiently outweigh harm to the Green Belt caused by inappropriateness.

6.88. Impact on the Landscape

Section 15 of the NPPF (2021) highlights the importance of conserving and enhancing the natural environment, one aspect of which is the protection and enhancement of valued landscapes. Policy CS12 of Gravesham Local Plan Core Strategy states that the overall landscape character and valued landscapes within the Borough will be conserved, restored and enhanced and that proposals will take account of the Gravesham Landscape Character Assessment.

6.89. In May 2009 the Local Planning Authority published the Gravesham Landscape Character Assessment which identified 11 distinct areas within the borough. The application site falls within Istead Arable Farmlands Landscape Character Assessment.

The 2009 Landscape Character Assessment lists the following key characteristics found within Meopham Downs as follows:

- Gently undulating topography with open arable fields
 - Fields divided by tracks, roads and occasional hedgerows
 - Orchards to the east
 - Minor native woodland clumps
 - Few roads, which are open in character
 - Istead Rise modern housing development
 - Clusters of properties and farmsteads
 - Large pylons
- 6.90. The Gravesham Landscape Character Assessment demonstrates the qualities which make the landscape area special and undermines Policy CS12 (LPCS) which seeks to restore and create its quality.
- 6.91. Notwithstanding the landscape and visual appraisal submitted with this application and the possible use of planning conditions to deal with soft landscaping/boundary treatment to reduce the visual appearance of the dwellings. The Local Planning Authority views that the introduction of 16 static homes with all the associated residential paraphernalia will undermine one of the key landscape characteristics of Istead Arable Farmlands which is gently undulating topography with open arable fields with the exception of Istead Rise, there are only clusters of properties and farmsteads.
- 6.92. A further impact of this scheme on the landscape would be the introduction of domestic vehicle parking and associated lighting generated by the scheme, both from the dwellings, car movements, and external lighting for the development.
- 6.93. In summary, the proposed development would adversely affect the character of the rural area, becoming more suburban and less rural. The proposal would therefore cause harm to the landscape character and natural beauty of the valued landscape. Therefore, this proposal would conflict with Policy CS12 (LPCS) which seeks to ensure valued landscapes will be conserved restored and enhanced.
- 6.94. Climate Change
Policy CS18 (LPCS) sets out the requirements for dealing with sustainable drainage and surface water run-off. The soakaways for the surface water drainage are unlikely to be acceptable to building regulations if they are within 5 metres of a building or highway and this would need to be confirmed with Building Control, if they consider the access as a highway for their purposes. In order to deal with Sustainable Urban Drainage Strategy (SUDS) for the site if permission was to be granted this would be dealt with through a planning condition which would look to include the following:
- Pervious pavements/road surface to allow water to drain through the surface;
 - Outlet to pipes or infiltration to ground;
 - Rain gardens for each dwelling (simple and small basins for roof water drainage); and
 - Filter Drains.
- 6.95. Design
When evaluating the design of this proposal it needs to be considered against the design principles of Policy CS19 (LPCS) which require development to conserve and enhance the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anti-crime standards. At a national level the NPPF (2021) in paragraph 126 provides guidance on providing good design.

- 6.96. The area is characterised by a mix design of single residential dwellings, set within generous plots.
- 6.97. The proposal for 16 static homes are not of a style, that would be in keeping with the surrounding areas.
- 6.98. This development on its own merit has introduced a different housing tenure in terms of static homes in an area that is made of single residential permanent properties, set within their own plots and own single access.
- 6.99. The proposal would represent a discordant feature to the surrounding, as it would change the perception of the site to a large caravan site.
- 6.100. Policy CS14 (LPCS) states that new housing development shall provide a range of dwelling types and sizes taking into account the existing character. In this location the predominant character is single residential dwellings set within spacious plots with private parking and generous private gardens to the rear and not static homes with limited private amenity space, therefore the proposal would not accord with this Policy.
- 6.101. Policy CS15 (LPCS) states that all new housing will be developed at a density that is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated. The proposed density is 16 static homes per hectare, this is higher than the immediate surrounding area and supports the concern that the proposals are out of character with the area.
- 6.102. Overall, and taking into consideration the above, the development is considered to introduce unit types in the form of static homes, that are of a style that is out of character with the area. It is therefore harmful to the character and appearance of the site and the wider locality and would contravene Policies CS14, CS15 and CS19 (LPCS) which ensure new development will integrate well with the surrounding local area.
- 6.103. At a national level the proposed development would also contravene paragraph 130 of the National Planning Policy Framework (2021) which states 'developments will add to the overall quality of the area; are visually attractive as a result of good architecture; and are sympathetic to the local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation of change (such as increased densities)'.
- 6.104. Residential Amenity
The NPPF (2021) states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 130f). The impact on amenity is also considered with regard to the criteria within Policy CS19 (LPCS) 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.
- 6.105. *Amenity of Future Occupiers*

The current proposed scheme is for 16no. two bedroom static homes of two different dwelling types. The indicative furniture layout on the proposed floor plans show that both bedrooms are double rooms. Whilst there is no definite standard for static homes, the proposed dwellings are to be occupied on a permanent basis and are not

short-term or holiday lets and as such they have been assessed against the National Housing Standards and the Residential Layout Guidelines (2020) for 2 bedroom 4 person single storey dwellings.

	Floor area	Standard	Bedrooms 11.5sqm	Bedrooms 11.5sqm	Living/kitchen/diner 25.2sqm
Dwelling Type 01	91.41sqm	70sqm	9.41sqm	9.19sqm	51.74sqm
Dwelling Type 02 and 03	48.22sqm	70sqm	9.83sqm	5.39sqm	22.85sqm

6.106. As can be seen from the table above the minimum gross internal floor area has only been met by Dwelling Type 01 and falls short of the minimum by 21.88m² for Dwelling Types 02 and 03 and as such the latter dwelling types do not accord with the standards as recommended by the National Housing Standards.

6.107. None of the bedrooms in any of the units would accord within the minimum standard.

6.108. The living/kitchen/diner areas has not been met by Dwelling Types 02 and 03 and would fall short of the minimum by 2.34m².

6.109. In regard to amenity space, the proposed units would have the benefit of the proposed communal allotment gardens to the west which provides an area measuring 2,621m². Therefore it is considered that the future occupiers would have access to adequate shared amenity space.

6.110. In terms of private amenity space, each unit would have private space directly to the side and rear measuring more than 66.78m². The Residential Layout Guidelines require a 1-2 bedroom dwelling to have 37.2m². As such it is considered that future occupiers would have sufficient private amenity space.

6.111. Overall, the proposed dwellings 02 and 03 would not accord with the National Housing Standards for gross internal floor area and living/kitchen/dining area, and none of the proposed bedrooms would meet the standard. Therefore in terms of occupier amenity, the proposal would be contrary to Policy CS19 (LPCS) and paragraph 130f of the NPPF (2021).

6.112. *Neighbouring Amenity*

6.113. In terms of overlooking, overshadowing and loss of light, the proposed static homes and management office are all single storey and taking into consideration the distances to the nearest neighbouring dwellings and the height of the existing boundary hedging and trees, there would be no detrimental harm in this regard.

6.114. It is considered that the main impact would be noise and disturbance. In terms of the proposed access, this would run centrally from the front of the site to the far rear which would be located approximately 29m from the west boundary and 25m from the east boundary.

6.115. The proposal would result in 16 new static homes, all with vehicular access and parking, which would have the potential for 32 vehicular movements per day. Together with the proposed management office staff and proposed mini bus, as well

as potential visitors, it is considered this to be a significant increase above the existing comings and goings from the site.

6.116. Taking into consideration the increase in vehicular movements that would arise from the development, it is considered that the noise and disturbance would have a detrimental impact on the occupiers of the properties to the west and east which would be unacceptable.

6.117. Therefore in terms of neighbour amenity, the proposal conflicts with the objectives of Policy CS19 (LPCS) and paragraph 130f of the NPPF (2021).

6.118. Ecology and Biodiversity

6.119. The south of the site, together with the east of the site has a substantial amount of hardstanding. The area directly behind the existing property to the far north of the site is partially garden area and beyond is overgrown field and the sand school.

6.120. The submitted preliminary ecology report concluded that the majority of the land proposed for development is of low ecological value, although bordered by ancient woodland of high ecological value. Precautionary and ecological protection measures are recommended and can be secured by condition.

6.121. KCC Biodiversity were consulted on the proposals and stated that they are satisfied that the development can achieve a biodiversity net-gain, as denoted within the report. However, to safeguard the ecological integrity of the surrounding countryside (including the ancient woodland), they advise that any landscaping consists of native species only.

6.122. Overall it is considered that the proposed development could have the potential to result in a biodiversity net gain and as such would accord with Policy CS12 (LPCS) and paragraphs 180 and 181 of the NPPF (2021).

6.123. Effects on highway safety/parking provision

The scheme as submitted needs to be considered against saved policy T1, T5 and P3 (LPFR), Policy CS11 (LPCS) and Section 4 of the NPPF (2021). These policies ensure that development has an acceptable amount of parking, is not detrimental to the highway network and promotes sustainable transport methods.

6.124. The proposal would utilise the existing accesses and would provide 1 parking space per unit, with visitor and staff parking.

6.125. The parking provision is considered sufficient in terms of residents and visitors, however, there has been no cycle storage shown.

6.126. The main concerns are over the vision splays of the existing access. Whilst the current state of the road is acknowledged, this may not be the case in future and vehicle speeds may increase, and so would the potential for highway safety issues when using the accesses.

6.127. GBC's Highways Officer concluded that they do not believe the development to be in a sustainable location and it would encourage the use of the private car to access most facilities. The access has poor sight lines for the increased use and no provision seems to have been made for the secure storage of bicycles. For these reasons I would recommend refusal. The discrepancy in the TA and TS as opposed to the application in regards to the minimum age of a resident is not liable to result in

a significant increase in vehicle movements on the wider network, but may increase the number of vehicles using the access during peak times as the younger age group are more liable to be in employment.

- 6.128. The proposal would have inadequate sight lines and insufficient cycle storage and as such would be contrary Policy T1 of the Local Plan First Review 1994 and Policy CS11 of the Core Strategy 2014.

6.129. Sustainable Development

The NPPF (2021), taken as a whole, represents the Government's view of what constitutes sustainable development. Paragraph 80 of the NPPF (2021) provides specific advice on sustainable development in rural areas and seeks to avoid new isolated homes in the countryside.

Whilst the Travel Statement goes into detail regarding walking distances and proximity of services very little is relevant. The greatest need is shops (29 minutes), medical (27 minutes dentist) and public transport, (Bus stop 10 minutes and 16 minutes). Very few of the walking routes benefit from any street lighting and on occasions there is not the benefit of a footway or even a well maintained carriageway (Towards Istead Rise (Co-op/Dental and Nash Bank (Bus))). Walking times appear to be based on the National Average, rather than potentially a slightly lower speed for the more elderly population, which would increase the walking times. Whilst there are bus services available in the surrounding area, they are not particularly frequent, the best frequency is hourly, and may not meet the needs of the population of this development.

- 6.130. As such it is considered that the proposal is not a sustainable location and does not comply with local and national planning policy in regard to sustainability.

Public Sector Equality Duty

- 6.131. In determining this application, Members must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. Under section 149 Equality Act 2010, a public authority must in the exercise of its functions have due regard to the interests and needs of those sharing the protected characteristics under the Act, such as age, gender, disability and race. The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149 is only one factor that needs to be considered and may be balanced against other relevant factors. The impact upon neighbouring residents has been considered, with conditions recommended as part of the permission to ensure that the impact to the amenity of nearby occupiers is minimised. In light of this it is considered that the Council has complied with its Public Sector Equality Duty during the assessment of this planning application.

Human Rights

- 6.132. In determining this application, Members should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority to act in a manner that is incompatible with the European Convention on Human Rights. Members are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation to refuse this case interferes with the applicants right to respect for their private and family life, home and correspondence.

7. Conclusion

- 7.1. It is acknowledged that the Council is currently unable to demonstrate a five-year housing supply and as the delivery of housing is substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Policy CS02 (LPCS) must be regarded to be out of date, as required by the Paragraph 11(d) of the NPPF.
- 7.2. The proposed development for a net increase of 15no. dwelling units (in this case 16 static homes) would offer a modest contribution towards meeting this local need and delivery and, accordingly, adds some weight in support of the application.
- 7.3. However, notwithstanding this a balanced approach has to be taken and it is considered that the adverse impacts of the development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF (2021) and established local policy taken as a whole.
- 7.4. In this case the balance is tilted towards refusal for the following reasons:
- 7.5. The site is within the approved 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 2021 Section 13 (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 15 additional dwellings, 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 Section 13 (Protecting Green Belt Land) of the National Planning Policy Framework (NPPF) 2021, and Policy CS02 (Scale and Distribution of Development) of the Borough Council's adopted Gravesham Local Plan Core Strategy (September 2014).
- 7.6. The application site lies within the locally designated Istead Arable Farmlands Landscape Character Area, 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. The harm from the redevelopment of the site in this instance would be derived from the increase of 15 residential units, occupied on a permanent basis, the associated hardstanding, lighting, car parking and residential paraphernalia. The application is therefore contrary to Policy CS12 and CS19 of the Borough Council's adopted Gravesham Local Plan Core Strategy (September 2014) and Section 15 of the National Planning Policy Framework (NPPF) 2021.
- 7.7. The proposal would result in 16no. static homes, in an open plan site in an area that consists of single residential dwellings, within self-contained plots and as such the proposed development would be out of character with the area and would constitute an overdevelopment of the existing site and would be incongruous considering the existing pattern of development and the character of the surrounding area. It is therefore harmful to the character and appearance of the site and the wider locality and would contravene Policies CS14, CS15 and CS19 of the Gravesham Local Plan Core Strategy September 2014 which ensure new development will integrate well with the surrounding local area. At a national level the proposed development would also contravene

paragraph 130 of the National Planning Policy Framework (2021) which states 'developments will add to the overall quality of the area; are visually attractive as a result of good architecture; and are sympathetic to the local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation of change (such as increased densities)'.

- 7.8. The proposed homes fail to offer the space required for adequate living accommodation to the detriment of future occupants and the enjoyment of these dwellings contrary to Policy CS19 of the Core Strategy 2014 and paragraph 130f of the National Planning Policy Framework 2021.
- 7.9. Due to the proximity and relationship of the proposed properties and access road to the rear and side elevations and rear gardens of the properties to the east and west of the site, the proposal would result in a detrimental impact on the amenities of the occupiers of the properties in terms of increase of noise and disturbance, contrary to Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 and paragraph 130 of the National Planning Policy Framework 2021.
- 7.10. The proposal fails to provide adequate sight lines for the access and insufficient cycle storage and as such would be contrary Policy T1 of the Local Plan First Review 1994 and Policy CS11 of the Core Strategy 2014.

Recommendation

The recommendation is for the application to be **REFUSED** Planning Permission, for the reasons set out in paragraphs 7.5 to 7.10.

INFORMATIVES

1. DRAWINGS AND DOCUMENTS

For the avoidance of doubt, the decision to refuse this application was taken in relation to the following forms, plans and documents comprising the application:

Planning Application Form;
Affordable Housing Statement;
Landscape Strategy with Biodiversity Enhancements;
Landscape and Visual Appraisal – March 2022;
Planning Statement;
Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment;
Renewable Energy Reporting;
Standard Assessment Procedure (SAP) Compliance – Guidance;
Standard Assessment Procedure (SAP) Compliance – Full Specification Table;
Standard Assessment Procedure (SAP) – Regulations Compliance Report – Calculations Type 1;
Standard Assessment Procedure (SAP) – Regulations Compliance Report – Calculations Type 2;
Surface Water Drainage (SUDS) Strategy – February 2022;
Transport Statement – October 2021;
Travel Plan Statement – October 2021;
Utilities Statement – February 2022;

3D Image – Roof Plans;
3D Image – Elevational;
Drawing No. P_100 – Location Plan;
Drawing No. P_101 – Site Plan;
Drawing No. P_102 – Existing Buildings 01 Office;
Drawing No. P_103 – Existing Buildings 02 Workshops 01;
Drawing No. P_104 – Existing Buildings 03 Static Caravan;
Drawing No. P_105 – Existing Buildings 04 Workshops and Stables;
Drawing No. P_201 Rev G – Proposed Site Plan; and
Drawing No. P_202 Rev B – Proposed Management Office.

2. STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2021, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

In this instance, the application is contrary to local and national planning policy and the planning objections could not be overcome by amendments to the scheme or through the imposition of acceptable and appropriate planning conditions.