



PLANNING STATEMENT

for

**Demolition of two dwellings, erection of 2no. contemporary dwellings, with associated parking, garden land and landscaping.
(resubmission of 20230118)**

at

**Land at
The Haven
Brimstone Hill
Meopham
Gravesend
Kent
DA13 0BN**

DECEMBER 2023

1.0 Introduction

This Planning Statement has been prepared by Kent Planning Consultancy in support of a planning application at:

Land at, The Haven, Brimstone Hill, Meopham, Gravesend, Kent, DA13 0BN'

(hereafter referred to as the 'site'), as shown on the submission Site Location Plan.

The proposed development is:

'Demolition of two dwellings, erection of 2no. contemporary dwellings, with associated parking, garden land and landscaping on land to the south east of The Haven'

The statement considers the site constraints, national and local policy, and development opportunities.

This application follows two pre-applications with Gravesham Borough Council, and a previous refusal under reference 20230118. The scheme has since been amended to reflect the applicants aspirations.

The previous application was refused due to concerns over the impact on the Green Belt. In respect of this, we draw your attention to appeal reference APP/K2230/W/22/3297257 which we do not believe was given appropriate regard in the determination of 20230118. A separate statement is provided on this to substantiate the application, where the conclusions reached by the Inspector are relevant to the application of Green Belt policy in this application.

Kent Planning Consultancy are of the view that the proposal would meet the definition of exception (e) of para.149 of the NPPF, where the proposal would represent 'limited infilling' within a village. Further, a case for Very Special Circumstances, including the demolition of two existing buildings on The Haven site, has been advanced as part of the proposal, in line with para.147 of the NPPF.

Also taking consideration of the impacts of the proposal on the AONB, wider character of the area, and neighbouring amenity, the proposal is considered in accordance with national and local planning policy and guidance.

2.0 Purpose and Scope of Report

KPC have been instructed by our client to produce a Planning Statement for the purposes of this submission, which contains the following:

- Site Overview
- Planning Status/ Designations;
- Planning History;
- Description and details of the proposed development
- A review of the proposal in line with National and Local Planning Policy

3.0 Proposed Development

The description of development proposed is as follows:

‘Demolition of two dwellings, erection of 2no. contemporary dwellings, with associated parking, garden land and landscaping on land to the south east of The Haven’

The proposal would include the demolition of two existing buildings known at ‘Summer House’ and ‘Rose Cottage’ on the site as part of a Green Belt ‘off-setting’ exercise to form a case for ‘Very Special Circumstances’

The proposal includes the erection of two contemporary dwellings, with flat roofs.

One of the buildings is single storey, and another dual storey. The new dwellings would both be three bedrooms, and have a floor area of 232sq.m, and 188sq.m.

The buildings have been designed so as to integrate them into the landscape as best as possible, and to reduce the introduction of any additional volume and bulk.

Landscaping would be utilised to reduce the visual impact on the buildings from the street scene, although existing mature tree screening would be retained wherever possible to further screen to the proposed dwellings.

Two parking spaces would be provided per unit.

4.0 Site Overview

The site is located to the east of Meopham, a village to the south of Gravesend.

The area around the application site is located within a transitional area between the village suburbs to the west, and the rural open countryside to the west.

The immediate street, Brimstone Hill, is characterised by residential development to the north of the site, primarily consisting of detached houses. To the immediate south of the site area are also some residential properties, and buildings which appear to be agriculture related.

5.0 Planning Status/ Designations

The primary site constraint is its location within the defined boundaries of the Metropolitan Green Belt.

The site is also within:

- The Kent Downs Area of Outstanding Natural Beauty
- Biodiversity Opportunity Area
- Area of Archaeological Potential
- A Zone 2 and 3 Green Source (Water) Protection Zone

It is also noted that there is a PROW along the site northern boundary.

6.0 Planning History

The site has a substantial planning history, little of which appears directly relevant to the proposal subject to this application.

The previous application, 20230118 was refused due to concerns over impact on the AONB and the Green Belt. This resubmission demonstrates how these concerns can be set aside.

Of relevance to the case for Very Special Circumstances associated with this proposal are:

‘Rose Cottage’ - 20140478 - Application for a Lawful Development Certificate in respect of the use of the building as a single dwelling house (Use Class C3). - Issued

‘The Summerhouse’ - 20220398 - Conversion of existing summerhouse to a permanent residential dwelling. - Granted

7.0 Pre-application Engagement

Two pre-application enquiries have been submitted to Gravesham Borough Council with regards to developments similar to, albeit different with respect to a Very Special Circumstances case, that subject to this application.

In the response, the key issues were identified as:

- The site's location within the Green Belt, and whether or not the proposal would likely meet one of the ‘exceptions’ set out within the NPPF, namely whether the proposal would meet the test of ‘limited infill’.
- The site's location within the AONB.
- Other issues such as design, neighbouring and future occupier amenity, highways safety, and landscaping/ ecology and biodiversity.

The second pre-app was more targeted in including a proposal, expanding on our understanding that the site is located within the village of Meopham Green, and thus limited development in the form of infilling would be an appropriate form of development in the Green Belt; further a suggestion of a case for Very Special Circumstances was included. The response from the Officer concluded that in the Council’s view, the site is not located in a village. Secondly, the potential case for Very Special Circumstances advanced, which is not the same as that subject to this submission, was reviewed, and although no

explicit answer was provided with regards to suitability of the case, the Council's view suggested that the built forms impact on the openness of the Green Belt remained relevant.

8.0 Planning Assessment

8.1 Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that where the Development Plan contains relevant policies, applications for development which are in accordance with these policies should be allowed unless material considerations indicate otherwise.

The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) are material considerations.

The Development Plan comprises the following relevant documents:

- Gravesham Local Plan Core Strategy
- Gravesham Local Plan first review

National - NPPF (Feb 2019)

The NPPF sets out the Government's planning policies for England and puts "*the presumption in favour of sustainable development*" at the heart of the planning system. The following chapters are relevant to the proposal:

- Chapter 2 – Achieving Sustainable Development
- Chapter 4 – Decision Making
- Chapter 5 - Delivering a sufficient supply of homes
- Chapter 12 – Achieving well-designed places
- Chapter 13 - Protecting Green Belt land
- Chapter 15 – Conserving and Enhancing the Natural Environment

Local - Local Plan Core Strategy

- CS01 - Sustainable development
- CS02 - Scale and Distribution of Development
- CS11 - Transport
- CS12 - Green Infrastructure
- CS18 - Climate Change
- CS19 - Development Design Principles

Local - Local Plan First Review (2014)

- C12 - Replacement dwellings in the Countryside

Other Documents - Kent Design Guide (2005)

The Kent Design Guide seeks to provide a starting point for good design while retaining scope for creative, individual approaches to different buildings and different areas

8.2 Planning Assessment

Principle

Policy C12 of the Local Plan First Review (2014) reads:

Policy C12 There will be a strong presumption against allowing the replacement of existing dwellings which will only be set aside if the following criteria are satisfied:-

(i) The existing dwelling must be an “original dwelling” in permanent use as a dwelling. Proposals for the replacement of dwellings which are not “original” but which have gained immunity from the enforcement of planning control will be considered on their individual merits, having regard to their origins, their location and the nature of the accommodation they currently provide.*

(ii) The existing dwelling must be in an appropriate location, meaning that it must be well related to existing roads and to essential services and must be in or close to an established rural settlement. The only exception to this criterion will be where the proposed replacement dwelling is required on the site for an agricultural worker, where the standard agricultural occupancy condition will be imposed.

(iii) The replacement dwelling must be of similar scale and mass to the existing dwelling and must be no larger than the existing dwelling, unless it can be demonstrated that modest enlargement is required to allow the provision of essential basic amenities such as a bathroom, toilet or kitchen, which currently do not exist or are clearly inadequate or to meet the special needs of the occupants.

(iv) The internal layout of the replacement dwelling shall not be such as to facilitate its later subdivision.

(v) The replacement dwelling should normally occupy the same site as the existing dwelling. Where it is agreed that the replacement dwelling may be located elsewhere on the plot, adequate safeguards will be required to ensure the demolition of the existing dwelling.

(vi) The existing or proposed means of access, including access for fire fighting appliances, must be satisfactory.

(vii) The existing or proposed site drainage and means of soil and waste disposal must be satisfactory.

The proposed development is considered consistent with the above policy. The dwellings proposed for demolition are both legal dwellings.

The proposed dwellings are in a different location to the original, but with better access, a reduced landscape impact, and more in line with the general development pattern of the area.

Although previous pre-application discussions with Gravesham has been hesitant to agree that the proposal site is within an existing 'village', when discussing Green Belt matters, it is our view that there can be no disagreement that the proposed development is 'close' (as required by C12) to the existing settlement, forming part of a arch development that runs along the Foxendown Lane and the northern part of Brimstone Hill. Although both lanes have a rural character, any user is distinctly aware of the existing development along the lanes, particularly Foxenden Lane, upon which many of the existing dwelling have a very shallow set back from the street. Those proposed by this application will have a substantially greater set-back, retaining much of the sense of openness that occurs close to the entrance of the site.

The proposed dwellings are larger than those which currently exist on the site, but the view of KPC is that the addition is modest, and the overall reduction in the height and visual impact on the dwellings mitigates the increase in floor area.

The site can be appropriately accessed from the local highway network, and can be appropriately drained.

We are happy to support any condition, as required by C12, seeking to ensure that the existing dwellings are removed in a timely manner as part of the development process.

The proposal is considered consistent with C12 of the Plan.

Green Belt

The site is within the designated Metropolitan Green Belt, where policies of significant constraint apply, and development is generally not permitted where no exceptional or 'very special circumstances' exist.

The NPPF reads:

147. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

148. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of

inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

149. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. 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 in 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.*

Given the above, the development of green field land within the Green Belt for residential purposes is considered 'inappropriate' where it does not meet any of the exceptions outlined above, where anything outside of these exceptions is considered 'inappropriate' (147/148).

Of the Gravesham Local Plan, CS02 reads:

4.2.27 In the rural area, development will be supported within those rural settlements inset from the Green Belt and defined on the Policies Map. Development outside those settlements, including affordable housing and proposals 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 this plan.

As previously identified, the site is located within the defined Green Belt. Given this, it is taken that the policies of Gravesham Borough Council follow that of the NPPF in their presumption against development within the Green Belt.

As set out above in para 149(e) of the NPPF, limited infilling in villages will be considered an exception to the general presumption against development.

In reviewing the pre-application response by Gravesham Borough Council and the Appeal decision quoted within their response, it appears that the key issue identified by the Council is does the development meet the criteria of Paragraph 149 of the NPPF (2021) e) of 'Limited infilling of villages'. In order to respond to the enquiry, the Council have broken e) is 'limited', 'infilling' and 'villages'.

In reviewing the previous response, it would appear that the Council are happy to accept that the provision of two dwellings within this location would meet the test of 'limited'.

The Council have also determined that Meopham Green is a village, but have struggled to conclude conclusively that the site is within that village. In the Council's current planning policy suite, the site is located outside of the defined settlement boundary. However, the NPPF does not define village. One could reasonably assume any settlement larger than a small hamlet to meet the definition of a village even if it is not defined as such.

In the view of KPC, the location of this site is within a village, and thus meets the second part of the test.

As such, the key issue lies as to whether the proposal would represent infill. The Officer's response to the first pre-app had drawn a circle around a cluster of housing to the north of the site, and taken the view, it would appear, that the development would be on the southern edge of this area, and the development is not therefore 'infill'.

However, KPC take the view that the cluster of dwellings and other buildings directly to the south of the site entrance, around whether the two dwellings are proposed, form part of that same broader cluster. When considered in that perspective, the site would represent the infilling of a gap.

As such, it remains the view of KPC that the proposal meets the tests of all three of the parts of the exception e), being:

- Limited, as broadly agreed by the Council in previous pre-application responses, and being of two modest dwellings;
- Infill, forming a gap in the built environment where existing development forms a cluster around the site; and
- In a village, where KPC understand that site is not within the defined boundaries of Meopham village, but is within an environment that would be widely understood

from the users perspective, and indeed from a map readers perspective, to be a village settlement.

It has been highlighted, or alluded to, in the Councils previous pre-application responses that an increasing weight is now being given through Appeals to the 'visual impact' of development on the Green Belt. From that perspective, there is something to be said that the development could be largely screened from view by the existing wall along Brimstone Hill, and that this is already a partially urbanising feature; low level development to the rear of the wall would have limited greater visibility, if any, and would not therefore act to create a greater sense of urbanisation to the street user or those experiencing the broader Green Belt landscape.

This visual impact of the development proposals are also considered further within the Case for Very Special Circumstances below.

In conclusion, it is the view of KPC that the proposal would represent an exception to the presumption that development in the Green Belt is inappropriate.

Case for Very Special Circumstances

As set out above, it is the view of KPC that the proposal would be in accordance with the requirements of the NPPF, in that we consider the proposal represents an example of one of the exceptions to the restraint on development in the Green Belt. However, the NPPF reads:

147.

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

148.

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

As such, as a further benefit to the proposal, it is proposed that two existing buildings on the site would be demolished, and their associated bulk and massing partly used to off-set the addition of build form in the area proposed.

The floor area of the existing two buildings, shown in red on the submitted plans, comes to 348sq.m, with a total volume of 878cub.m

The proposed floor area of the proposed buildings is 430sq.m, and 1188cub.m.

The table below provides a comparison of the existing and proposed buildings.

	Floor Area (sq.m)	GIA (sq.m)	Volume (cub.m)
Summer House Exis'	243	220	505.08
Rose Cottage Exis'	160	142	445
Existing Total	403	362	950.08
Property 1 Proposed	231.90	193.61	646.58
Property 2 Proposed	188.36	164.17	542.09
Proposed Total	430.26	357.78	1187.67

KPC are of the view that the proposed increase is modest, and represents less than could be added to each of the respective existing properties under 'Permitted Development'.

The proposed development reduced the overall spread of development throughout the site and the landscape, instead bringing the majority of the development on the site to closer proximity to the existing cluster on Brimstone Hill.

Further, the proposed development represents a substantial design improvement.

Green Belt Summary

In the view of KPC, this proposal meets the tests of 'limited infill in villages', where:

- The proposal represents a 'limited' addition to the surrounding built form and would be clearly seen within the context if it, and it is our view that the Council do not object to this position (based on the previous pre-app response;
- That the site is within a village, as the NPPF does not define village, but that the site is clearly within the wider Meopham area and clearly forms part of the village, most notably as the site represents part as a wider sense of arrival into Meopham and its suburban reaches;

and further, we take the view that the proposed development would be sufficiently screened from having a wider visual impact within the Green Belt but existing built form.

Design

Careful consideration has been given to the Design Principles set out within policy CS19 of the Core Strategy. The principles are not 'copy and pasted' here as Officers will be sufficiently aware of its content, however, the buildings have been designed to take a contemporary form, with part of the benefit being the reduction and obscuring of built form within the context of the Green Belt.

Unit 1 would be largely single storey with a two storey element to provide living space, have a sedum roof, and be faced with natural materials, most likely wood panelling.

Unit 2 would take a similar form, although only single storey in form. Facing materials would match those of Unit 1.

Both dwellings would be partly set into the local topography, in order to ensure that above ground built form is restricted as much as possible.

The entire proposal has been designed to ensure that the buildings are unobtrusive and unassuming, and do not draw the eye from the wider context.

Both dwellings would include car parking, and on-site cycle storage.

Landscape and Biodiversity

The site's location within the AONB is considered important, where policy CS12 seeking to ensure that the AONB is conserved and enhanced.

The proposal would seek to enhance the AONB through the removal of existing built form and its replacement with a more appropriate built form.

The proposed development represents an opportunity to enhance the biodiversity of the site through the addition of landscaping, hedgerow planting, a sedum roof (with an appropriate management plan), and tree planting, maintenance and retention.

The proposal would represent a net equivalent in built form across the site, however, the addition of the above elements, and returning of the land currently occupied by the existing buildings, would represent a net gain.

9.0 Conclusion

This Planning Statement has been prepared by Kent Planning Consultancy in support of a planning application at:

Land at, The Haven, Brimstone Hill, Meopham, Gravesend, Kent, DA13 0BN'

The proposed development is:

'Demolition of two dwellings, erection of 2no. contemporary dwellings, with associated parking, garden land and landscaping on land to the south east of The Haven (resubmission of 20230118)'

This represents a resubmission of the scheme which was previously refused, where the application is substantiated with reference to a recent appeal decision which represents a material consideration in assessing the acceptability of the scheme in terms of Green Belt policy.

The principle of development is considered acceptable in line with policy C12; although there is a variation in the location of the built form, this is justified by the reduction in built form visual impact, landscape sensitivity, and rationalisation of built form in the countryside.

Of key consideration is the proposals impact on the Green Belt. Kent Planning Consultancy are of the view that the proposal would meet the definition of exception (e) of para.149 of the NPPF, where the proposal would represent 'limited infilling' within a village. Further, a case for Very Special Circumstances, including the demolition of two existing buildings on The Haven site, has been advanced as part of the proposal, in line with para.147 of the NPPF.

Taking consideration of the impacts of the proposal on the AONB, wider character of the area, and neighbouring amenity, the proposal is considered in accordance with national and local planning policy and guidance.