

Cellar Door Wine Shop Terrace, Luddesdown

Planning Statement

TS/36373

March 2026



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1 INTRODUCTION

1.1 PURPOSE OF THIS DOCUMENT

- 1.1.1 This statement has been prepared in support of a full planning application submitted on behalf of Vineyard Farms Ltd to Gravesham Borough Council (GBC) for the:

"Installation of new windows, doors and awnings and the creation of a patio/terrace for the existing Cellar Door wine shop at Luddesdown."

- 1.1.2 This statement provides an overview of the site, the proposed development and the relevant planning history; and a review of all applicable development plan policies as well as the National Planning Policy Framework (NPPF) and other relevant guidance.

1.2 APPLICATION DOCUMENTS

- 1.2.1 This Statement summarises and appraises the proposed development in the context of the relevant planning policy requirements. It should be read together with the following reports and plans:

DOCUMENT	AUTHOR
Application Form and Certificates	DHA Planning
Planning Statement	DHA Planning

TABLE 1-1: APPLICATION DOCUMENTS

APPLICATION DRAWINGS	AUTHOR
Site Location Plan	DHA Urban Design
Existing Site Layout Plan	
Existing Plans and Elevations	
Proposed Site Layout Plan	
Proposed Plans and Elevations	

TABLE 1-2: APPLICATION DRAWINGS

1.3 THE SITE

- 1.3.1 The site is situated in the hamlet of Luddesdown in the Kent Downs National Landscape (formerly AONB) and the Green Belt in between Cuxton, Meopham and Cobham.
- 1.3.2 The wine shop is located within a lawful agricultural building which forms part of the Brookers Farm complex. The wine shop, known as The Cellar Door, sells wine made of the estate and operates wine tours, wine tasting and other associated activities. The Site is shown in Figure 1-1 below.
- 1.3.3 The use of part of the building as a wine shop was confirmed as a lawful use by GBC under application reference 20250839.
- 1.3.4 Adjacent to the western elevation of the agricultural building (and wine shop) is an area of existing hard standing. This is shown in Figure 1-2 below.



FIGURE 1-1: SITE LOCATION (INDICATIVE RED LINE BOUNDARY)



FIGURE 1-2 VIEWS TOWARDS THE EXISTING WESTERN ELEVATION OF THE BUILDING
CONTAINING THE FARM SHOP

Planning Constraints

- 1.3.5 The site is located within the Kent Downs National Landscape (formerly AONB), and the Green Belt.
- 1.3.6 The site is located in Flood Zone 1.
- 1.3.7 There are no other known planning constraints associated with the site.

1.4 PLANNING HISTORY

- 1.4.1 GBC’s online planning register records the following planning history for the site:

APPLICATION REF	DESCRIPTION	DECISION	DATE
19880177	Erection of two agricultural buildings to form grain store, workshop/general purposes building.	Approved	May 1988
20250839	Application for an Existing Lawful Development Certificate for the continued use of part of the agricultural building as a	Lawful Development	October 2025

	small wine shop (Cellar Door) and vineyard/farm Offices in association with the existing agricultural operations.	Certificate Granted	
20251092	Application for a Proposed Lawful Development Certificate; to create additional ground floor space within existing building for new storage area for wine shop; conversion of existing staff room into storage/wine tasting room; creating internal doorways connecting the wine shop with the adjacent tasting rooms; reconfiguring and replacing ground floor toilets with installation of new external windows on side elevation. Creation of first floor mezzanine floor space for new wine tasting room.	Lawful Development Certificate Granted	December 2025

TABLE 1-3: PLANNING HISTORY

- 1.4.2 The above planning history establishes the use of part of the building as a farm shop as lawful ancillary agricultural use of the building.

2 THE PROPOSED DEVELOPMENT

- 2.1.1 The proposed development seeks to create an external terrace for use by the wine shop for wine tasting events, for the beginning and end of wine tours for briefings and other events during the summer months.
- 2.1.2 To create the terrace, it is proposed utilise an area of existing hard standing on the western elevation of the wine shop involving a number of external alterations to the western elevation of the building. The proposed works comprise the following:
- Installation of flag stone paving on top of the existing hard standing area;
 - Installation of a set of new exterior doors providing access to the paved terrace from the wine shop tasting rooms;
 - Installation of 2 x doors providing access to 2x WCs and associated obscure glazing;
 - Installation of a new obscure glazed window to a WC cubicle.
 - New stepped access to the side of the main entrance to the Cellar Door and low retaining wall;
 - Installation of 2no. black folding summer awnings on the western elevation of the building;
 - A black powder coated gated access to either end of the proposed paved terrace area; and
 - Installation of black powder coated 1.1m high balustrading fixed to the low retaining wall to the pub garden which separates the Cellar Door from The Lion Pub.
- 2.1.3 The proposed development will utilise hardstanding already approved as part of application ref. 20250053 as a terrace for the farm shop rather than for the Lion pub.
- 2.1.4 The proposed terrace will remain physically and functionally separate to The Lion pub albeit immediately adjacent to it. The physical separation will be maintained by the installation of gate access and the 1.1m balustrading round the perimeter of the terrace. There will be no direct access from the pub garden to the terrace.
- 2.1.5 The terrace will not be visible from outside of the wine shop/ The Lion, with visibility obscured by the approved works to the pub from the pub car park.

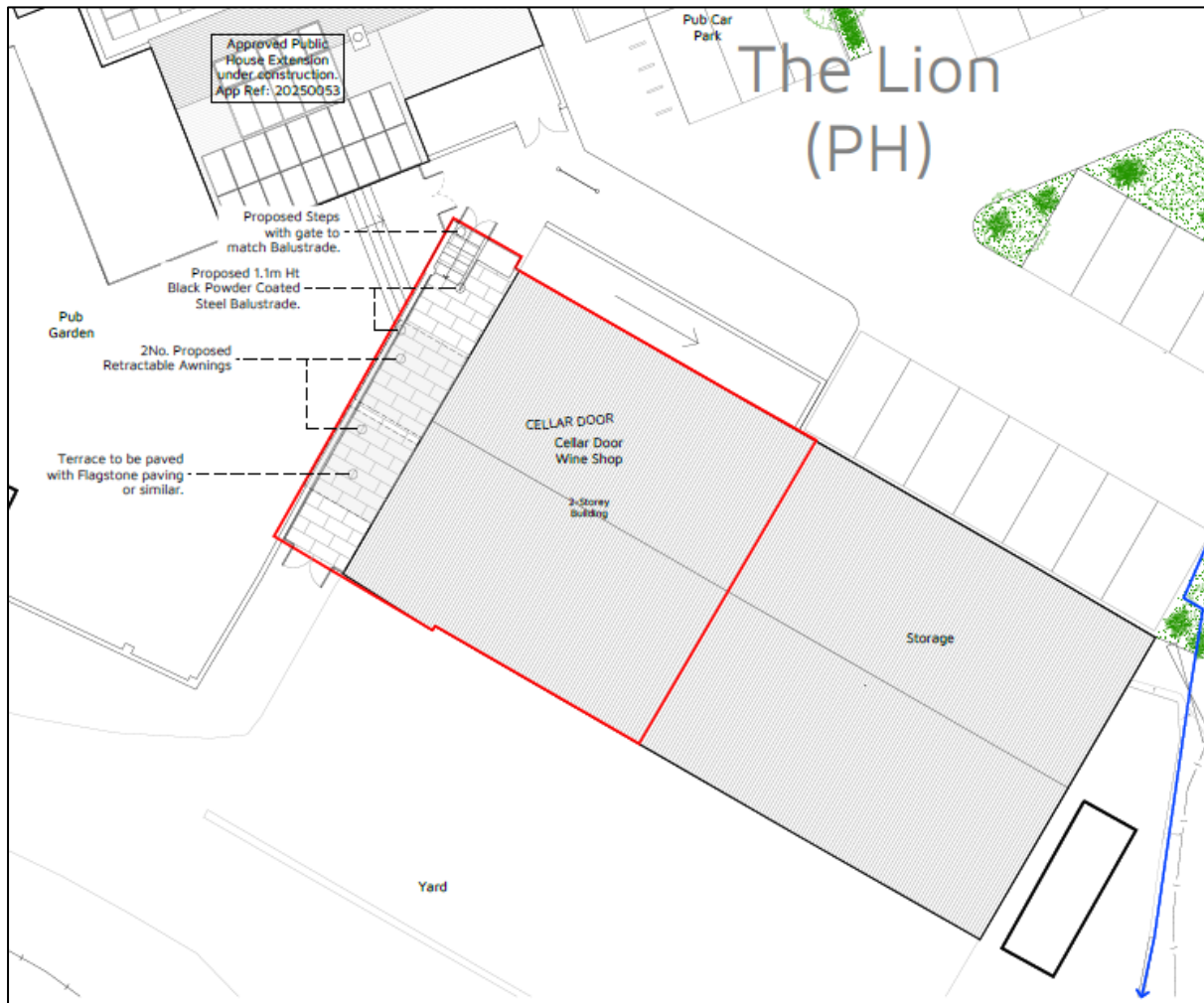


FIGURE 2-1 PROPOSED SITE LAYOUT PLAN

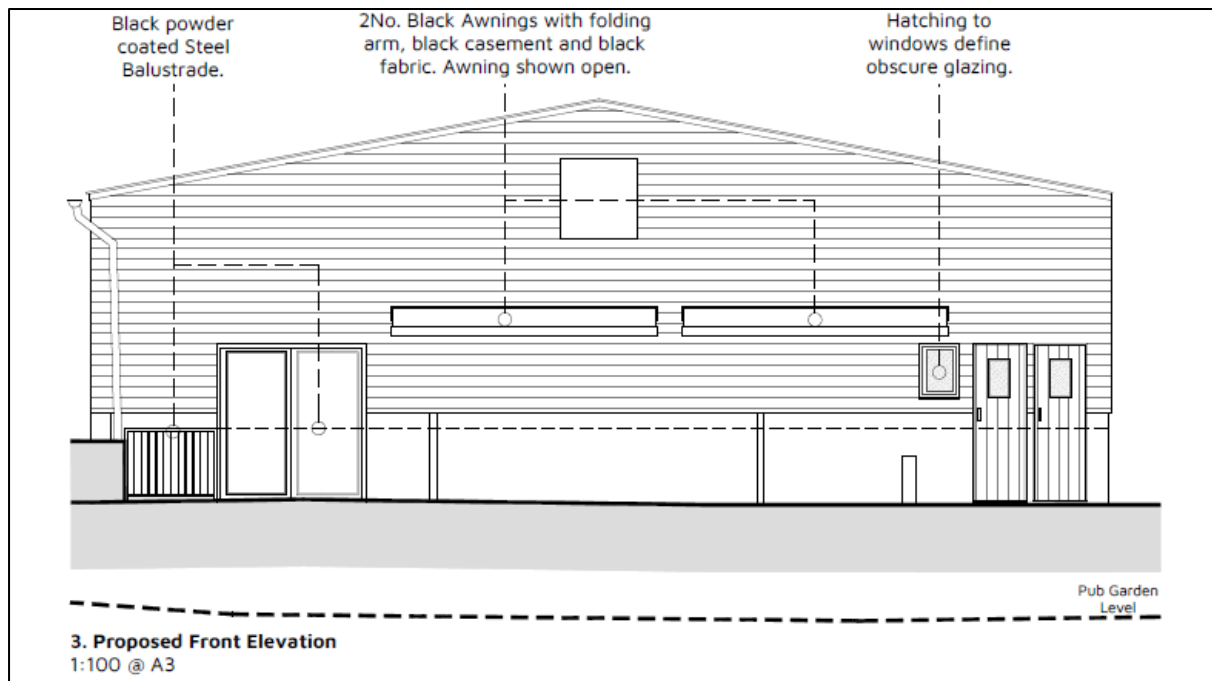


FIGURE 2-2 PROPOSED WESTERN ELEVATION

3 PLANNING POLICY FRAMEWORK

3.1 INTRODUCTION

3.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the statutory development plan unless material considerations indicate otherwise.

3.1.2 For the purpose of this planning application the relevant development plan documents comprise the following:

(1) Gravesham Local Plan Core Strategy (2014)

(2) Gravesham Local Plan First Review Saved Policies (1994)

3.1.3 The following Local and National Planning Policies are considered most relevant to the proposal:

Gravesham Local Plan Core Strategy (2014)

3.1.4 **Policy CS01 Sustainable Development** states that the council will work proactively with applicants jointly to find solutions, which means that proposals can be approved wherever possible and to secure development that improves the economic, social and environmental conditions in the area.

3.1.5 **Policy CS02 Scale and Distribution of Development** states that in rural areas development 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 the plan.

3.1.6 **Policy CS07 Economy, Employment and Skills** states that the Council will support proposals that promote the appropriate expansion and diversification of the rural area economy.

3.1.7 **Policy CS09 Culture and Tourism** states that the Council will seek to maximise opportunities for expansion in culture and tourism activity derived from its rich and diverse heritage and green infrastructure assets, support sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors where it is compatible with national policies for protecting the Green Belt.

3.1.8 **Policy CS11 Transport** states that new developments should mitigate their impact on the highway and public transport networks as required. As appropriate, transport assessments and travel plans should be provided and implemented to ensure the delivery of travel choice and sustainable opportunities for travel.

- 3.1.9 **Policy CS12 Green Infrastructure** states that sites designated for their biodiversity value, will be protected and weight will be given to the conservation and enhancement of the landscape and natural beauty of the Kent Downs AONB and its setting. There will be no net loss of biodiversity in the Borough, and opportunities to enhance, restore, re-create and maintain habitats will be sought within new development.
- 3.1.10 **Policy CS19: Development and Design Principles** states that new development will be visually attractive, fit for purpose and locally distinctive. It will conserve and enhance the character of the local built, historic and natural environment and integrate well with the surrounding local area. It must also take advantage of opportunities to build in resilience to the effects of climate change. This will include protection against flood risk, where relevant, delivering carbon reduction, provision for low carbon and renewable energy, and minimising energy consumption and water use.

Gravesham local plan first review (1994) – saved policies

- 3.1.11 **Policy T1 Impact of Development on Highway Network:** The Local Planning and Highway Authorities will consider the impact on the transport system and on the environment of traffic generated by new development and will wish to ensure that all proposed developments are adequately served by the highway network identified on the Proposals Map.
- 3.1.12 **Policy T4 Impact of Development on Highway Network:** The Local Planning and Highway Authorities will not normally permit any proposed development outside the confines of the built-up area that generates significant vehicular or pedestrian traffic.
- 3.1.13 **Policy P3 Vehicle Parking Standards:** The Borough Council will expect the development to make provision for vehicle parking in accordance with the Kent County Council Vehicle Parking Standards, as interpreted by Gravesham Borough Council, unless justified as an exception.

3.2 MATERIAL CONSIDERATIONS

National Planning Policy Framework

- 3.2.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. The latest version was updated on the 12th of December 2024.

Decision Making

- 3.2.2 Paragraph 39 states that local Planning authorities should approach decisions proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Building a strong, competitive economy

- 3.2.3 Paragraph 88 states that planning policies and decisions should enable:
- (a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings;
 - (b) the development and diversification of agricultural and other land-based rural businesses;
 - (c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
 - (d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

- 3.2.4 Paragraph 89 states:

"Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist."

Promoting healthy and safe communities

- 3.2.5 Paragraph 98(d) seeks to ensure that established shops, facilities and services are able to develop and modernise and are retained for the benefit of the community.

Achieving well-designed and beautiful places

- 3.2.6 Paragraph 131 states that creating high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.
- 3.2.7 Paragraph 135 states that Planning policies and decisions should ensure that developments:
- (a) function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

Protecting Green Belt land

- 3.2.8 Paragraph 143 sets out the five purposes of Green Belt. These are:
- (a) To check the unrestricted sprawl of large built-up areas;
 - (b) To prevent neighbouring towns merging into one another;
 - (c) To assist in safeguarding the countryside from encroachment;
 - (d) To preserve the setting and special character of historic towns; and
 - (e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 3.2.9 Paragraph 153 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 3.2.10 Paragraph 154 lists exceptions to development in the Green Belt. These include:
- Paragraph 154 (c) states that 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 is not inappropriate development.

- Paragraph 154 (g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause **substantial harm** to the openness of the Green Belt (our emphasis).

Conserving and enhancing the natural environment

- 3.2.11 Paragraph 189 states that great weight should be given to conserving and enhancing the landscape and scenic beauty National Landscape.
- 3.2.12 With respect to habitats and biodiversity, paragraph 193 says that when determining applications, local planning authorities should apply the principles that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 3.2.13 Equally proposals that conserve or enhance biodiversity to seeking net gains should be supported and encouraged.

Conserving and enhancing the historic environment

- 3.2.14 Paragraph 210 states: "In determining applications, local planning authorities should take account of:
- (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - (c) the desirability of new development making a positive contribution to local character and distinctiveness*
- 3.2.15 Paragraph 212 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).
- 3.2.16 Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 3.2.17 Paragraph 216 deals with applications affecting non designated heritage assets and that the impact needs to be weighed in the planning judgement having regard to the scale of any harm or loss and the significance of the heritage asset.

4 PLANNING APPRAISAL

4.1 OVERVIEW

- 4.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. Such material considerations include where a development plan policy are out of date by reason of inconsistency or conflict with the provisions of the National Planning Policy Framework (NPPF).
- 4.1.2 In determining whether the proposal accords with the development plan, the following issues are considered:
- Principle of the proposed development
 - Green Belt Assessment
 - Landscape impacts and The Kent Downs National Landscape
 - Other Matters
 - Ecology
 - Flood Risk and Drainage
 - Residential Amenity and Noise

4.2 PRINCIPLE OF THE PROPOSED DEVELOPMENT

- 4.2.1 Policy CS07 Economy, Employment and Skills States that:
- ‘The Council will support proposals that promote the appropriate expansion and diversification of the rural area economy’.
- 4.2.2 Paragraph 88 of the NPPF ‘supporting a prosperous rural economy’ states that planning policies and decisions should enable:
- the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings;
 - the development and diversification of agricultural and other land-based rural businesses;

- sustainable rural tourism and leisure developments which respect the character of the countryside;
 - the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.
- 4.2.3 Paragraph 98(d) of the NPPF seeks to ensure that established shops, facilities and services are able to develop and modernise and are retained for the benefit of the community.
- 4.2.4 The proposed development seeks to improve an existing lawful farm shop. The primary function of the proposed development is to provide a vibrant prosperous farm shop but also help support Vineyard Farm Ltd's wider wine-making business and wine sales within the setting of the wider wine making estate and surrounding vineyards.
- 4.2.5 We, therefore, believe that the principle of the proposed development is supported by the adopted development plan and the NPPF subject to consideration of the impact on the Kent Downs National Landscape and the Green Belt amongst other material considerations.

Green Belt Assessment

- 4.2.6 Policy CS02 of the core strategy (2014) states that the Council will apply national Green Belt policy when determining development within the Green Belt outside of any defined settlement confines.
- 4.2.7 The site lies within the Green Belt, where paragraph 153 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 4.2.8 However, a small number of exceptions to the above are set out within paragraph 154 of the NPPF, including:
- (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'.*
- 4.2.9 The Framework neither defines nor quantifies 'disproportionate additions' in the Green Belt. Saved Policy CS13 provides a general rule of thumb that there is an overall limit of one third of the gross floor area of the original building in terms of residential extensions within the Green Belt. It is however acknowledged that this is not directly applicable to the proposed development as it does not relate to residential development.
- 4.2.10 The provision of a flag stoned terrace in this location was included within the application for the extension and refurbishment of the adjacent pub. The addition of a low retaining wall, new exterior doors, windows and the installation of

summer awnings is not considered to represent 'disproportionate additions' to the existing farm shop building.

- 4.2.11 Consequently, the proposal is therefore not inappropriate development in the Green Belt.

Landscape impacts and The Kent Downs National Landscape

- 4.2.12 Policy SD2 of the Kent Downs Management Plan also seeks to ensure that the scale and siting of new developments are appropriately designed to reflect the setting of Kent Downs. Policy SD8, states that proposals should not negatively impact the landscape and spatial characteristics and qualities of the Kent Downs.
- 4.2.13 Policy LLC1 of the Management Plan sets out to protect, conserve and enhance the special characteristics and qualities, natural beauty and landscape character of the Kent Downs.
- 4.2.14 The proposed development utilises hardstanding already approved as part of application ref. 20250053 as a terrace for the farm shop rather than for the Lion pub. New doors and windows are proposed in the western elevation of the buildings, and two retractable awnings are proposed for use in summer months.
- 4.2.15 The use of the building as a farm shop is already established. The western elevation of the building sits adjacent to The Lion pub and its pub garden.
- 4.2.16 It is not considered that the proposals in this context will result in any harm to the special character of the Kent Downs National Landscape other than that already experience from the operation of Brookers Farm.

Heritage – setting assessment

- 4.2.17 The site does not lie within or in proximity to a Conservation Area, Scheduled Monument or a World Heritage Site. However, Brookers Farmhouse (a Grade II Listed Building) is located c.50 metres east of the site.
- 4.2.18 The site sits outside of the curtilage of the property but within the wider setting thereof. In accordance with Chapter 16 of the NPPF and the Listed Building and Conservation Area Act 1990, the proposed development must preserve and, where possible, enhance the heritage asset and its setting.
- 4.2.19 Given the above, regard must be had to the following paragraphs of the NPPF when considering the impacts on heritage assets.
- 4.2.20 Paragraph 210 states: "In determining applications, local planning authorities should take account of:

- (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- (c) the desirability of new development making a positive contribution to local character and distinctiveness*

- 4.2.21 **Paragraph 212** states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).
- 4.2.22 **Paragraph 215** states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 4.2.23 An undeveloped parcel of land has existed between Brookers Farmhouse and the site. This area of land is proposed to be used in part as the car park for the Lion pub once it has been refurbished.
- 4.2.24 The Cellar Door building has formed part of the wider setting of the Farmhouse since its grant of planning permission in May 1988 as part of the site's agricultural operations.
- 4.2.25 As set out in the earlier section of this Statement the terrace area was granted permission as part of application 20250053. Given the layout of the Brookers Farm complex and the orientation of the Cellar Door building the terrace is screened from Brookers Farmhouse. Moreover, the terrace design includes retractable awnings, black metal balustrades and materials for the low retaining wall and terrace that complement both the existing site and the planned Lion pub refurbishment. These features ensure the proposal respects the street scene and the wider setting of Brookers Farmhouse.
- 4.2.26 It is not therefore considered that the development proposals would result in harm to Brookers Farmhouse. The proposed development therefore meets the local and national policy tests for heritage assets.

4.3 OTHER MATTERS

Ecology

- 4.3.1 Biodiversity Net Gain (BNG) for development in England became mandatory on 12th February 2024. As a result, developers must deliver a BNG of 10%, ensuring the development will result in more or better-quality natural habitats than existed

before the development. Several development types are exempt from BNG. Development exempt from BNG is set out in the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

- 4.3.2 The location of the terrace already comprises hard standing and thus there is no on-site habitat within the red line, and as discussed below the site is considered to fall under the 'de minimis' exemption.
- 4.3.3 The Biodiversity Gain Requirements (Exemptions) Regulations 2024 states that 'de minimis' exemption applies to development if the following two conditions are met:
- **The development must not impact on any onsite priority habitat** – We consider that there is no priority habitat within (or around) the site that would be impacted by the proposed extension.
 - **If there is an impact on other onsite habitat, that impact must be on less than 25 square metres (e.g. less than a 5m by 5m square) of onsite habitat with a biodiversity value greater than zero and on less than 5 metres of onsite linear habitat (such as a hedgerow)** – The proposed terrace utilises existing hardstanding approved and installed in accordance with planning permission 20250053. We, therefore, consider that there is no habitat within the site that would be impacted by the development. The proposed development therefore affects <25m² of onsite habitat and is BNG exempt on that basis.
- 4.3.4 Given the above, this application has been submitted under the 'de minimis' exemption, with the reasons set out above. We consider that the information provided above is acceptable and sufficient for the Council to agree to without requiring any further information to support this claim.
- 4.3.5 In any event the original application (20250053) which sought approval for the hard standing for the terrace was subject to BNG requirements and will deliver 10% biodiversity net gain.

Flood and Drainage

- 4.3.6 The site lies within Flood Zone 1 and is not at risk of fluvial flooding. As the site is less than 1ha and in Flood Zone 1 no flood risk assessment is required to support the planning application.
- 4.3.7 The proposed development is located over existing hardstanding that has been previously approved. No changes to previously proposed/approved/installed site drainage is required.

Use of the terrace

- 4.3.8 The Cellar Door building and the proposed wine terrace lies adjacent to the Lion pub. The low boundary wall combined with the proposed balustrading fixings that will run the length of the wall form a physical barrier to the Lion pub garden. The proposed gated access at either end of the terrace will ensure that attendees of any wine tasting event or function cannot gain access to the Lion pub. The proposed measures to enclose the terrace will ensure that guests get a high-quality visitor / tasting experience which is still incidental to the viticulture operation of Brookers Farm. The proposed use of the terrace will, therefore, not conflict with the existing use of the Lion pub, which is a separate business and planning use.

Residential amenity and noise

- 4.3.9 The use of the terrace by the wine shop will be limited to the approved opening hours of the farm shop. The terrace sits adjacent to the pub garden where there will already be customers of the pub sitting and using the space during the warmer months. The addition of the outdoor terrace to the shop where customers will be allowed to attend wine tasting and other events is unlikely to materially increase the noise relative to its neighbour i.e. The Lion pub with its much larger garden and outdoor seating space.

5 PLANNING BALANCE AND CONCLUSION

- 5.1.1 Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission are required to be determined in accordance with the provisions of the development plan in force unless material considerations indicate otherwise.
- 5.1.2 This Planning Statement has demonstrated that the proposed development is supported in principle by both local and national planning policies, that it does not constitute inappropriate development in the Green Belt, that it will not harm the special character of the Kent Downs National Landscape or unacceptably harm the setting of Brookers Farmhouse. It is considered that there are no other material considerations that indicate that planning consent should be withheld.
- 5.1.3 In accordance with the paragraph 11 c) of the NPPF Local Planning Authorities should approve development proposals that accord with the development plan without delay and decision-makers at every level should seek to approve applications for sustainable development where possible.
- 5.1.4 For the reasons given above, we respectfully request that the Council give this planning application favourable consideration and grant planning permission for the proposed development, subject to appropriate conditions.