



Delegated Report

Full Planning Application

Planning Application No:	20221258
Location:	Rutherford Stables Hermitage Road Higham Rochester
Description:	Conversion of the livery stable and tack rooms into 2 x four bedroom residential dwellings with associated car parking and bin storage facilities.
Applicant:	Mr Paul Rutherford
Site Visit Date:	Desktop assessment

Submitted Documents/Plans

Application form

Drawing no. 191-EX-00 (Existing Site Plan and Location Plan)

Drawing no. 191-EX-01 (Existing Plans and Elevations)

Drawing no. 191-PD-01 Rev. A (Proposed Plans and Elevations)

Drawing no. 191-PD-00 (Proposed Site Plan)

Intermediate Structural Planning Survey by Freeman Design & Surveying Consultancy Ltd

Preliminary Ecological Appraisal (ref. 2022/03/27 dated 18 April 2022)

Design and Access Statement

Daylight Report

Relevant Planning History

Reference	Description	Decision	Decision Date
20220477	Conversion of the Livery Stable and tack rooms into 2 x four bedroom residential dwellings with associated car parking and bin storage facilities.	Refused	29.06.2022
20171104	Conversion of livery stable and tack rooms into one 4no. bedroom dwelling and one 2no. bedroom self-contained flat with two garages and change of use of land from paddock to residential, including demolition/removal of 3no. detached livery structures.	Refused Dismissed at appeal	22.02.2018 13.12.2018
20160888	Conversion of livery stable and tack rooms into one 4no. bedroom dwelling and one 2no. bedroom self-contained flat with two garages and change of use of land from paddock to residential, including demolition/removal of 3no. detached livery structures.	Refused	21.04.2017
20130186	Application for variation of condition 1 attached to planning permission reference number 20010753 to allow the number of horses and foals kept on the land to be increased from 14 to 19.	Permitted	14.10.2013

20110935	Application for variation of condition 4 attached to planning permission reference number 20050483 for installation of a room at mezzanine floor level to provide a rest room for overnight horse husbandry accommodation; to allow the rest room to be used for no more than two consecutive nights up to a maximum of four nights a week.	Permitted	17.09.2012
20090839	Installation of external fire escape staircase on the southern elevation of the stable block.	Approved	15.12.2009
20071065	Application for the variation of condition 4 of planning permission ref. no. GR/2005/483 relating to the installation of a mezzanine floor level to provide a rest room for overnight horse husbandry accommodation, to allow the continued use of the mezzanine rest room for no more than two consecutive nights up to a maximum of four nights a week	Refused	29.01.2008
20060480	Erection of extension to the northern side of existing stable building to provide an additional 3 stables and hay store and erection of a secure field equipment store.	Approved	04.08.2006
20050483	Installation of a room at mezzanine floor level to provide a rest room for overnight horse husbandry accommodation.	Approved	04.08.2005
20040040	Demolition of existing field shelter and erection of single storey extension to form a tractor shed and two stables; installation of mezzanine floor to provide overnight horse husbandry accommodation and variation of condition (i) attached to planning permission reference number GR/1992/93 to increase the number of horses that are allowed to be kept from 6 to 12.	Split decision: Permitted	12.03.2004
	Installation of mezzanine floor to provide overnight horse husbandry accommodation	Refused	
20020134	Application for the variation of condition (iii) attached to planning permission ref. No. GR/92/93 relating to the continued use of agricultural land and building for stabling, grazing and exercising of horses with a manage area for the training of horses, to allow the stables and manage area to be used for livery purposes.	Permitted, Appealed against condition 4, allowed on appeal 25.06.2003	15.04.2002
20010753	Variation of condition (ii) attached to planning permission reference number GR/96/844 to allow the number of horses and foals kept on the land to be increased from 9 to 14.	Permitted	30.11.2001
19990719	Use of part of the site for the parking of one HGV vehicle incidental to the lawful use of the site for the stabling, grazing and exercising of horses	Certificate Granted	02.12.1999
19960844	Retention of the extension comprising of 3 no. stables attached to the existing barn; removal of condition (ii) of planning permission ref. no. GR/86/113 relating to the existing use of the storage building as 4 no. stables to enable the use of the 7 no. stables for livery purposes and construction of a menage.	Permitted	08.04.1997
19960765	Continued siting of a caravan for residential use.	Refused	24.04.1997

19920093	Continued use of agricultural land and building for stabling, grazing and exercising of horses with a menage area for the training of horses.	Permitted	19.10.1992
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Development Plan

Gravesham Local Plan Core Strategy (2014)

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

Gravesham Local Plan: First Review (1994)

- T1 – Impact of Development on the Highway Network
- P3 – Vehicle Parking Standards.
- C11- Change of Use of Redundant Buildings in the Countryside

Paragraph 33 of the NPPF (2021) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2021), the Council will also seek to replace these.

Policy CS02 of the Core Strategy sets out the Borough's objectively assessed need for housing over the Plan period (up to the year 2028) and finds that there is a need for at least 6,170 new dwellings during the period. Evidence now available shows that the Council is not able to demonstrate a five-year housing supply (a 3.27 year supply has most recently been calculated within the statement published [here](#)), and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Core Strategy Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the NPPF (2021).

This requires that in regard to housing development, planning permission should be granted unless:

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

In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF (2021) at footnote 6 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in NPPF (2021) paragraph 181)
- Sites of Special Scientific Interest;
- Green Belt,
- Local Green Space,
- Areas of Outstanding Natural Beauty
- Irreplaceable habitats;
- Designated heritage assets (& other heritage assets of archaeological interest, see NPPF footnote 63);

and

- Areas at risk of flooding or coastal change.

In determining applications for planning permission involving housing, the Council will therefore apply a weighted balance in favour of granting planning permission in accordance with relevant case law and guidance, having regard to the acceptability or otherwise of the proposals when evaluated against development plan policy, the need to make efficient use of land (paragraph 125(c)) in context, the relative contribution the proposal makes towards the alleviation of any shortfall in housing delivery at that time and any other considerations material to the proposed development.

As part of this balancing exercise, it should be noted that paragraphs 130 and 134 of the NPPF (2021) requires development to add to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers.

Notwithstanding the Council's shortages in housing delivery and the consequent weight to be given in favour of the proposed development it is necessary to assess the proposals against the policies in the National Planning Policy Framework and established local planning policy taken as a whole.

National Planning Policy Framework (2021)

- 2 – Achieving sustainable development
- 5 – Delivering a sufficient supply of homes
- 9 – Promoting sustainable transport
- 11 – Making effective use of land
- 12 – Achieving well-designed places
- 13 – Protecting Green Belt land
- 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

- SPG2 – Residential Layout Guidelines (2020)
- SPG4 – KCC Parking Standards (2006)
- Technical Housing Standards – Nationally Described Space Standards (March 2015)
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

External Consultees

Environment Agency

We have no comments to make on this planning application as it falls outside our remit as a statutory planning consultee.

KCC Biodiversity

Sufficient ecological information has been provided. A lighting design plan for biodiversity should be conditioned and a breeding birds informative should be added. In addition, to maximise biodiversity value on-site and safeguard the biodiversity within the surrounding countryside, all landscaping should consist of native species only, and a condition is recommended.

KCC Highways

Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our

consideration.

KCC Heritage

No comments.

Natural England

No objection subject to securing appropriate mitigation.

Higham Parish Council

The committee unanimously agreed to make an objection to the above planning application as it would have a detrimental effect on the area. It lies in the Green Belt within which inappropriate development should not be approved except in very special circumstances which we the Parish Council believe does not apply to this application under the National Planning Policy Framework rev20/07/2021. The members of the committee also felt concerned that the closure of the Livery Stables would affect other businesses in Higham as footfall could drop when current horse owners would have to find alternative yards outside of the village. Furthermore the Parish Council are aware of three previous applications to turn the stables into dwellings and feel the same reasons for objections apply to this application.

Dickens Country Protection Society

The Society would wish to raise an objection on the grounds that the site is in the open countryside outside the confines of any established settlement in an area where Green Belt policies apply, where new residential development would not normally be permitted. No very special circumstances have been put forward to warrant overriding Green Belt policy.

The building is visually intrusive in the open countryside and its use

Internal Consultees

GBC Highways

Given the distance of the stables from the public highway, the following should be provided.

1. On site turning for a fire engine, tanker for emptying the cesspit(s) and any other vehicle liable to visit the site (such as a removal lorry), as otherwise reversing distances would be excessive.
2. Refuse collection point should be provided adjacent to the highway.
3. Given the distance from the highway there should be adequate provision for visitor parking
4. Foul water drainage needs to be conditioned, to ensure that a suitable system can be provided.

It should be noted that a Septic Tank is shown on drawing 191-PD-00, but it is in a position that does not comply with Building Regulations.

As presented, I consider the proposal to be inadequate and without additional information should be refused for the reasons listed above.

GBC Waste

The proposed properties are down a private land, so the wheelie bins will have to be brought to the junction of Hermitage Lane for collection each week.

Sufficient space should be allocated to allow space for storage and presentation for:

Refuse - 1 x 180ltr bin grey body and lid

Recycling - 1 x 240ltr bin grey body and green lid

Food Waste – 1 x 23ltr bin black body and orange lid with an individual 5ltr caddy per property

The Council offers an 'opt-in' garden waste service collected via a 240ltr, 140ltr bin or paper sack. The take up of the service is extremely high therefore space should also be allocated to accommodate an additional bin.

Gravesham Borough Council operates a fortnightly collection of refuse and recycling and a weekly collection of food waste.

Neighbouring properties

The application has been advertised by individual neighbour letters to 16 properties, and on site. The consultation periods expired on 20 and 30 December 2022 respectively.

Seven letters of objection have been received, with the following comments:

- The existing users of the stables would be let down and would lose their livelihood, together with local businesses losing customers such as country stores, farriers, equine dentists, veterinary practices and farms. Two people work at the stables and would lose their jobs.
- The location is perfect for livery with good connections with neighbouring yards.
- The loss of the livery would force users to go further afield and would result in stress to both users and horses that have been there for so long.
- There is much wildlife on and around the site that would be lost.
- The development would set a precedent for other similar developments in the area in the Green Belt.
- Access is difficult for deliveries and collections due to the long unmade shared access track.
- Development would be visually harmful to the area.

Local Ward Councillors were also consulted and no responses were received.

Officer's Analysis

Background

The site is located within the countryside, the Green Belt and the Higham Arable Farmlands Character area.

As shown in the Planning History above, there has been extensive planning history in relation to the residential development of the site, with planning applications going back to 2016 seeking permission for the conversion of the livery stables into residential accommodation. Most recently, application 20220477 was refused on the following grounds:

1. *The application site lies within the locally designated Higham Arable Farmlands Character Area, where local and national planning policy and guidance expect developments to conserve, restore and enhance the natural landscape. However, the proposed development would be harmful to the landscape character when compared to the existing equestrian use by reason of the domestication of the site that will result from the large amount of windows creating light pollution, excessively large residential garden, on site car parking areas, associated hard and soft landscaping, and other domestic paraphernalia. The development is therefore contrary to the requirements of Section 15 of the National Planning Policy Framework 2021 and Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014, and the Gravesham Landscape Character Assessment (2009).*
2. *Due to the internal layout of the rooms and the lack of windows servicing habitable spaces, the proposed development would contribute to a poor layout of the site and harms the living environments of future occupants of both unit 1 and 2. The proposal would therefore fail to provide a high standard of amenity for future users, which would conflict with the requirements of Policy CS19 of the Gravesham*

Local Plan Core Strategy 2014 and paragraph 130 of the National Planning Policy Framework 2021.

3. *The proposal fails to secure a contribution towards strategic mitigation measures within Special Protection Areas, and in the absence of this contribution or adequate information to inform an Appropriate Assessment, the development fails to comply with the requirements of the Habitat Regulations and Section 14 (specifically paragraphs 180 and 181) of the National Planning Policy Framework 2021 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.*

This application has been submitted with various revisions in an attempt to overcome these grounds.

Proposal

The existing building is a steel portal framed agricultural style shed. It is clad with single skin metal profile sheet on a masonry substructure with fibre cement sheeting to the roof. It has a large mezzanine 1st floor section for additional storage. The building is approximately 25.5m long by 15.6m wide by 7.2m to the ridge and 5.5m to the eaves.

This proposal seeks permission for the conversion of the livery stable and tack rooms into 2 four bedroom residential dwellings with associated car parking and bin storage facilities.

Unit 1 will have a kitchen/living/dining room, utility, master bedroom with ensuite and WC on the ground floor, and 3 further bedrooms (one with an ensuite) and a bathroom on the first floor. Unit 2 will be similar, but with a larger ground floor space will also have an office.

4 car parking spaces are proposed to the front (south-west) of the building. Hard and soft landscaping is proposed around the building, with 1.2m high post and rail fencing around the site boundary, and 1m high native hedging dividing the plots.

Extract from current Proposed Site Plan



As a comparison, the previously refused proposed site plan is as follows:

Extract from 20220477 Proposed Site Plan



The current scheme proposes less hardstanding and more planting and soft landscaping within the application site.

Main Considerations

The starting point in the determination of this application are the previous applications and grounds of refusal.

In the previously dismissed appeal relating to application 20171104, the Inspector concluded that as a result of the fact that the proposal involved the re-use of a building of permanent and substantial construction (and concluded this in the absence of any convincing evidence otherwise), that it would result in a modest positive impact on the openness of the area and that there would be no conflict with the purposes of including the land within the Green Belt, the proposal would not constitute inappropriate development in the Green Belt, and would therefore be consistent with Policy CS02 of the Core Strategy 2014 and paragraph 146 of the NPPF 2019 (now paragraph 150 of the NPPF 2021).

This situation has not altered, and the current proposal is therefore considered to be an appropriate development in the Green Belt.

Therefore, the main issues in the determination of this application are as follows:

- Landscape character
- Amenity for future users
- SAMMS

Design, Character and Appearance

Paragraph 130 of the NPPF 2021 seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 of the Core Strategy 2014 reflects these aims and requires that new development is well-designed and respects the character and appearance of the surrounding area.

The application site is also located in the Higham Arable Farm Landscape Character Area and as such, Policy CS12 of the Core Strategy 2014 is also relevant. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the Gravesham Landscape Character Assessment (LCA) will be taken into account in determining applications. The LCA states the area is defined by gently undulating topography with open arable farmland, hamlets and settlements, isolated farmsteads and scattered properties with locally distinct styles and materials that contribute to the rural character of the area. The condition of the landscape is generally poor, its sensitivity moderate. The guidelines for the area focus on restoring landscape elements in poor condition, whilst safeguarding it as a prominent landscape feature within the wider landscape.

In the 20171104 appeal, the Inspector remarked that the existing building is of an unexceptional, functional appearance, not out of place in a rural area. It does not make a positive contribution to the area but nor does it detract from it either, and there is no necessity for its visual improvement through conversion to residential use.

Under that application, with the introduction of new window and door openings, a new roof and cladding, and the extension to the residential curtilage and parking area, the Inspector commented:

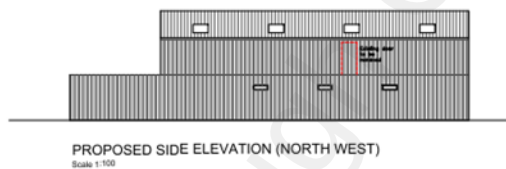
'The proposal would noticeably change the character of the building from a livery stable structure to a residential building. The converted building... would bear no relationship to the existing building other than occupying the same footprint and being the same shape. The resulting building would not appear as traditional rural Kent vernacular, but as an unusual shaped residential conversion, albeit clad in quality materials with modern fenestrations. The proposed boundary treatment and the reduction in the hardstanding area around the building and site generally would not sufficiently mitigate this appearance.'

These shortcomings would be exacerbated by the proposal's position where it would be visible from a number of public vantage points along Hermitage Road across the open gently sloping countryside and the proposed residential curtilage and the new garden area to the north east of the building. This area is currently open grassland with post and rail fencing, but there are open views to and from the countryside to the north, south and east... a landscaped garden area with inevitable signs of domestic occupation such as patios, garden furniture, clothes drying and play equipment would introduce a domestic formality into the countryside location that would significantly harm the rural character of the area.'

...the proposed development would be unrepresentative of the overall character of the other traditional timber clad buildings in the area and does not justify such an inappropriate residential development in this location. The proposal, with its extensive fenestrations to front, rear and side, would also introduce lighting into the area at night where at present there is none. This would add further to the incongruity of the use against the rural appearance of the surrounding fields and countryside.'

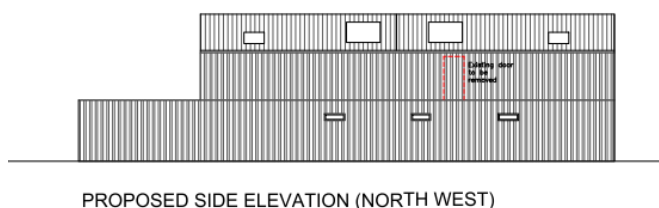
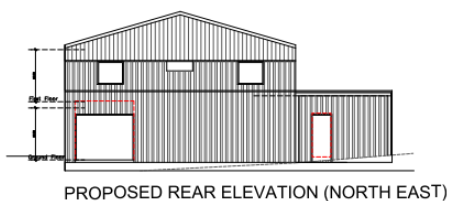
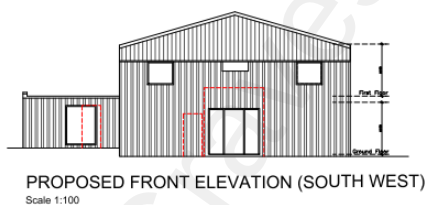
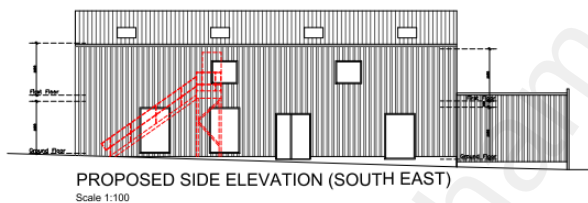
Under the subsequent proposal 20220477 various revisions were made to the scheme to overcome some of the concerns raised by the Inspector, which included the retention of all existing external cladding and roof coverings, reducing and re-using window and door openings and restricting the garden spaces, as well as internal layout changes.

20220477 Proposed Elevations



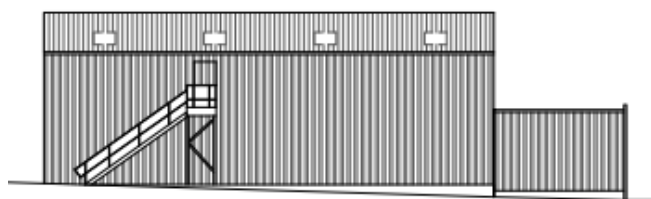
The current elevations have been further amended largely by increasing the size of some of the rooflights including on the single storey element of the building to accord with daylight/sunlight recommendations.

Current Proposed Elevations



It is also helpful to compare the proposed elevations against what is existing:

Existing Elevations



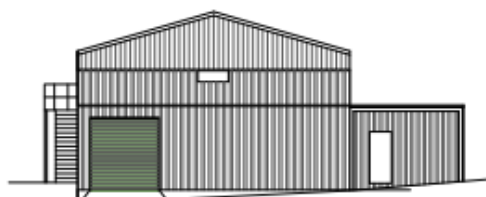
EXISTING SIDE ELEVATION (SOUTH EAST)

Scale 1:100

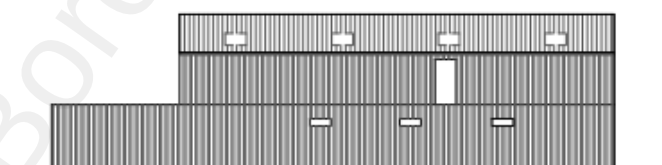


EXISTING FRONT ELEVATION (SOUTH WEST)

scale 1:100



EXISTING REAR ELEVATION (NORTH EAST)



EXISTING SIDE ELEVATION (NORTH WEST)

As before, it is acknowledged that the scale and amount of the windows/doors have been reduced compared to previous proposals, and on some of the elevations there is not such a significant difference between what is existing and proposed. However, the entirety of the Inspector's concerns, and indeed of the subsequent application 20220473, are still not considered to have been overcome. Of particular issue is the position of the building, which is visible from a number of public vantage points along Hermitage Road across the open gently sloping countryside.



The Inspector noted:

‘...Curtilage buildings could be controlled by condition, but a landscaped garden area with inevitable signs of domestic occupation such as patios, garden furniture, clothes drying and play equipment would introduce domestic formality into this countryside location that would detract from the visual quality and would significantly harm the rural character of the area.’

The proposed additional planting is not considered to address this matter; its formality and demarcation around the building would further identify the site as residential and would not typically be found around such buildings in the countryside. As raised above, the Inspector previously stated that boundary treatment and the reduction in the hardstanding area around the building and site generally would not sufficiently mitigate the more residential appearance of the building.



There remains an excessive number of openings on the proposed south-east elevation in particular (including larger rooflights), which was raised as issue under the 20171104 appeal, and it would introduce lighting into the area at night where at present there is none. In line with the Inspector's comments, this is considered to add to the incongruity of the residential use against the rural nature of the area. On this basis, the concerns raised under the first refusal ground on application 20220473 as well as the previous appeal, are not considered to have been overcome.

Overall, as a result of the amount of planting, landscaping, boundary treatment, fenestration and resultant lighting proposed, the proposal would result in significant harm to the character and appearance of the site and surrounding area including the Higham Arable Farmlands Landscape Character Area. This would fail to conserve and enhance the local natural environment and landscape character and is contrary to the requirements of Policies CS12 and CS19 of the Core Strategy 2014 and paragraphs 130 and 174 of the NPPF 2021.

Residential Amenity

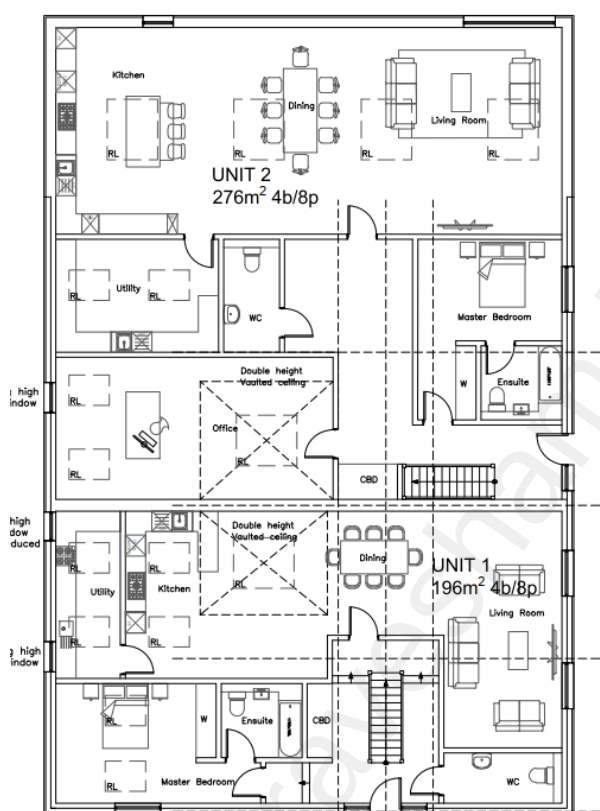
The NPPF 2021 states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 130f). The impact on amenity is also considered with regard to the criteria within Policy CS19 of the Core Strategy 2014, which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those of neighbouring properties and land.

Future Occupiers

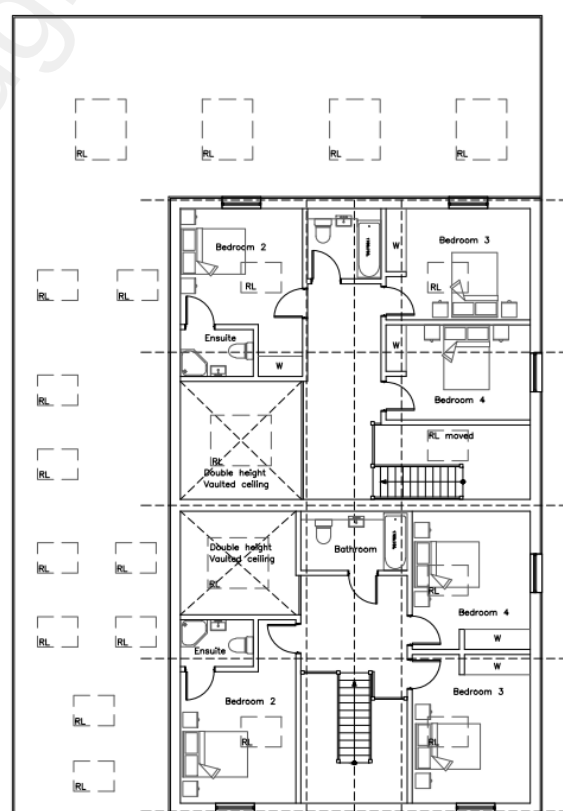
The previous refusal ground under application 20220474 related to the poor internal layout and lack of windows failing to provide a high standard of amenity for future occupiers.

The current application has addressed this with the submission of a Daylight Report. As a result of the analysis, some of the proposed rooflights have been enlarged on the north-west facing roof slope and on the flat roof over the single storey element of the building. The report concludes that there should be sufficient daylight reaching the proposed dwellings to provide adequate daylight with good daylight distribution.

It is still considered the internal layout for some of the spaces such as the kitchen/dining areas and office would result in a poor outlook with small or no windows but in terms of the main habitable rooms (bedrooms, living rooms) there would be sufficient windows giving satisfactory levels of light.



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

Of further concern, however, is the lack of sufficient garden space for the size of the units. Whilst the floorspaces of the units are acceptable at over the NDSS 2015 minimum gross internal floor area of 125sqm for a 4 bedroom, 8 person, 2 storey dwelling (at 221 and 300sqm), the garden area for unit 1 in particular is unsatisfactory. It is below the minimum standard of 100sqm for 4 bedroom properties as set out in the Council's SPG2 Residential Layout Guidelines 2020 at only 66sqm, and the depth of the space is below 10m. The depth of the garden of unit 2 is also below 10m but this is compensated for by a larger space overall at approximately 180sqm. The below standard garden space for unit 1 is not acceptable for the size of unit proposed, particularly in an area where larger gardens are typical, and would result in unacceptable and cramped amenity space for the future occupiers of the property, with an inadequate

provision for storage, leisure use, clothes drying and play space.

There is therefore a clear conflict with the requirements of the SPG2 Residential Layout Guidelines (2020), Policy CS19 of the Core Strategy 2014 and paragraph 130 of the NPPF 2021 in respect of the failure to provide a high standard of amenity and living conditions for future occupants, and the application should be refused on this basis.

Any Other Material Planning Considerations

Thames Estuary and Marshes Ramsar / Special Protection Area (SPA) – SAMMS Tariff:

As the application site is within 6km of the Thames Estuary and Marshes SPA/Ramsar Sites and would provide additional residential accommodation, the proposed development is likely to have a significant effect, either alone or in-combination, on the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites from recreational disturbance on the over-wintering bird interest. On this basis a tariff of £551.76 is required (given there would be two dwellings proposed on the site).

This tariff was not requested due to the recommendation for the application, and the applicant has therefore not paid this tariff. Without an agreement in place to secure this contribution or any evidence to inform an appropriate assessment, the Local Planning Authority cannot be satisfied that the proposal would put in place adequate measures to mitigate potential significant adverse effects on the Thames Estuary and Marshes SPA/Ramsar Sites, which is contrary paragraphs 174 and 180 of the NPPF 2021 and Policy CS12 of the Core Strategy 2014.

Biodiversity

Policy CS12 of the Core Strategy 2014 seeks to maintain important landscape features for their aesthetic and ecological benefits. This policy also states that there will be no net loss of biodiversity and that the overall landscape character of the Borough will be conserved, restored and enhanced. The Gravesham Landscape Character Assessment (LCA) 2009 will be taken into account in determining applications.

A Preliminary Ecological Appraisal (PEA) has been submitted which KCC Biodiversity has deemed to be sufficient. To mitigate against potential adverse effects on biodiversity, sensitive lighting design should be secured by condition, as well as details of how the development will enhance biodiversity.

Archaeology

The site lies within an area of archaeological potential. However, it is considered unlikely that the proposals would have a significant below-ground archaeological impact. The proposal therefore complies with Policy CS20 of the Core Strategy 2014 and paragraph 197 of the NPPF 2021.

Conclusion and Recommendation

The proposed development has sought to address the concerns raised under the previously refused application and the Inspectors reasons at appeal. However, whilst it is recognised that the proposal would provide a small contribution towards increasing housing numbers in the area, the adverse effects of granting planning permission in this instance would significantly and demonstrably outweigh this benefit. On this basis, the application is unacceptable for the following reasons:

1. The proposal will result in the inevitable domestication of the site due to the amount of planting, landscaping, boundary treatment, fenestration and lighting related to the proposed residential use, which would detract from the visual quality of the area and significantly harm the character and appearance of the site and surrounding area including the Higham Arable Farmlands Landscape Character Area. This would fail to conserve and enhance the local natural environment and landscape character and conflict with the requirements of Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraphs 130 and 174 of the National Planning Policy Framework 2021.

2. The proposal will result in an unacceptable and cramped amenity space for future occupiers and would therefore fail to provide a high standard of amenity for future users, which would conflict with the requirements of the SPG2 Residential Layout Guidelines (2020), Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraph 130 of the National Planning Policy Framework 2021.
3. The proposal fails to secure a contribution towards strategic mitigation measures within the Thames Estuary and Marshes SPA/Ramsar Sites to resolve disturbance issues to wintering birds, and in the absence of this contribution or any evidence to inform an appropriate assessment, the development fails to comply with the requirements of the Habitat Regulations and paragraphs 174 and 180 of the National Planning Policy Framework 2021 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

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

Case Officer:	Mrs Katherine Parkin	Team Leader:	Miss Faye Hobbs
Signed:	<i>K. Parkin</i>	Signed:	
Dated:	19 January 2023	Dated:	23 January 2023