

## Background & Planning History

This site, along with adjacent plot/s to the west, has been the subject of multiple enforcement actions over the years, including a **High Court Injunction issued in July 2009**, which prohibits the use of the site as a whole for residential purposes.

Whilst ownership of this specific plot may have changed, it is imperative that this application is not assessed in isolation. The extensive and protracted planning history of the wider site, including ongoing breaches of planning control, should be a material consideration.

The Parish Council shares the deep frustrations of local residents, who have endured more than two decades of repeated planning applications, appeals, enforcement failures, and flagrant disregard for the injunction. This latest application represents yet another attempt to 'play' and exploit the planning process, and we urge the Council to take decisive action to prevent further erosion of Green Belt protections.

## High Court Injunction

The High Court Injunction (2009) remains in place, prohibiting residential use of this land. Given this:

- All other planning considerations should be secondary. The injunction should be enforced without delay.
- We also urge Gravesham Borough Council to take urgent enforcement action against both this site and the neighbouring plots with outstanding breaches.

## Green Belt & Policy Considerations

The new National Planning Policy Framework (NPPF, December 2024) and associated Planning Policy for Traveller sites remains clear that development in the Green Belt is inappropriate unless "very special circumstances" exist. As outlined below, we firmly believe that no such special circumstances apply to this case.

The NPPF states that:

*"Development in the Green Belt is inappropriate unless one of the following exceptions applies:  
– Limited infilling or the partial or complete redevelopment of previously developed land... which would not cause substantial harm to the openness of the Green Belt."*

This proposal fails to meet these criteria:

- **Not Limited Infilling:** The site is not a "relatively small gap between existing buildings" but rather an undeveloped, open parcel of land.
- **Harm to Openness:** The mobile home, caravan, and 'day room' are all clearly visible from the road and surrounding areas, causing substantial harm to the openness of the Green Belt. This visual impact has been exacerbated by extensive tree removal, which has increased the visibility of the development from multiple vantage points.
- **Light Pollution & Environmental Damage:** The site generates significant light pollution, impacting local wildlife and further altering the rural character of the area.



Additionally, the NPPF states:

*"Development in the Green Belt should not be regarded as inappropriate where it would utilise grey belt land and would not fundamentally undermine the purposes of the remaining Green Belt."*

This land can in no way be considered "grey belt":

- It is **open countryside and designated Green Belt**.
- It lies within the **North Downs Special Landscape Area**.
- It is **Grade 2 agricultural land**.
- It is a **strongly performing Green Belt site**, fulfilling the key purposes of the Green Belt: Preventing urban sprawl; Stopping neighbouring towns from merging; Protecting the countryside from encroachment. The NPPF remains clear in its aims of safeguarding these key purposes of the Green Belt.

### **Environmental Harm**

This application is retrospective, following the unauthorised arrival of a mobile home in December 2024. This led to the destruction and complete devastation of trees and hedgerows along White Post Lane and surrounding country lanes. The environmental damage caused is irreversible.

Destruction of Mature Trees & Hedgerows:

- A huge number of mature trees were unlawfully felled, without any prior assessment or permission.
- The felling occurred at night, under the cover of darkness, following a full day of disruption when the mobile home was brought onto the site, blocking country lanes.
- Elderly residents were devastated by the loss of trees that had stood for generations.
- Separate complaints have been made, with investigations continuing, to the Police, Kent County Council and the Forestry Commission.





#### **Failure to Complete Biodiversity Assessment:**

- The applicant has failed to submit a Biodiversity Net Gain (BNG) assessment, despite the proposal exceeding 25m<sup>2</sup>.
- Considering the severe ecological impact of this development, the lack of a biodiversity assessment is unacceptable.
- We question how this application was validated in the absence of this.

#### **Conclusion**

This application represents yet another attempt to circumvent planning laws and exploit the planning/enforcement process.

- The whole site's long history of planning breaches must be a key material consideration.
- The destruction of mature trees, biodiversity loss, and significant harm to the Green Belt make this proposal completely unacceptable.
- The High Court Injunction remains valid and should be enforced immediately.

We implore Gravesham Borough Council to:

- Refuse this application.
- Take decisive enforcement action against unauthorised developments.
- Invoke the existing High Court Injunction without further delay.

This situation has persisted for too long—we ask the Council to act swiftly to restore confidence in the planning process and protect the Green Belt from further degradation.