

Delegated Report

Outline Planning Application

Planning Application No: 20240464

Location: Land Known As The Island Whitepost Lane Culverstone Gravesend

Description: Application for outline application with all matters reserved for the erection of a self build dwelling.

Applicant: Mr Mason Clarke

Site Visit Date: 11th June 2024

Submitted Documents/Plans

Planning Application Form;
Site Location Plan;
Block Plan; and
Planning Statement.

Relevant Planning History

None.

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development

- Section 5 - Delivering a sufficient supply of homes
- Section 12 – Achieving well-designed and beautiful places
- Section 13 - Protecting Green Belt Land
- Section 15 - Conserving and enhancing the natural environment
- Section 16 - Conserving and enhancing the historic environment

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- SPG 4 - KCC Parking Standards (2006); and
- Gravesham Landscape Character Assessment (2009).

Consultations, Publicity and Representations

Consultees

External Consultees

KCC Heritage

The site lies within an area of multi-period background archaeological potential and was the site of a World War 2 training camp. Now wooded, the site would appear to have had no recent development impacts and therefore any below-ground archaeological remains would be expected to survive in good condition.

I recommend that if Outline planning permission were to be granted the following condition should be applied:

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of

- archaeological field evaluation works in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the Local Planning Authority; and
- following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

Meopham Parish Council

The Parish Council wishes to provide the following response:

We would refuse this proposal based on inappropriate development within the greenbelt and furthermore that any building within that location would be objected to.

Dickens' Country Protection Society

The Society would wish to raise an objection to this application on the grounds that the site is in an area within which Green Belt Policies apply. No very special circumstances have been put forward to warrant overriding Green Belt Policy.

KCC Biodiversity

The proposed site is within a designated Ancient and semi-natural woodland, which is classed as an 'irreplaceable habitat'. This has ecological value and the potential for protected species presence that must

be taken account of in any planning decision.

ANCIENT WOODLAND

Ancient woodland covers less than 31% of England's land mass and is a rare and irreplaceable habitat.

The proposed development is within an area of designated ancient woodland. As such, we highlight paragraph 186 of the National Planning Policy Framework (NPPF) which states that "development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists".

Whilst it will be the decision of the local planning authority as to whether the development is 'wholly exceptional', we are able to comment on any compensation plans which may be submitted. We point out that proposed compensation measures should not be considered as part of the assessment of the merits of the development proposal.

When making its decision, the local planning authority should take into consideration standing advice on 'Ancient woodland, ancient trees and veteran trees: advice for making planning decisions' of Natural England and the Forestry Commission.

We highlight that using Google Earth Imagery, dated March 23, that it appears some tree felling may have already occurred.

We are unable to comment on impacts to tree health or root impact. Therefore, if any trees are to be removed or impacted the tree officer will need to be consulted on this application.

If the LPA feel there are 'wholly exceptional reasons' as stated above that allow this development to be considered further, an Ecological Impact Assessment (EcIA) should be undertaken by a suitably qualified ecologist, in accordance with good practice guidelines.

The EcIA will include the following:

- Details of the impacts of development proposals on the ecological baseline established via a Preliminary Ecological Appraisal (PEA) and any necessary additional surveys undertaken;
- Details of any necessary and achievable ecological species mitigation and/or compensation measures;
- Details of any ancient woodland compensation measures to accord with the NPPF requirements for a compensation strategy;
- Details of ecological enhancement measures, and;
- Provision of sufficient information to determine whether the project accords with relevant nature conservation policies and legislation.

A biodiversity net gain metric⁴ would be recommended, submitted with any EcIA, to assess the impact on the ancient woodland from the proposal.

To ensure that the planning determination is adequately informed in respect of all potential ecological impacts, we advise that the EcIA is sought prior to determination of the planning application. This is in alignment with paragraph 99 of the Office of the Deputy Prime Minister (ODPM) Circular 06/2005 which states "it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision".

The EcIA will also ensure alignment with the National Planning Policy Framework (NPPF) 2023 and the Natural Environment and Rural Communities Act (NERC) Act 2006. Under section 40 of the NERC Act 2006 and paragraphs 180 and 186 of the NPPF 2023 biodiversity should be maintained and enhanced through the planning system.

Biodiversity Net Gain (BNG)

This application is for a single self-build dwelling and is stated as exempt from BNG on the application form. We agree that this application would be exempt from BNG and will fall under the National Planning Policy Framework (NPPF) requirements below but completion of a BNG metric has been recommended above to understand the impacts to onsite habitats.

Enhancements

Under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and paragraphs 180 and 186 of the National Planning Policy Framework (NPPF) 2023, biodiversity should be maintained and enhanced through the planning system. Enhancement refers to providing net benefits for biodiversity over and above requirements for avoidance, mitigation and compensation.

If an EclA is undertaken it will need to propose enhancement measures that are above a baseline before any clearance work has taken place, to ensure a measurable net gain as per the NPPF is achieved and no net loss occurs.

Internal Consultees

GBC Environmental Protection

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

Code of Practice on Construction and Demolition: Please apply as appropriate. There should be no burning on site.

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.

Drainage/sewerage informative: The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable. If foul sewage is to be removed using non-mains sewerage systems, a sewage treatment plant or septic tank system will be considered in preference to a cesspool. Such a system may require the prior consent of the Environment Agency under the terms of the Water Resources Act 1991. Applicants are therefore advised to discuss their requirements with the Environment Agency at the earliest opportunity. It should be ensured that the septic tank or cesspool is of adequate capacity to serve the proposed development and suitable access and hardstanding area shall be maintained to it on site.

Neighbouring properties

The application was advertised by the displaying of a site notice, together with individual letters sent to four surrounding properties with an overall expiry date of 15th July 2024. Three letters of objection have been received making the following summarised comments;

- Green Belt – planning shouldn't be allowed
- Land of Natural Beauty – loss of trees and detrimental to the woodland
- Set a precedent
- Significant amount of trees already cut down and storing old cars on site – negative impact on the environment
- New access unacceptable
- Noise – commercial vehicles coming and going

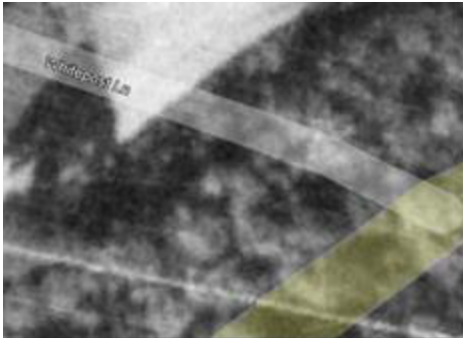
Officer's Analysis

Site Description and Context

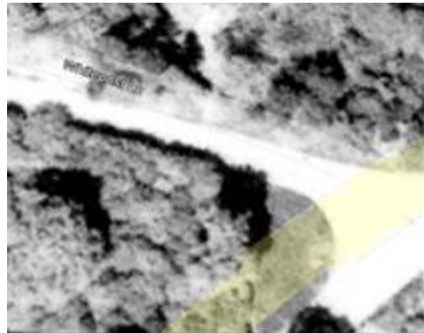
The application site lies within the Green Belt and within an area of designated ancient woodland, on the southern side of Whitepost Lane, Meopham. The site has been fenced off and a new access created from Whitepost Lane, together with the removal of a number of trees. Prior to this, the site was free from development as can be seen from the following satellite images.

Satellite Images

1940



1960



1990



2013



2018



2022



Site Photographs





The location within the Green Belt must be the starting point for determining this application.



Paragraph 145 of the NPPF (2023) states that there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated. Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified, in which case proposals for changes should be made only through the plan-making process. It is not for the current application to seek to amend such a policy designation.

On this matter, it is noted that the Inspector in finding the Gravesham Local Plan Core Strategy (LPCS) (2014) 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 application relating to the Green Belt are:

- Whether the proposal is inappropriate development in the Green Belt for the purposes of the NPPF (2023) and LPCS.
- 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

Proposed Development

This is an outline application with all matters reserved for the erection of a self build dwelling.

No details relating to the property height, style or design have been provided.

A new access has been observed on site and the site has also been fenced, as shown in the photos above. These matters are not included within this outline application. The proposed layout and siting of the property are shown in the proposed block plan below:



Housing Need

Given Gravesham's current inability to demonstrate a 5 year housing land 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 Gravesham's Local Plan Core Strategy (LPCS) (2014) Policy CS02 must be regarded to be out

of date, as required by the Paragraph 11(d) of the National Planning Policy Framework (NPPF) (2023). This requires that in regard to housing development, planning permission should be granted unless:

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

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

- Habitats sites (and those sites listed in NPPF paragraph 188)
- 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 72); and
- Areas at risk of flooding or coastal change.

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

The proposed development for a net increase of '1' residential unit would offer a minimal contribution towards meeting this local need and, accordingly, officers considers that this should be accorded appropriate weight in support of the application. However, this has to be balanced against other requirements of the NPPF (2023).

Green Belt

The application site is located in the Green Belt and as such Policy CS02 of the Gravesham Local Plan Core Strategy (LPCS) (2014) is relevant. Development in the urban area is prioritised as the sustainable location for development. In the rural area, Policy CS02 states that development will be supported within rural settlements that are inset from the Green Belt and defined on the policies map. Development outside those settlements, i.e. in the Green Belt, will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the LPCS.

There are five principle issues in determining this application;

1. Is the proposed development appropriate in the Green Belt?
2. The effect of the proposal on the openness of the Green Belt;
3. Any very special circumstances?
4. Final balancing exercise on Green Belt issues;
5. The effect on the character and appearance of the area;
6. Impact on the Landscape; and
7. Other matters.

1. Is the proposed development appropriate in the Green Belt?

There are strict policy considerations within the Green Belt whereby paragraph 152 of the National Planning

Policy Framework (NPPF) (2023) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 goes on to say that very special circumstances will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt unless it falls within the specified exceptions. The NPPF exceptions to this are:-

- (a) Buildings for agriculture and forestry;
- (b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- (c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building
- (d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- (e) limited infilling in villages;
- (f) limited affordable housing for local community needs under policies set out the development plan (including policies for rural exception sites); and
- (g) limited infilling or the partial or complete redevelopment of previously developed 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.

The only exception this application could possibly be considered under is (g) as 'limited infilling or the partial or complete redevelopment of previously developed land'. It is important to note that it has not been made explicit within the supporting planning statement which exemption the applicant wishes for the application to be considered against, however there is brief mention of affordable housing which suggests exemption (g).

For the avoidance of doubt the NPPF (2023) defines previously developed land as the following:

Previously developed land: 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."

As shown from the satellite images above, the site cannot be considered as previously developed land. The site has extensive tree coverage and there has been no historic clearance of the site or evidence of buildings being erected or any form of development. The application form states the current use is for ad hoc storage, but there is no planning history for the use of the site, and therefore lawful use established. This supports the case that the land has not been previously developed and the application therefore fails in this regard. The next consideration is whether the proposed dwelling would have a greater impact on the openness of the Green Belt.

2. The effect of the proposal on the openness of the Green Belt

Paragraph 142 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It also states that the essential characteristics of Green Belts are their openness and permanence.

The openness of the Green Belt has both spatial and visual aspects, and any new built form of development is harmful to its open character. A new dwelling on a site devoid of any previous development would introduce built form on the site, both in terms of footprint and also scale, bulk and massing, together with the introduction of domestic paraphernalia such as lighting, hardstanding, garden buildings, as well as increased residential activity and other hard landscaping associated with a new dwellinghouse.

Below is an assessment of the harm that the proposed development will have on the Green Belt:

Permanent loss of openness - Openness and permanence are the essential characteristics of the Green Belt. The application site currently contains no buildings or development other than erection of boundary fencing, log store, playhouse, trampoline and a few other items as seen in the photos above, which are all temporary structures..

The introduction of a new dwelling, associated parking, hardstanding, residential paraphernalia and lighting will permanently and irrevocably harm the Green Belt through loss of openness. Whilst it may be possible to mitigate visual impact to a limited degree by screening, this cannot overcome the adverse impact on openness which is defined by the presence or absence of the buildings themselves.

Encroachment of the countryside - This is a stated national purpose of the Green Belt at paragraph 147 of the NPPF. The construction of a new dwelling on the site would introduce urbanising features (additional car parking, light pollution, hard landscaping and residential paraphernalia) that would adversely affect the character of the Green Belt to which it sits.

Although landscaping and boundary treatment could be introduced to reduce the impact of the development on the development would represent the encroachment of built development which would result in a reduction in openness.

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 LPCS. As noted above, the local planning authority considers the proposal subject of the application to represent an encroachment of the countryside. This would take place as a result of the effective expansion of development east of Culverstone Green.

The proposal would introduce a dwelling onto a site which has not been previously developed, and which contributes positively to the Green Belt and the ancient woodland. 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 Culverstone Green and Vigo rural settlements. The application site is also within an ancient woodland. 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 more urbanising form.

It is considered therefore that substantial weight should be accorded to Green Belt harm as directed by the NPPF (2023).

Reference back to paragraphs 152 and 153 of the NPPF informs us that inappropriate development in the Green Belt should not be approved except in very special circumstances and that very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Whether the development causes any other harm and whether there are any other relevant considerations to balance the overall planning argument, should now be considered.

3. Consideration of 'very special circumstances'

Having concluded that the development is inappropriate development, very special circumstances need to be considered as part of the Green Belt assessment. The application is accompanied by a Covering Letter, which does not explicitly state any very special circumstances. However, considerations are made within the statement regarding the contribution to housing mix and supply.

The local planning authority acknowledge that the proposed dwelling would contribute to the housing mix and supply within Gravesham. However notwithstanding this, the modest contribution to housing supply cannot be afforded significant weight given the identified harm to, and inappropriate nature of the development within the Green Belt. Therefore, it has to be concluded from the information submitted that none of the arguments would outweigh the harm to the openness of the Green Belt.

4. Final Balancing Exercise on Green Belt Issues

The development proposed constitutes inappropriate development within the Green Belt by virtue of not meeting the definition of previously developed land. The proposal will introduce new development to where there is and has been none, which would adversely impact on the openness of the Green Belt, result in an encroachment of the countryside by blurring the distinction between the dense and finer grain of development between Culverstone Green and the application site. Therefore, it is considered that substantial weight should be accorded to the harm caused to the Green Belt in line with the NPPF (2023).

5. The Effect on the Character and Appearance of the Area

Policy CS19 (Development and Design Principles) (LPCS) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area. Moreover, Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) (2023) sets out that developments should function well and add to the overall quality of the area, be visually attractive and sympathetic to local character.

As this is an outline application with all matters reserved, plans showing the proposed design of the new dwelling have not been provided and therefore cannot be assessed as part of this application. However it should be noted that the principle of development on this previously undeveloped land would be out of keeping with the area and a dwelling would not respect the verdant character and appearance of this part of Whitepost Lane. As such the proposal would be considered contrary to Policy CS19 of the Local Plan Core Strategy.

6. Impact on the Landscape

Section 15 of the NPPF (2023) 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.

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 Meopham Downs Landscape Character Assessment.

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

- Gently undulating topography with a mixture of arable and pasture farmland
- Neat pattern of small square fields in the south
- Broader irregular shaped fields to the north

- Narrow lanes and roads lined with hedgerows
- Three large settlements located along A227 running east and west
- Traditional architecture surrounding village greens provide local vernacular

The Gravesham Landscape Character Assessment demonstrates the qualities which make the landscape area special and undermines Policy CS12 (LPCS) which seeks to conserve and reinforce its quality.

The site is also within Ancient Woodland and consideration must be taken when considering the felling of ancient trees to make way for residential development. Were outline permission on this site viewed favourably, it would be necessary for an Ecological Impact Assessment (EclA) to be undertaken by a suitably qualified ecologist, in accordance with good practice guidelines.

Notwithstanding the possible use of planning conditions to deal with soft landscaping/boundary treatment to reduce the visual appearance of the proposed dwelling, the Local Planning Authority views that no amount of landscaping/planting will be able to replicate the current stance of the site which is devoid of development and has a large amount of mature trees surrounding and within the site.

The introduction of a 1 dwelling with all the associated residential paraphernalia will undermine one of the key landscape characteristics of Meopham Downs which are gently undulating topography with a mixture of arable and pasture farmland.

A further impact of this scheme on the landscape would be the introduction of domestic parking on the site which is currently void of any domestic vehicle parking and associated lighting generated by the scheme, both from the dwelling, car movements, and external lighting for the development.

In summary and with the absence of any information to safeguard trees, the proposed development on previously undeveloped land within an ancient woodland, would adversely and irreversibly 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.

7. Other matters

Amenity of Future Occupiers

Policy CS19 (LPCS) and Section 12 (NPPF) require developments to provide adequate living conditions for future occupiers, which is reinforced by the Council's Residential Layout Guidelines (2020) and the Nationally Described Space Standards (2015). These provide minimum requirements for room sizes and amenity space. However, these matters are reserved under this outline application, and the internal layout would be dealt with under a reserved matters application should this proposal be supported.

Impact on amenity of surrounding properties

Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of neighbouring properties and land and Section 12 (NPPF) requires development to have a high standard of amenity for existing users (In this case surrounding properties). These matters are similarly reserved as part of this outline application, however it is considered unlikely that the proposed dwelling would have any adverse impact on the amenity of surrounding properties contrary to local and national planning policy.

It is noted a number of objections were raised from neighbouring properties relating to green belt, loss of trees, impact on natural beauty which have been addressed in the relevant sections above. In relation to the issue of noise, it is acknowledged that a new residential dwelling would create additional movements and comings and goings onto a piece of land that until recently did not have any. However that does not mean the additional of a dwelling will have a detrimental impact in terms of noise.

Parking and Highways

The development would likely be able to provide an acceptable amount of parking, not be detrimental to the highway network and promote sustainable transport methods, to accord with saved policy T1 and P3 of Gravesham Local Plan First Review (1994), Policy CS11 of Gravesham Core Strategy and Section 4 of the NPPF (2021).

The application site would have sufficient amount of space to provide the acceptable amount of off-street parking to accord with Gravesham's adopted parking standards (SPG4) (2006).

The new access observed on site, whilst present, does not form part of this application and matters arising from this would be reserved.

Biodiversity Net Gain (BNG)

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

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

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

No BNG information has been provided with this application due to the application being a self build and considered an exception under the legislation. Were there not a principal objection to developing the site, there would be a require for bio diversity net gain in a different capacity.

Conclusion

The application has been fully considered and is contrary to local and national planning policy.

The proposal would be inappropriate development in the Green Belt by not meeting the definition of previously developed land and would result in the loss of its openness, which are afforded substantial weight in the determination of this application. The benefit of an additional dwelling to the housing supply within the borough fails to outweigh the harm caused to the openness of the Green Belt, together with a detrimental impact on the Meopham Downs Landscape Character Area.

As such, it is recommended that the application is refused 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 2023 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 1 additional dwelling, associated hardstanding, lighting, car parking and residential paraphernalia and will conflict with the purposes of including land within the Green Belt being previously undeveloped land, 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) 2023, 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 Meopham Downs Landscape Character Area and within Ancient Woodland, 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 and the ancient woodland when compared to the existing previously undeveloped site. The harm from the development of the site in this instance would be derived from the principle of development in the site being a dwelling, and 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) 2023.

Recommendation

Refusal

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

Case Officer:	Ms Amanda Cue	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	23rd July 2024	Dated:	23 July 2024