

Shorne Parish Council

————— Borough of Gravesham —————

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14th March 2025

Application ref 20250110

Land South Of Pear Tree Lane Pear Tree Lane Shorne Gravesend Kent

Change of use of the land for the stationing of 2 static homes, 2 touring caravans and shared day room for Gypsy/Traveller occupation. Associated hard and soft landscaping.

Parish Council Summary:

While the decision itself on previous application ref 20240600 (to refuse permission) was correct, many aspects of the process that was followed, including the Officer report and the content of the Decision Notice, were significantly flawed.

However, the present application 20250110 stands alone for determination based on the full information and representations (including those previously submitted for 20240600, please see Appendix B) that are presently submitted.

To confirm the situation, we **OBJECT STRONGLY** to this application. In our opinion it is readily apparent that **this application should also be refused permission** and that **the correct, much broader reasons for refusal should be cited in the new Decision Notice.**

Should there remain any doubt in the minds of Officers that refusal of permission is the only option, and in order to obtain direction about the content of the Decision Notice (or otherwise Conditions), then it is essential in the interests of public transparency and democracy that the application should be **referred to the Regulatory Board** for wider discussion and a proper decision, as has already been requested.

Introduction:

This is a second application following refusal of application ref 20240600.

Although appreciative that the previous application was refused, the Parish Council has significant concerns about, and indeed objections to, the content of the Officer report, the manner in which the previous application was determined, and the situation where the reasons given for refusal that were included in the Decision Notice were, in our opinion, deficient.

We would prefer not to have to publicly criticise, when we know that there is a high departmental workload, but in the circumstances have no option but to do so.

Concerns about the 20240600 Officer report and Decision Notice:

- Lack of referral to the Regulatory Board - It is our reasonable expectation that an application of such importance to the Community, that has been opposed by the Parish Council and all three Ward Councillors and has attracted hundreds of letters of objection from residents would be referred to the Regulatory Board for discussion. This would have ensured that all aspects could be adequately reviewed and all valid and sufficient reasons be included respectively in the Officer report and the Decision Notice.
- Lack of addressing of points raised in our detailed representations - When applications are complex, or contentious (and therefore the cause of significant Community concern, or considered more likely than some to go to Appeal), the Parish Council looks very carefully at all aspects of the application and submits detailed representations. We recognise that this comprehensive approach can make them long. The immediate aim is intended to assist primarily the case officers but that can only happen if our representations are read and considered carefully rather than apparently just being pasted across into the Officer report (we cannot find any reference or response to the points that we raised, please see Appendix B)). It is our reasonable expectation that these current representations will be treated appropriately and better.
- Review of the four previous Appeal decisions – The review appears to have been a selective, “pick and mix” approach to the text of previous Appeal decisions. We do not accept this as tenable, the point being that whatever minor variation there was in the detailed content from different Inspectors (as would be expected within limits with individual expert opinions), there was overall complete consistency as all the decisions reiterated the correctness of refusal of permission and supported the essential value of the plot to the open, Green Belt, local environment: “necessary to keep permanently open” in Green Belt review terms. Nothing that has been said actually detracts from that and we dispute that so many, fundamentally consistent Appeal decisions can be reconfigured by Officers (and the Applicant) attempting to set them aside. In addition, we do not accept that decisions/comments about locally compatible bungalows can be extrapolated across to similarly apply to a locally atypical Traveller Site.
- 2024 NPPF update and the timing of the 20240600 Application – The application was submitted on 4th July 2024, long before the NPPF update was published on 12th December 2024. As a result, both the Applicant’s submission, and the bulk of the over 200 letters of objection, including that from the Parish Council, were based on the previous NPPF version.

We do not accept it as reasonable or valid for Officers to apply the new NPPF to an old application, especially without giving notice of that intention. The previous application should have either been assessed against the previous NPPF version wording or resubmitted with all respondents, and indeed the applicant, made aware of the changed circumstances so that all representations could be updated.

- Green Belt location etc and Local Plans – Whatever was discussed during the past review process, the fact is that the plot of land is identified in the currently valid GBC Green Belt Review documents as being outside the settlement boundary, in Green Belt, and it is not identified as an accepted/suitable plot for development/building of any kind. It is patently not a site that would have been proactively selected for the application purpose, being too small and located too close to settled residents. Whatever will be discussed in the next Green Belt review, that will also be subjected to public consultation and debate, and cannot be pre-empted (or indeed predicted). Therefore we do not accept variation to the content of the already published documents based on opinions of GBC staff/the Applicant.
- Contravention of the 2024 updated Traveller Site Planning Policy guidance, Clause 17: Further to the previous point made, this states that **“Green Belt boundaries should be altered only in exceptional circumstances. If a local planning authority wishes to make an exceptional, limited alteration to the defined Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a traveller site, it should do so only through the plan-making process and not in response to a planning application.** If land is removed from the Green Belt in this way, it should be specifically allocated in the development plan as a traveller site only.” The wording of this clause confirms that the Officer discussion over ref 20240600 was completely wrong.
- “Grey Belt” classification – This new designation is in its infancy and still evolving, so it is not clear how, or with what authority, officers can unilaterally make an arbitrary and contentious decision that Green Belt land is instead “grey belt”, particularly when the parameters of the category have not yet been fully defined (they are still being explored in parliament, see <https://committees.parliament.uk/work/8503/the-grey-belt/>). As “grey belt” land classification is a downgrading from Green Belt, it follows that such can only be decided through a formal Green Belt Review including community consultation, so we disagree absolutely that there can be any attempt to label the application site or indeed any particular piece of land in Gravesham as “grey belt” at present, that being at best extremely premature – identification of “grey belt” land in Gravesham must await the next Green Belt Review.
- Applicant’s personal circumstances, also Human Rights Act – As noted in our previous representations, there is no guarantee that locally resident children will be offered places at Shorne School as this is 1Km away from the site. Also, vehicular transport will be required. We noted that the Appeal for Ref 20200554 was dismissed regardless of children living on a site, as Green Belt status of the land was considered of paramount importance. This is a contradiction with the discussion in the Officer Report and we consider that inappropriate weight has been given to these aspects. Local Residents consider that there is a lack of consideration of their own Human Rights as existing residents of the area who might have this unwanted development imposed upon them.
- Domination of the nearest settled community – we question whether this aspect applies when the site is inappropriately small and immediately adjacent to settled residents rather than a

large plot with many pitches in a rural area. The site will be continually in resident's awareness.

- Visibility of the development – There is a contradiction within the document (sometimes not visible, sometimes not highly visible) and in that GBC voice the opinion that the high hedges and fences are an advantage whereas the Planning Policy for Traveller Sites says (clause 27) that “When considering applications, local planning authorities should attach weight to the following matters: b) **sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness.....** and..... d) **not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community**”. Clearly both of those latter clauses are not satisfied by this application.
- Adverse impact on the valued landscape – GBC make a value judgement that the Parish Council and residents do not agree with.
- Sustainability, and “....good access with local amenities within close proximity to the site...”
 - It is unclear to us how GBC Officers have formed this opinion. As said below, and previously, the nearest amenities are 1Km away (Shorne), 2km (Higham) and 5Km (Strood Tesco) and their distance and sustainable accessibility were criticised by previous Inspectors. There is certainly no “close proximity”.
 - Regarding bus services, GBC have quoted an Inspector who did not have sufficient information plus did not themselves attempt to seek the information, which is readily available on the internet. Doing so would show that bus services are in fact infrequent and highly constrained, being mostly focused on secondary school journeys and timings so leaving very limited services and access for other residents during the day and evening.
- Visual impact – There are further value judgements made about visual impact (the day room will be particularly visible from the roadway) and the “limited” nature of the proposal whereas 5 structures, two of them large, are proposed to be located on the small site. The point here is that the proposed structures are alien forms in this location, being not at all like bungalows of the local format, hence we disagree with other value judgements that they would not be discordant or would be relatively inconspicuous.
- Overall Planning balance – We do not accept that very special circumstances have been proved for the Applicant to make an essential move to this site in Shorne and Gravesham, which we do not accept as being a suitable size or location for the type of development proposed. We have shown (please see also Appendix B) that the matters cited (lack of overall pitch availability, “grey belt” designation and sustainable location) are not in fact true so the balance must be reconsidered. If properly assessed, the balance would be found to be strongly against the proposal.
- Conclusion – The Officer report does not stand up to close examination. It contains a considerable number of subjective value judgements, which should not have any place in what should be a largely objective assessment, plus incorrect application of planning policy, in some parts attempting to support the reverse of reality. Local residents quite justifiably feel that GBC are regarding the putative needs of people from outside the area as a greater priority than those of long-term local residents. There appears to be a significant element of pre-judgement with allowances and assumptions being made that would not have been afforded to local residents making an application.

The Current Application 20250110:

This present application also allows revisiting of the entire content of the previous application and decision, in order to correct the various errors, as well as the content of the present application. Due to the deficiencies identified in the Officer report, we consider that no reliance can be placed on it by the applicants, so their quotation of its content has no weight or bearing, and all references to it should be ignored.

We attach and resubmit our previous representation on application ref 20240600 as Appendix B. We consider that the points raised are still valid and request that they be reconsidered and reapplied to this present application along with the content of these current representations.

Current situation of the site:

- Previously delivered static caravan and touring caravans – It is unclear what caravans are presently on the site as photographic evidence varies and there is fresh damage to the grass verges. However, all have been/are located there without planning permission being in place.
- Shipping container – the container that was left behind by the previous owner is still on the site and needs to be removed, it is not part of the submitted plans.
- Hardstanding – Considerable extension of the hardstanding area has been undertaken/is in progress. This renders GBC's discussion about Biodiversity Net Gain both incorrect and at times incomprehensible. Looking at past aerial views we estimate that the area has been more than doubled during present ownership, from about 35% to about 80% of the whole site. It is not correct to suggest that previous development has been greater than it was or that the proposed caravans will only be located on the original area of hardstanding.
- Entrance area – Gates, exterior lighting and a post box have been installed.

Matters arising from the Applicant's present application:

Application Form:

- Site Area – this has been corrected to now say 0.2 hectares. The revised figure highlights that accommodating 5 structures and a large area of hardstanding would be overdevelopment of the site.
- Work already started – note date of 30/8/24 given for work being started, without benefit of planning permission.
- Existing Use – this still says "Former Paddock", which is untrue.
- Vehicle Access – proposed as permeable roadstone although KCC Highways advised that it should be a "bound" surface.
- Foul drainage – this section has not been altered and still proposes a Package treatment plant. There is concern as to what has been happening in this regard during the months that the applicant has been resident on the site without planning permission.
- Waste storage and collection – no areas are identified on the form or in the plans.
- Ownership – the applicant has again stated that they own the land however the Land Registry record still gives other names as the true owners. This needs to be clarified/confirmed.

- Number of pitches – this needs to be very clear, that despite the proposal to additionally “store” two touring caravans on the site, the total number of pitches proposed is only two.

Submitted Plans:

- Adequacy of proposed Caravan layout:
 - We commented previously that the proposed caravan layout is a poor and inadequate design as the bathroom is only accessed from/through a bedroom. The bathroom should open from the lobby or have a “jack and jill” door arrangement. Alternatively, additional facilities could be provided in the static caravans.
 - We note that such a deficient arrangement would not be allowed in a planning application for a house for a local resident.
- “Example” plan of static caravan layouts:
 - The actual plans must be submitted for consideration if full planning permission is sought. Otherwise it cannot be known what is actually proposed, the situation being comparable to an application for “outline” compared with full planning permission. The application should have been rejected on these grounds.
- Need for a day room:
 - As raised before, with full bathroom facilities in the static caravans, and the touring caravans only being “stored”, we question the need for the day room as the facilities are being duplicated. An explanation should be provided as no need has been demonstrated.

Planning Statement:

- Works prior to obtaining planning permission (Point 2.1)
 - As well as installing additional hard landscaping and occupying the site without planning permission in place, local residents particularly object to the premature creation of a “finished” appearance to the entrance of the site, with exterior lighting (too bright and on all the time) and a post box.
 - Note that KCC Highways have advised of the full requirements for a satisfactory site entrance.
- Distance to Amenities (Point 2.2) – the distances quoted are not factually correct, being significantly understated. The distance to the nearest shop/post office in Higham is over 2Km by road (not 1Km as stated) , and that to the small Tesco supermarket in Strood is over 5km (not 2Km as stated).
- Acceptability of previous application proposals (Point 3.4) – we disagree that the previous application was otherwise acceptable, especially if it had been properly assessed. In particular, as there was not a permission given, there were no Conditions attached. Careful examination of the Application suggests that it is so deficient that Conditions that are significant in number and extent would need to be attached to any permission that might be granted. Furthermore, whatever was the outcome of the previous application is, in our contention, irrelevant to this present new application which must be considered on its own merits or otherwise.
- Foul drainage (Point 3.4) – Submitted documents (excepting the application form which still refers to a Package plant) may indicate intention to put in proper sewerage drains but any decision must include that as a requirement, for drains to be installed before any static

caravans are installed on the site and before the day room (if permitted) foundations are formed. The proposals have to be delivered in reality and not permitted merely as a “Strategy”.

- Applicant’s summary of National Planning Policy (Section 4) -
 - The review here is highly selective in choice and interpretation, as a result our disagreements with the content are too numerous to include in their entirety, it being obvious that reading the NPPF from the viewpoint of local residents gives a completely different and negative outcome. Examples include: we do not accept that the proposal for this site is land of the right type in the right place (Point 4.3, bullet 1); supports local social objectives; or protects and enhances the local environment.
 - Regarding decision taking (Points 4.4 and 4.5), examples are: the proposed site is not in a sustainable location as all activities off the site will require vehicular transport; permission would not protect areas or assets of particular importance; and adverse impacts (on local residents) would decidedly outweigh any benefits.
 - Moving on to Points 4.6 and 4.7: the proposal is not for high quality, beautiful and sustainable buildings and places or will make development acceptable to local communities; and will not add to the overall quality of the area, etc for the rest of that section.
 - For Point 4.8, “grey belt” please see above under section about disagreements with the previous Officer report.
- Applicant’s summary of the 2024 Planning Policy for Traveller sites –
 - Likewise to the previous section, this review is highly selective in choice and interpretation and misses out some important parts of the guidance.
 - Irrespective of local authority sites, regarding Point 4.1b, as we showed in our previous representations (please see Appendix B), there are a very high number of travellers resident in the wider local area, and this should also be taken into account.
 - Point 4.12 is obviously a very important one acting against this proposal.
 - We note that the Applicant has omitted the first, and therefore most important and overriding item of Clause 13 of the updated Traveller Site Planning Policy guidance, which says: **“Local planning authorities should ensure that traveller sites are sustainable economically, socially and environmentally.** Local planning authorities should, therefore, ensure that their policies: a) **promote peaceful and integrated co-existence between the site and the local community** (already compromised due to the actions of the Applicant) and..... e) provide for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any travellers that may locate there or on others as a result of new development (Note we had previously pointed out that the caravans will be located very close to a quite busy roadway).
 - Section 17, which has also been omitted says that **“Green Belt boundaries should be altered only in exceptional circumstances. If a local planning authority wishes to make an exceptional, limited alteration to the defined Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a traveller site, it should do so only through the plan-making process and not in response to a planning application.** If land is removed from the Green Belt in this way, it should be

specifically allocated in the development plan as a traveller site only. This clause would also seem to exclude so-called “windfall sites”.

- Section 27, which has also been omitted by the Applicant has two relevant clauses: “When considering applications, local planning authorities should attach weight to the following matters: b) **sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness.....** and..... d) **not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community”.**

Clearly both of those latter clauses are not satisfied by this application.

- Applicant’s summary of Local Planning Policy: This refers to documents that are significantly old and have been superseded by the recent updates to the NPPF and the Traveller Site Planning Policy, however, none of these are valid arguments until local policies have been updated and subjected to public consultation. In Point 5.7 the discussion about this site being a “windfall site” would seem to be contradicted by the various points that we have made above and the fact that it is located in the Green Belt. We also note that it only refers to temporary planning permission.
- Applicant’s “Gypsy” status (section 6):
 - Additional information is provided, some of which is different to that provided previously. However it is still the case that nothing that has been said creates a family connection to the area or proves a need to specifically be located in Gravesham and Shorne.
 - We note that the required 10 years total information has not in fact been provided. We do not accept that this requirement can be watered down to accept a lesser amount of evidence.
 - The full health information has not been made available to us but regardless the limited information available raises concerns about the severity of these health issues and the adequacy of personal support that will be available to an individual residing on an isolated Traveller site when their primary carer intends to be absent for long periods. Moving from East Kent into the West Kent NHS catchment area results in discontinuity of required specialist medical care.
 - As Mrs McCarthy no longer travels, and is not able to due to health reasons, arguably there is no need for a touring caravan to be accommodated in her name.
 - Reference is made to buying and selling of horses but the site is not suitable for equines, which must be excluded by condition. We are not aware that the applicant owns or leases any suitable land close nearby.
 - While sorry to hear of the historical incidents, dated up to late 2022, these do not amount to reasons for moving to Shorne and Gravesham, so far away from remaining family members and the valuable mutual support that would inherently be found within a larger Traveller site/community. It is also unclear where the applicant and immediate relatives have been living immediately prior to prematurely occupying the Shorne site.
 - In point 6.4 there is reference to availability of Local Authority pitches however as we discussed at length in our previous representations (please see Appendix B) and above, there are also considerable numbers of private and lawful Traveller sites in the wider area, many of which are expanding and could provide a much better location and environment. Reference is only made specifically to KCC (with only Maidstone and Gravesham cited in the previous Officer report) and not to Medway for example, or Swale. We do not accept

that no other lawful sites would be found to exist and be available if a proper and thorough enquiry was undertaken.

- Registration at the local surgery (Point 6.5) – This only shows that some people (detail is redacted) have been registered there, as any temporary residents would be entitled to do. In this case, this has only occurred because the persons have been occupying the site without benefit of planning permission. This information has no relevance in planning policy or influence on any decision.
- Whatever the underlying causes, as for point 6.7 it seems that the family have effectively made themselves “pitchless” for personal reasons, in which case we do not accept that there is a requirement for LA pitches to be provided. As we have already explained, this site cannot be classed as “Grey Belt” as correct designation procedures have not been followed
- For point 6.8, we vehemently disagree that this application can be an exception to Green Belt policy.
- Drainage – As covered elsewhere, for point 6.10 the text does not provide certainty over the foul drainage connection as it only refers to a “Strategy” and that the drains “would connect”.
- Other material considerations (Point 6.13):
 - The Parish Council raised objections to some of these matters.
 - We assume that the second sentence is missing the word “no” (after As).
 - We have also reached the same conclusions as previously, that this application is not suitable to be permitted, and is in fact contraindicated.
- Applicant’s Conclusion (Section 7):
 - For Point 7.1 we disagree absolutely as the proposed development is inappropriate by definition.
 - Point 7.2 is noted but see Appendix A “Without Prejudice suggested Conditions”
 - Point 7.3, regarding drainage this is essential (but see also Appendix A “Without Prejudice suggested Conditions”) but due to the deficiencies of the previous Officer report and decision notice, we consider that regrettably the Applicant may have been given false hope regarding how this present application will be determined and the likely outcome.

Appendix A - “Without Prejudice” suggested Conditions:

In the first version of our representations for 20240600 that was submitted to GBC, we included on a “without prejudice” basis some Conditions that could be attached if permission was somehow granted.

Arguably, without there being a permission issued these points were at the time redundant, hence we were advised by a GBC Councillor (not Ward) that the section should be removed. That was done and revised representations were submitted, however we are now reinstating and expanding the section, in part to demonstrate the many deficiencies in the application.

Accordingly, “without prejudice” suggested Conditions are as follows:

- Materials - The design and materials should be similar to the bungalows opposite.
- External lighting – As is usually required, this should be minimal and only low level, controlled by time switches and sensors to only be on when actually needed and not all night at high level. Sensors and lights must be angled downward so as to only detect and shine respectively within the property boundary. There is already a significant problem with excessive lighting on the site as evidenced by the photographs included in one of the letters of objection to the present application. A lighting plan should be provided.
- Boundaries – Permanent screening boundary treatment and plantings should be required but kept to a reasonable height and physical condition.
- Number of touring caravans: Only two should be permitted on the site at any one time, which belong only to the on-site resident Cash/McCarthy family as set out in the application. They are not to be used regularly or for long-term/permanent residential use by others, and no guest caravans are to be permitted.
- Number of pitches: Only two pitches are to be permitted (the static caravans) as the touring caravans are only being stored. The meaning of “stationed” in this context needs to be clarified as the varying words used (pitches, associated pitches, stationed and stored) do not appear to all mean the same thing and some imply regular/permanent use. What is actually permitted must be set out very clearly in order to exclude any doubt.
- Occupation of either the static or touring caravans, not both – The static and touring caravans should be occupied only on an either/or basis as the touring caravans are only being stored, they do not need to be and must not be occupied simultaneously except in very limited circumstances.
- Normally resident persons – Only the family members specified in the application should be in usual residence, with no changes/additions allowed.
- Temporary and personal permission - Permission could be only temporary and time limited (for the shortest allowable duration), and personal to the applicant.
- If the some/all caravans are no longer in use - Should the Cash family group/Mrs McCarthy no longer be occupying their respective static caravans then that and the relevant touring caravan should be removed from the site as they are both redundant. Similarly, should the site as a whole be vacant then it must be fully cleared and restored/remediated.
- Permitted Development Rights withdrawn – No extensions or additional buildings/structures are permitted on the site

- No Business use – Business use is not permitted and no trade vehicles are to be kept on the site. No materials for use elsewhere or associated with a business are to be kept/stored on the site.
- Removal of the shipping container – The shipping container left behind by the previous owner must be removed prior to any construction being commenced, and any gap should be filled with suitable fencing/hedging. We note that the shipping container is not shown on the current and proposed plans submitted for approval.
- Plans for the static caravans – Plans of the actual static caravan designs to be installed should be provided in advance and submitted for approval.
- Foul drainage connection – the submitted forms (excepting the application form which still proposes a Package plant) convey an intention to install foul drainage connected to the main sewerage system but guarantees are needed. The full and functioning system needs to be put in place before caravans are installed on the site and before day room (if permitted) foundations are laid.
- Driveway and gates – The KCC Highways advice needs to be a Condition (gates to be inset 5.5m from the highway, first 5.0m of driveway to be bound material, gates to open inwards)
- Noise limit conditions – as referenced by GBC, noise emission from the site including from any generators needs to be limited.
- Associated matters – As required with all Planning Applications for new dwellings, there need to be areas identified for Rubbish bins, bicycle storage and a location for an EV charger – these are not presently shown on plans.
- Keeping of animals on the site – No livestock (horses, cattle, pigs etc) to be kept on the site, or other animals that could cause a nuisance to neighbours.
- Landscaping plan – A detailed hard and soft landscaping plan is required, including requirement for moderate, permanent fencing and hedging.

Shorne Parish Council

————— Borough of Gravesend —————

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20th December 2024 (Updated version)

Application ref 20240600

Land South Of Pear Tree Lane Pear Tree Lane Shorne Gravesend Kent

Change of use of the land for the stationing of 2 static homes, 2 touring caravans and shared day room for Gypsy / Traveller occupation. Associated hard and soft landscaping.

Introduction:

The Parish Council has to **OBJECT STRONGLY** to the entirety of this application which seeks to create new dwellings in the Green Belt, on a plot of land which has been subject to five previous Planning Applications and four Appeals (one with two instances of High Court involvement), all respectively Refused and Dismissed.

Planning policy exists to defend the Green Belt from the damage of inappropriate development, including through maintaining openness. The rules apply to everyone equally. No valid new information has been presented that would warrant overturning the many previous decisions that this is simply not a residential plot.

Among other reasons, the proposal is at excessive density for the size of the plot, constituting overdevelopment, and would impact adversely on the amenity of the area and on nearby and neighbouring dwellings. Within that we **OBJECT** particularly to the “Day Room” element which is a permanent structure, which would be visible from the roadway, and which would unnecessarily duplicate facilities anyway available in the static caravans.

History and Planning History:

It should be noted that the name of the plot has been changed for this application. The plot has always previously been known as “Land adjacent to the See Ho public house” reflecting its original ownership and historical use.

A list of previous applications over the past nearly 45 years is shown at Appendix A. In summary, there have been five Applications and four Appeals with one including two High Court hearings.

The planning history is therefore long and complex. We will not reproduce/duplicate the Appeal decisions here however the decisions made and the reasons cited for them have remained consistent throughout, are still valid to date, and should be carried forward as evidence against this present application.

We note that the Applicant has only mentioned the last two Applications (one with incorrect date) and Appeals in Section 3.1 of the Planning Statement. We hope that they were aware of the full history before purchasing the plot.

General Representations:

Outside the Village Envelope, in the Green Belt:

- The piece of land is outside the village envelope and in the Green Belt where new dwellings would not normally be permitted.
- No valid “very special circumstances” have been put forward to justify the present proposal overriding policy designed to protect the character of the Green Belt and rural area.

Area Character:

- The plot is located where the area character changes from settlement to a more open and rural appearance and it is considered important in underlining that distinction and transition.
- Buildings there would reduce the amenity of the overall area and negatively impact the visual appearance and the amenity of neighbouring properties.
- While some of the buildings might presently be hidden behind a tall hedge, there would still be awareness that they were there, and of all activity on and relating to the site.
- The proposal will result in light pollution on a plot that is presently completely dark at night.

Size of the site:

- The site measures only approximately 50m wide by 25m deep, which is very small for the proposed density of use.
- At 1,250 sqm this equals 0.125 hectares (0.31 of an acre). The area has been overstated by the Applicant in the Application form as instead being 0.2 hectares, which is incorrect.

Out of Character Density and Appearance:

- The proposed buildings will be at a higher density, with a large number (five) of separated structural forms, plus associated residential paraphernalia, and potentially take up more of the available space on the plot than is usual for residential dwellings in Pear Tree Lane. Very little green/amenity space will be left.
- The type of dwellings proposed are out of character with both the adjacent settlement and the nearby rural areas.

- A large and excessive area of hardstanding is proposed, with some already in place for which retrospective approval is sought, however the application also refers to levelling and paving of a larger area.

Relationships of the site and proposed site layout:

- Due to the small size of the site, some of the proposed structures will be located very close to the roadway, which could lead to noise and other pollution being experienced, especially in bedrooms.
- The site is similarly immediately adjacent to a busy Public House and its car park, a pre-existing business use, which again is not a good location for residential development. Existing dwellings in the area are set back from the roadway, and have a pavement providing greater separation, whereas there is no pavement on the south side of Pear Tree Lane at the location of the plot.

Design of the proposed buildings:

- The proposal is for two identical large static homes (15m by 6.5m by 3.5m ridge height, each with 3 bedrooms (5 beds). However, one of the buildings is stated to only be for one occupant, so its size appears excessive for that use.
- Both have a full kitchen and living space, and one bathroom although this latter aspect of the layout is poorly designed to be en-suite which prevents other occupants accessing it e.g. during the night or if unwell. The bathrooms could be accessed only from the main area either instead or with “Jack and Jill” doors.
- There is potentially space for a second bathroom/shower room adjacent to the small bedroom.
- The “Day Room” element, which is proposed as a permanent structure, is located very close to the boundaries of the plot and where it will be visible from the street, thereby having negative impact on the street scene. It unnecessarily duplicates facilities anyway available in the static caravans, and is not needed to support the family’s touring caravans as they are only being stored while not in use, so it should be deleted from the plans.
- As can be seen in the photographs below, we also note that the static caravan that was delivered to the site on 17th December 2024 has a different design, and possibly layout, compared to that proposed in the submitted plans.

Omissions from the plans and application deficiencies:

- The plans lack areas for rubbish bin storage, a cycle store and an EV charging point.
- Section 2 (site description) of the Planning Statement is blank.
- We note that according to current information at Land Registry, the Applicant is not (yet anyway) recorded as the registered owner, and this aspect should be clarified. The current Land Registry record partially matches with the first application form that was submitted.
- We also note that on the current application form the applicant has named the plot itself as being his current personal residential address.
- The answers about biodiversity net gain require expert review.

In Front of the Residential Building Line:

- The residential building line here is the frontage of “Shornebury/Fairwinds” (Pear Tree Lane) to the east, the northern boundary fence of “Ewhurst” (Bowesden Lane), the northern side wall of “Cartref” (Bowesden Lane) and then takes a step north to the frontage wall of “Rose Cottage” to the west in Pear Tree Lane.
- The plot under discussion is in front of (north) of that line.
- The historic See Ho building, being commercial and pre-dating all the local residential dwellings, is not a relevant aspect in this residential building line consideration.
- We note that local residents have been refused permission to build structures in front of the residential building line.

Previous use of the site, and structures:

- The Application documents refer to the site as being a “former paddock” but local residents are not aware of horses/livestock ever being kept there and there has not been any previous change of use application made.
- Structures are visible on aerial views, some previous ones seem to have been removed but there appears to be a white structure visible that is a new feature of the site despite there being a current planning application but not permission.

Hedge on Road Frontage and boundaries:

- The existing hedges, which reduce openness, have become very thick and overgrown, reducing the usable space on the plot, and are starting to gap at the bottom. The hedges have swallowed up the ranch fencing seen on the August 2009 Google Streetview, which predates the hedge being planted.
- Consideration should be given to the hedges being replaced if they are still needed and considered appropriate for the site.
- The height and intense colour have a prominent and negative visual appearance and draw attention to the site, which should not be the case.
- We suggest that at most a medium height hedge of mixed native species behind a short fence would be more compatible with the area and more appropriate in this rural location.
- Traveller sites are not usually fully enclosed by high hedges, which would negatively affect the light levels and ambience for persons within the site.
- We note that the Applicant incorrectly answered “No” to the question as to whether there are trees and hedges on the proposed site.
- Whatever hedges and fences there are, local residents will always be aware of the site, and it can be seen on publicly available aerial views.

Driveway Arrangements and Parking, local Parking and Traffic issues:

- The documents suggest that there will still be the one present vehicular entrance to the site however KCC are requiring the surfacing to be bound resin and any gates to be set back by 5.5m from the roadway.
- The site will have 4 parking spaces (stated as being for cars, meaning not larger/commercial vehicles) for a total of 3 adult residents.

- On-site parking should be only for cars/personal private vehicles and not for trade vehicles.
- On-street parking in the area is competitive and a considerable problem, especially when events and functions are held at the See Ho. Any overspill parking from the site would make that aspect worse and cause friction with other local residents.
- Pear Tree Lane is increasingly busy with considerable through traffic that does not always respect the speed restrictions. Traffic levels are likely to increase further due to additional agreed developments in the wider area and future major highway plans.
- Due to the parking issues in combination with traffic issues, entering and exiting the site could be hazardous, particularly for caravans.
- We wrote originally that “It is not clear how large static caravans could be physically installed on the site”. This prediction was proved accurate when traffic chaos resulted from Pear Tree Lane being blocked for several hours on Tuesday 17th December by the applicant’s actions, and which led to the Police being called to attend. At the time, Pear Tree Lane was the signed diversion route in relation to work on other local highways, which compounded the problems.



Setting of precedents:

- We are concerned, as with the previous applications for this site, about any permission setting an indefensible, damaging precedent for development of front gardens and other plots fronting Pear Tree Lane as that would irrevocably change the nature and ambience of the area.
- Similarly, precedents would also be set for the Borough as a whole.

Utility connections:

- Although planning permission has not been determined, the applicant organised an electricity supply to be installed on 9th December, the required road closure for several days being another inconvenience to local residents.
- While it is permissible to connect electricity to land, the potential use of the supply on such a small plot of this type, and in a situation of there not being any planning permission in place, is a concern for local residents.
- The situation on a potable water supply is unknown.
- The situation on waste water and sewerage is uncertain, the application form refers to a package treatment plant, this would require engineering works for installation.

Other works required, being undertaken:

- Documentation refers to levelling the site and installing further hardstanding.
- We are informed that an 8ft high inner fence is being/has been constructed behind the hedges.

Non-Sustainable location:

- The site is in a non-sustainable location as there are no shops in The Ridgeway area and there are few buses per day.
- Realistically this means a trip by vehicle to the nearest shop in Shorne Village, or there are more shops and a Post Office in Higham, or further afield to supermarkets.
- Similarly, local Primary Schools and Secondary Schools are all either unsafe to walk to (along busy roads without a pavement) or too far away and again vehicle trips are needed.
- This means that residence in Shorne confers no advantages and considerable disadvantages for the stated occupants, being a housewife with a young family and a relatively housebound older person, both of whom would also be isolated from other members of the Travelling community.

Traveller status of the Applicant and family:

- Overall, it is considered that this claim does not stand up to examination. The arguments put forward are weak, and there is concern locally that the mentions of Traveller status may be a subterfuge with the aim to overcome protective planning rules in a way not open to existing residents.
- The Applicant does not mention himself having Traveller status.
- The Applicant states that he has had permanent employment in Chatham in the family firm for eight years, his mother-in-law no longer Travels and his partner is also settled although occasionally takes Traveller associated holidays.
- The family unit appears to be in reality not Travelling but settled. They must currently reside somewhere in the wider area but where they are living presently has not been stated.

- The desire expressed to live in static caravans appears to be aimed at circumventing planning restrictions.
- The family would do just as well in an existing conventional property with parking for the stored touring caravans. We would be pleased to otherwise welcome them to Shorne on that basis.

Traveller site characteristics:

- Just as shortfall of housing targets was disregarded for opportunistic dwelling unit applications being permitted on this plot, the same applies as regards opportunistic Traveller sites.
- Traveller sites are usually larger and in countryside areas having an open feel, with room for expansion and close to other Travellers in a close-knit community rather than in isolation on a physically constrained site adjacent to a standard settlement and close to other settled housing.

Traveller statistics, in Gravesham and the wider area:

- The 2021 Census reported that 71,440 people identified as Travellers (overall 0.12% of the usual resident population of England and Wales).
- However, nearly a quarter (24.2%) of people who so identified lived in the South East compared to 15.6% of the general population.
- Figures by lower tier local authority (LTLA) show that the percentage of all Travellers increases with distance from more built-up areas such as London Boroughs, which have less land available, however the same is true for Gravesham which has a high level of protected Green Belt land compared to LTLA's further out.
- The figure for Gravesham is 0.47% (68th out of 329). The highest in Kent and Medway is 1.44% for Maidstone (2nd/329) with 1.08% for Medway (8th/329) and 1.30% (5th/329) for Swale.
- In the face of such high figures locally we consider the suggestion that Gravesham needs to regardless accommodate a greater number of travellers/sites, as local provision is inadequate, to be demonstrably redundant. There could be an equal argument that Kent and Medway as a whole, and particularly the adjacent boroughs, already host more than the national share. Like housebuilding targets, Traveller numbers should also be shared between LTLA's.
- The figures also show that nearly 80% of Travellers actually live in ordinary housing stock, only 21.6% living in "a caravan or other mobile or temporary structure". Choosing to live in a static caravan is by no means the commonest choice.

Connection to Shorne (or Gravesham), School admission, health services:

- The Applicant and his family do not apparently have any existing links to Shorne or to Gravesham, or a business address within the Borough. The applicant's business operates in the Medway Towns rather than Gravesham.

- While local connection is not a requirement, it remains unclear to local residents as to why this particular plot in Shorne has been chosen, as in reality the family could live anywhere and there are much more suitable locations in the wider area for this kind of proposal.
- Although there may be hope for the children to attend Shorne School when they are old enough, the School is oversubscribed and places are not guaranteed for locally resident children as, among other considerations, distance criteria are applied. This site is 1km from the school as the crow flies.
- Regardless, even with a firm offer of a place (evidence of having applied might be requested), no weight can be given to this aspect of the application as the children will require vehicular transport to the school so could live anywhere and be taken to any school in any area.
- It should be noted that the Appeal for Ref 20200554 was dismissed regardless of children living on a site as Green Belt status of the land was considered of paramount importance.
- Shorne only has a part-time Doctor's Surgery nowadays, access to the full range of services is also non-sustainable as it requires a vehicular journey to Istead Rise.

Opinions of local residents:

- A considerable number of objections from local residents have been submitted to GBC that are against this application and which demonstrate very high levels of community concern.
- Local opposition has been greatly heightened by the Applicant's recent actions in undertaking engineering works and moving a static caravan onto the site without planning permission.

Summary:

Shorne Parish Council **OBJECTS STRONGLY** to this application as detailed above. We cannot envisage any circumstances whereby this application could be deemed acceptable/missible, even if the strongest possible Conditions were to be attached.

We strongly urge Gravesham Borough Council to refuse permission. Should there be any element of doubt then the application must be called in to the Regulatory Board for further discussion and final decision.

Appendix A: Past planning applications and outcomes:

- 19750434 Application for 2 dwellings, Refused and Appeal Dismissed
- 19770771 Application for 2 dwellings, Refused
- 19780587 Use of land as a “Bat and Trap” pitch associated with the Public House, Permitted
- 19850208 Use of land as an extension to the adjoining public house for use as a garden area and a “Bat and Trap” pitch, Permitted
- 19900655 Application (outline) for 2 detached dwellings with garages and formation of associated vehicular access onto a classified road, Refused and Appeal Dismissed
- 20120693 Application (outline) for detached dwelling and garage, Refused, Appeal Dismissed, Appeal quashed in High Court, Appeal redetermined as Dismissed, further High Court case no change.
- 20200339 Application (outline) with some matters reserved for 2 dwellings, Refused and Appeal Dismissed.