

Delegated Report

Planning Application

Planning Application No: 20240910

Location: Land At Stoney Wood Wrotham Road South Street Meopham

Description: Application for the change of use of land from agricultural to C3 dwellinghouse, proposal to convert the existing agricultural barn into a single self build dwelling with associated hard and soft landscaping.

Applicant: Mr Tye

Site Visit Date: 13.02.25

Preliminary Matters

Upon first review of the application, it was noted that the application was invalid for reasons including the red line boundary. Given the changes to the National Planning Policy Framework (NPPF) (2024), which came into effect in December 2024, the agent was also given the opportunity to make alterations or provide a statement in response to these changes. However, no statement was provided.

In addition to the above, amendment to the NPPF (2024) came into effect in February 2025. Given that there was no response to the December 2024 changes, a statement in response to the changes was not requested.

Submitted Documents/Plans

Application Form;
Supplementary Documents – Design and Access Statement;
Drawing No. 2421 E-001B – OS Plan;
Drawing No. 2421 E-002B – Block Plan – Existing;
Drawing No. 2421 E-005A – Site Layout Plan – Existing;
Drawing No. 2421 E-010 – Floor Plans and Elevations – Existing;
Drawing No. 2421 P-100B – Change of Use Block Plan – Proposed;
Drawing No. 2421 P-105C – Block Plan – Proposed;
Drawing No. 2421 P-110B – Site Layout Plan – Proposed;
Drawing No. 2421 P-120 – Floor Plans and Elevations – Proposed;
Drawing No. 2421 P-130A – Section AA and BB – Proposed; and
Drawing No. 2421 P-140 – Bin Storage Plan.

Plan Notes

The agent was asked to provide a covering letter regarding the current use of the site. An email was provided from the applicant, which is summarised below:

- Since purchasing the farm in 2008, it has been used predominantly for the ownership and care of 2/3 horses at a time.
- It has also been used for the storage and use of agricultural machinery for maintaining the land and caring for the horses.

- There has been security issues; hence the container sited on site.
- The barn had been used previously for keeping hay and straw, it has never been secure enough for storage.

In addition, a self-build form has been completed as part of the application process. The form states the project would be self-build, and it is confirmed that the inclusion of a condition and/or section 106 agreement clause confirming the development is for/includes custom and self-build housing would be agreeable, were planning permission to be forthcoming. This shall be expanded upon in the biodiversity section of this report, below.

The design and access statement makes reference to the pre-application enquiry throughout. It should be noted, that the information provided during the pre-application enquiry stage was very limited and as such, it was not possible to assess the proposal fully. In addition, it should be noted that the proposed development within this application is different to the pre-application proposal, and there have been changes to the NPPF (2024) since the pre-application advice was given.

Relevant Planning History

Reference	Description	Decision	Decision Date
20120981	Retention of the storage container for secure storage of agricultural machinery, equipment and hand implements.	Permitted	07.02.2013

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 - Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on the Highway Network

Paragraph 34 of the NPPF (2024) 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 (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 5 - Delivering a sufficient supply of homes
- Section 9 – Promoting Sustainable Transport

- Section 11 – Making Effective Use of Land
- Section 12 – Achieving Well-Designed Places
- Section 13 - Protecting Green Belt Land
- Section 15 - Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- SPG 2 – Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- Technical Housing Standards – Nationally Described Space Standard (2015)
- SPG 4 – KCC Parking Standards (2006)
- Gravesham Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Consultees

Local Ward Councillors

No comments received.

Meopham Parish Council

We would recommend refusal on the grounds that this would constitute inappropriate development in the green belt as the agricultural barn would require demolishing as what remains of the building could not be converted and a dwelling would contribute to the erosion of the rural character of the Meopham Downs.

GBC Environmental Protection

There is no objection to this application but as the land has been in agricultural/storage use and is being converted to residential, a contaminated land assessment will be needed.

To address this and other matters, the following are recommended:

Contaminated Land

No development approved by this permission shall be commenced prior to a contaminated land assessment (in accordance with the Environment Agency's Land Contamination Risk Management (LCRM) guidance) and if necessary an associated remedial strategy, together with a timetable of works, being submitted to the Local Planning Authority for approval.

- a) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the Local Planning Authority prior to investigations commencing on site.
- b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
- c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any

controlled waters.

d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance). If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.

e) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

f) Where applicable, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over an agreed period of time, and the provision of reports on the same, must be prepared and approved in writing by the local planning authority.

Following completion of the measures identified in that scheme, and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the local planning authority.

Lighting

Artificial lighting can cause a statutory nuisance under the Environmental Protection Act 1990. It is important that the applicants are not permitted to install external lighting that illuminate anything other than the ground within the curtilage of the new properties in order to assist in preventing a nuisance from occurring (which would be most likely if the bedrooms on neighbouring properties are illuminated).

Drainage/sewerage informative

The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable. If foul sewage is to be removed using non-mains sewerage systems, a sewage treatment plant or septic tank system will be considered in preference to a cesspool. Such a system may require the prior consent of the Environment Agency under the terms of the Water Resources Act 1991. Applicants are therefore advised to discuss their requirements with the Environment Agency at the earliest opportunity. It should be ensured that the septic tank or cesspool is of adequate capacity to serve the proposed development and suitable access and hardstanding area shall be maintained to it on site.

GBC Waste

No comments received.

KCC Flood and Water Management

Thank you for your consultation on the above referenced planning application.

As Lead Local Flood Authority, Kent County Council are required to provide technical advice and guidance on the surface water drainage strategies, designs and maintenance arrangement put forward by developers to any new major development.

According to the Town and Country Planning (Development Management Procedure) (England) Order 2010, major development is defined in planning as any development involving any one or more of the following:

a) The winning and working of minerals or the use of land for mineral-working deposits;

- b) Waste development;
- c) The provision of dwelling houses where:
 - i. The number of dwelling houses to be provided is ten or more; or
 - ii. The development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c) (i);
- d) The provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- e) Development carried out on a site having an area of one hectare or more.

The application under the above reference number therefore falls outside the definition of major development and also falls outside of KCC's remit as statutory consultee.

Notwithstanding the above, please feel free to contact us again if you consider there to be local flood risk issues on this site that may require further consideration.

KCC Biodiversity

No ecological information has been submitted with this application. As a result of reviewing the data we have available to us, and the information submitted with the planning application, we advise that further information is sought from the applicant with regards to the potential for ecological impacts to arise.

It is noted that proposals are relatively small in scale with the conversion of a barn to a dwelling a small area of field being converted in to a garden. However from the limited information provided, it has not been possible to fully assess the likelihood of any constraints relating to ecology. In particular the likelihood of barn owls roosting in the building and the potential for protected/notable species within the garden area or access road.

To establish the potential for protected species presence, that must be taken account of in the planning decision, in the first instance, high quality, labelled, internal and external photos of the building and photos of the land within the wider redline boundary. These can then be reviewed by Kent County Council Ecological Advice Service (KCC EAS). These photographs may satisfy KCC EAS that no ecological surveys are necessary at the site. However, where photographs are inconclusive, or indicate possible features suitable for protected species, a simple Ecological Impact Assessment (EclA) may need to be undertaken by a suitably qualified ecologist¹, in accordance with good practice guidelines. Any EclA would need to include the following:

- Details of the impacts of development proposals on the ecological baseline established via a Preliminary Ecological Appraisal (PEA)
- Details of any additional surveys undertaken following the PEA;
- Details of any appropriate and achievable ecological mitigation measures;
- Identification of any residual ecological effects after avoidance and mitigation measures have been considered, and any compensation measures required to offset residual effects;
- Details of ecological enhancement measures; and
- Provision of sufficient information to determine whether the project accords with relevant nature conservation policies and legislation.

The above is in line with paragraph 99 of the Office of the Deputy Prime Minister (ODPM) Circular 06/20052 which states *"it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision"*.

The above is also in line with the National Planning Policy Framework (NPPF) 2024 and the Natural Environment and Rural Communities Act (NERC) Act 2006. Under section 40 of the NERC Act 2006 and paragraphs 187 and 193 of the NPPF 2024, biodiversity should be maintained and enhanced through the planning system. Enhancement refers to providing net benefits for biodiversity over and above requirements for avoidance, mitigation and compensation.

Environment Agency

Thank you for consulting us on the above application.

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

Please refer to the attached 'When to consult the Environment Agency' document for guidance on when to consult us.

Non planning consents

Although we have no comments on this planning application, the applicant may be required to apply for other consents directly from us. The term 'consent' covers consents, permissions or licenses for different activities (such as water abstraction or discharging to a stream), and we have a regulatory role in issuing and monitoring them.

The applicant should contact 03708 506 506 or consult our website (<https://www.gov.uk/guidance/check-if-you-need-an-environmental-permit>) to establish whether a consent will be required.

In addition, although they were not consulted on the application, the Dickens Country Protection Society had the following comments to make:

Dickens Country Protection Society

The Society would wish to object to the application on the grounds that the site is in an area within which Green Belt Policies apply. The proposal would, if permitted, result in a new dwelling in the Green Belt contrary to Green Belt Policy. No very special circumstances have been put forward to warrant overriding Green Belt Policy.

In the Society's view the building is of an insubstantial nature not suitable for conversion. The Society notes this site is deep in the countryside. The Society does not consider the conditions of Part 3 Class Q of the General Permitted Development Order as amended, are met.

Neighbouring properties

Five surrounding properties were consulted, a site notice was displayed on 13.02.2025 and no representations were received. The overall consultation period expired on 07.03.2025.

Site Description and Context

The application site shall be referred to as 'Land at Stoney Wood' within this report.

The Land at Stoney Wood is in the rural area, within the Green Belt boundary, located west of the highway

The information provided as part of the application states; the land at Stoney Wood is used as a paddock for the ownership and care of horses and for the storage and use of agricultural machinery for maintaining the land and caring for the horses. On site there is a paddock, an existing stable block, barn, various small structures/outbuildings, storage container, and various machinery, amongst other things.

Site photos:

Access from the highway 	
	Track in current use 
	
	



The track currently in use runs along the southern end of the site. On a previous site visit, the track in use ran along the northern side of the site:

Google Image indicating previous track/layout



(Google Image)



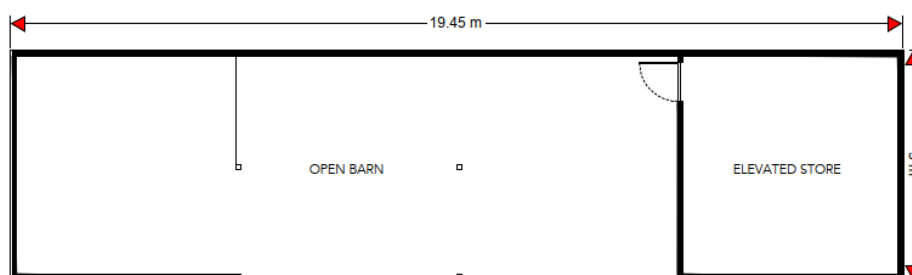
Proposed Development

This application is for the change of use of land from agricultural to C3 dwellinghouse, proposal to convert the existing agricultural barn into a single self-build dwelling with associated hard and soft landscaping. The proposal includes:

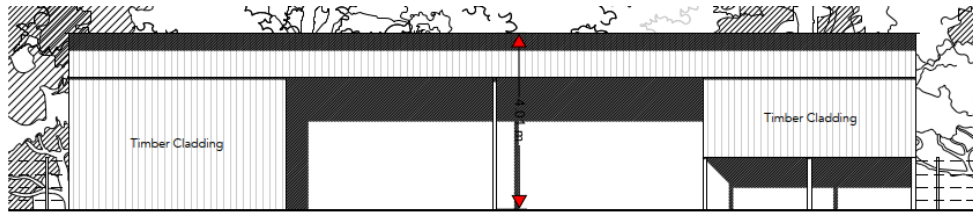
- (Part) Change of Use of the land.
 - Conversion of the barn to a dwellinghouse.
 - Construction of a new permeable paved patio area.
 - Relocation of cabin and storage container (added approx. 2013) to a more discreet location onsite.
 - (Although not necessarily a planning matter, the relocation of the farm vehicles and equipment, which would be moved next to the relocated cabin and storage container).
 - Erection of a new timber bin store, close to the road.
 - Retention of existing track, and extended to form a gravel driveway and turning head for the dwelling- to provide two spaces.
 - Removal of wood store and small shed.
 - No changes to existing boundary treatments.
 - Hedgerow of mixed species to be retained.
 - The plans indicate some land level changes, a brick course and alteration to the pitch of the roof.
- The proposed plans also indicate the depth of the dwelling would be slightly smaller than the barn.

Dimensions are included on the plans below (the Local Planning Authority measurements are indicated in red and black)

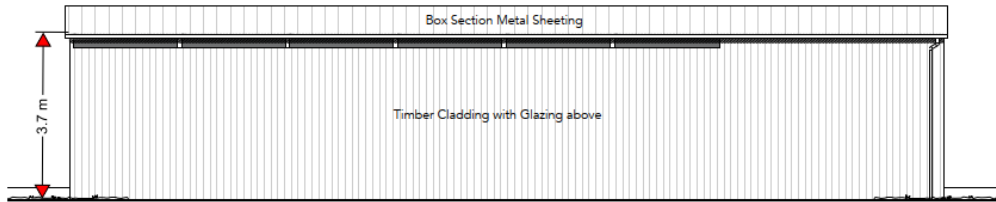
Existing



01 | 1:100 | GROUND FLOOR

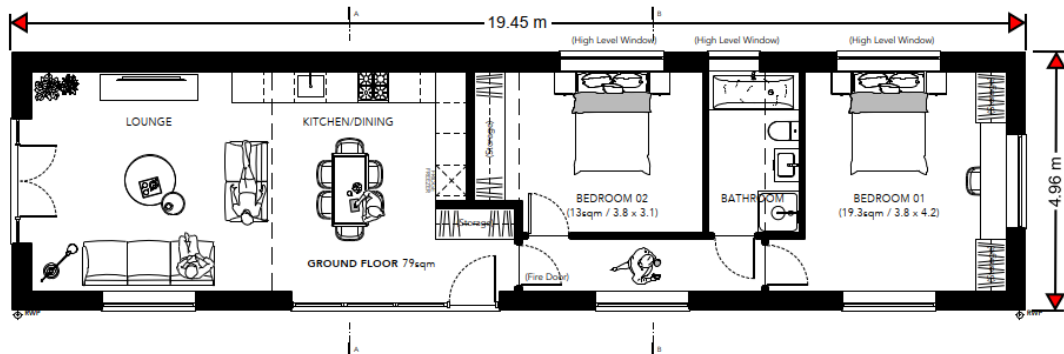


02 | 1:100 | FRONT ELEVATION

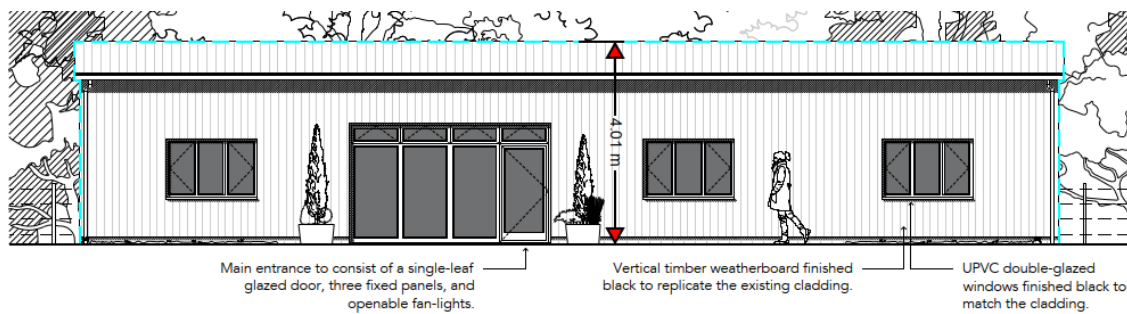


04 | 1:100 | REAR ELEVATION

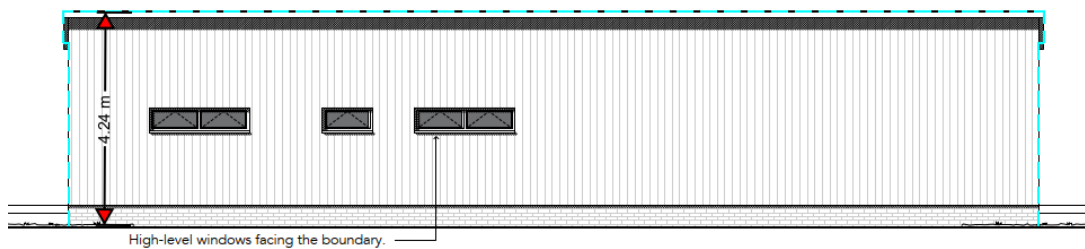
Proposed



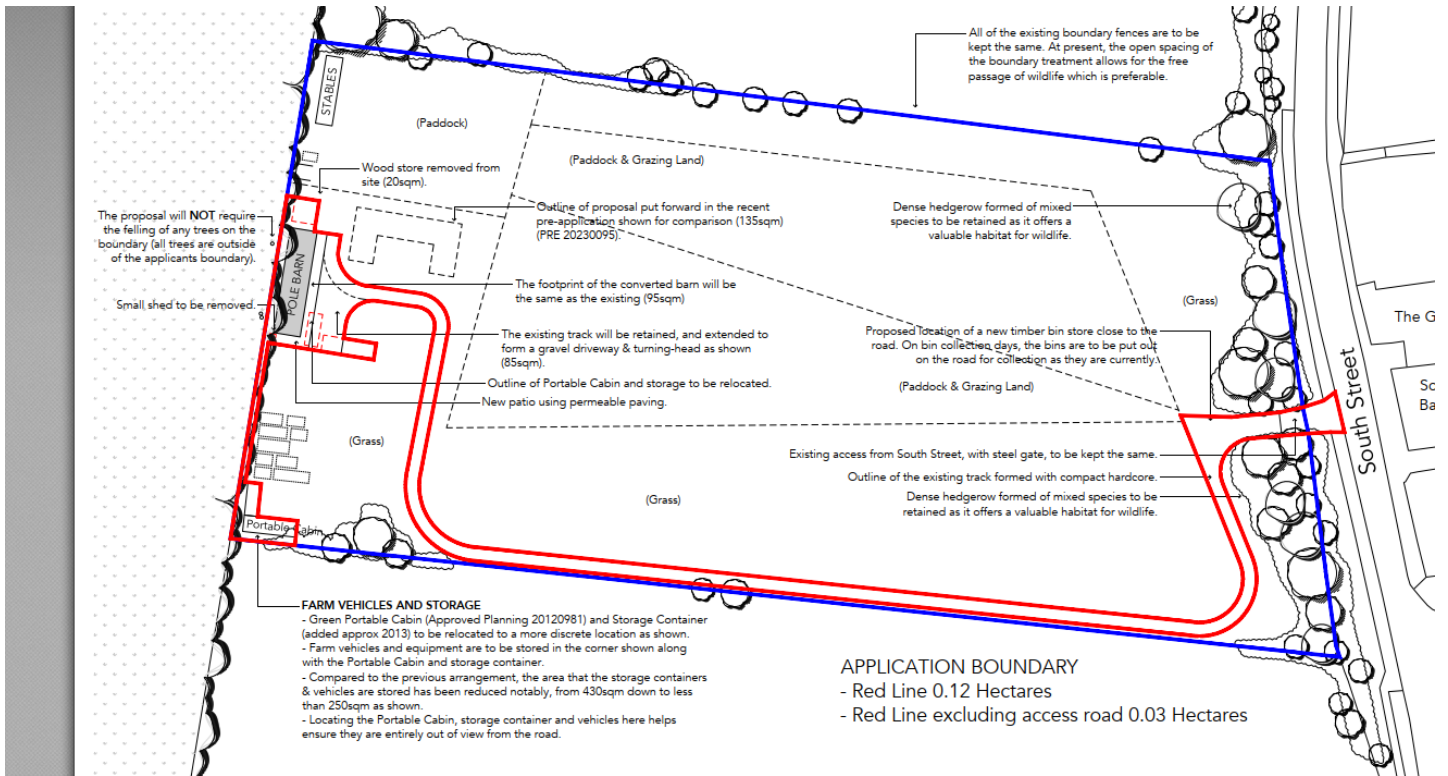
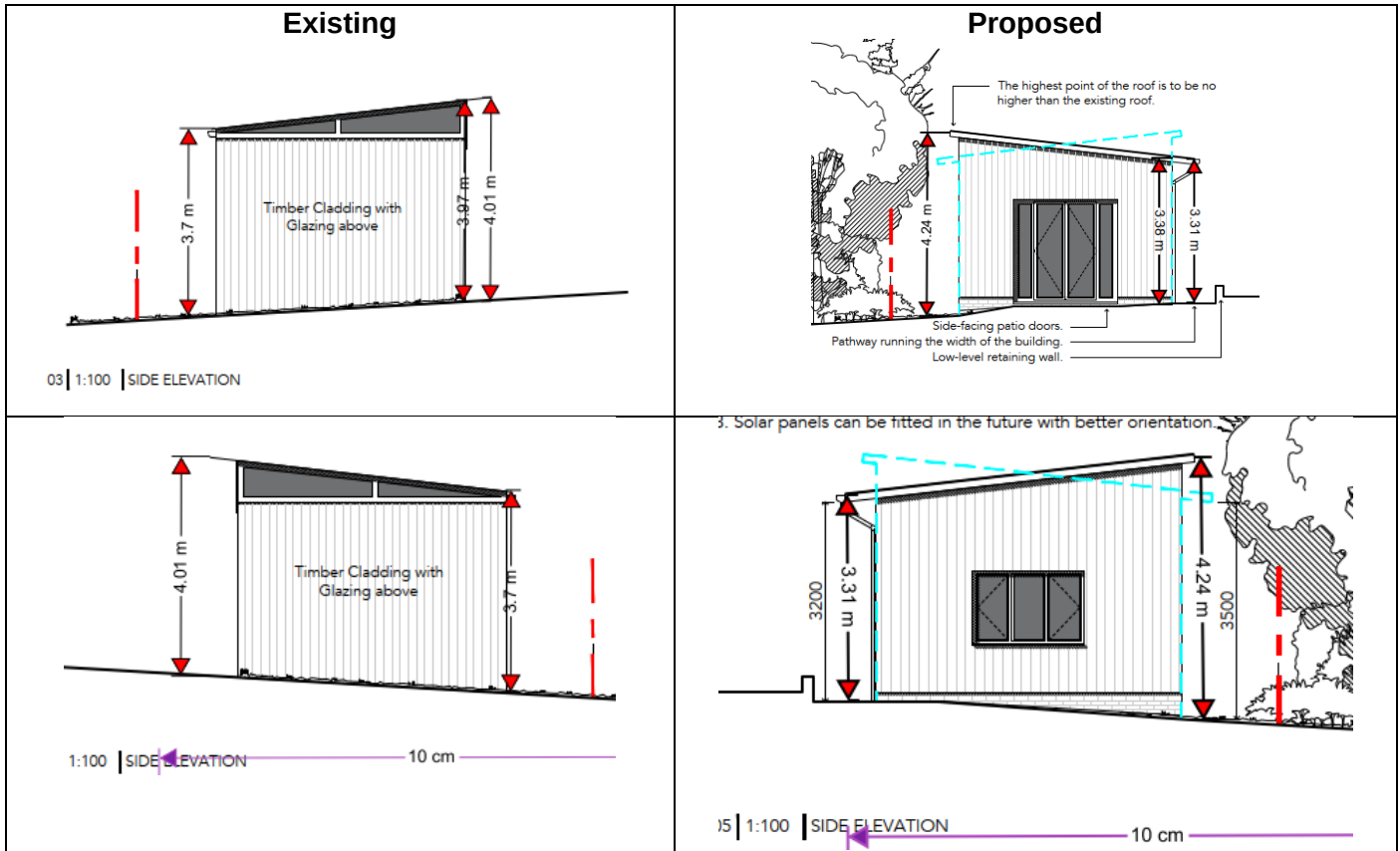
01 | 1:100 | GROUND FLOOR



02 | 1:100 | FRONT ELEVATION



04 | 1:100 | REAR ELEVATION



Officer's Analysis

Principle of the Development

The application site is located in the Green Belt, as defined by the Local Plan, and as such Policy CS02 (LPCS) is relevant. Development in the urban area is prioritised as the sustainable location for development. In the rural area, Policy CS02 states that development will be supported within rural settlements that are inset from the Green Belt and defined on the policies map. Development outside those settlements, i.e. in the Green Belt, will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the LPCS.

The principle issues in determining this application are;

- Housing Need;
- Green Belt;
- The effect on the character and appearance of the area and landscape;
- Residential Amenity;
- Parking and Highways;
- Biodiversity; and
- Other matters.

Housing Need

In *Hopkins Homes Ltd v Secretary of State for Communities and Local Government* [2017] 1 W.L.R. 1865, Lord Carnwath reemphasised that the National Planning Policy Framework is only a material consideration in planning decisions and that that planning applications should be determined in accordance with the development plan. Paragraph 12 of the National Planning Policy Framework (NPPF) (2024) expressly states that the starting point for decision-making is the development plan. Lord Carnwath as part of the Supreme Court decision stated,

"It is important, however, in assessing the effect of the Framework, not to overstate the scope of this policy-making role. The Framework itself makes clear that as respects the determination of planning applications (by contrast with plan-making in which it has statutory recognition), it is no more than "guidance" and as such a "material consideration" for the purposes of section 70(2) of the 1990 Act... It cannot, and does not purport to, displace the primacy given by the statute and policy to the statutory development plan. It must be exercised consistently with, and not so as to displace or distort, the statutory scheme."

It is a matter of law that all planning applications need to be considered in accordance with the legislation and relevant policy that applies at the point a decision is taken. The Council published a revised 5 year housing land supply statement in February 2025, it demonstrates that based on data up for the period 2024-2029, the Council can only demonstrate a land supply of 3 years.

Given the Council's current inability to demonstrate a 5-year housing land supply, and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Gravesham's Local Plan Core Strategy (LPCS) (2014) Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the National Planning Policy Framework (NPPF) (2024). This requires that in regard to housing development, planning permission should be granted unless:

- i. 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
- ii. 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 at footnote 7 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in NPPF paragraph 194)
- Sites of Special Scientific Interest
- Green Belt
- Local Green Space
- A National Landscape
- Irreplaceable habitats
- Designated heritage assets (& other heritage assets of archaeological interest, see NPPF footnote 75)
- 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 129) 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.

The proposed development for a net increase of '1' residential units would offer a minimal contribution towards meeting this local need and, accordingly, officers considers that this should be accorded appropriate weight in support of the application. However, this has to be balanced against other requirements of the Development Plan and NPPF (2024) which requires new development to contribute positively to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers.

Green Belt

Policy CS02 of the Gravesham Local Plan Core Strategy (LPCS) (2014) prioritises development in the urban area as a sustainable location for development. In the rural area it states that development will be supported within rural settlements that are inset from the Green Belt and defined on the Policies Map. Development outside those settlements (which is the case here), will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the LPCS.

Is the proposed development appropriate in the Green Belt?

Green Belts are of great importance. The fundamental aim of Green Belt policy is to prevent urban sprawl by preserving the open and permanent characteristics of Green Belts (paragraph 142 of the NPPF 2024), with the Green Belt serving five purposes (paragraph 143):

- 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.*

Paragraph 153 of the NPPF (2024) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Footnote 55 includes the caveat; *Other than in the case of development on previously developed land or grey belt land, where development is not (my emphasis) inappropriate.* An assessment on whether the site falls under previously developed land or grey belt land shall be considered in the relevant section of this report. Beforehand,

consideration of whether the proposed development is inappropriate must be made.

A Local Planning Authority should regard development as inappropriate in the Green Belt unless it falls within the specified exceptions of paragraphs 154 and 155 of the NPPF (2024).

154. Development in the Green Belt is inappropriate unless one of the following exceptions applies:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land (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.
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
 - i. mineral extraction;
 - ii. engineering operations;
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Although the plan documents have not explicitly set out what exception (if any) the proposal would fall under, it is considered that only paragraph 154, exceptions (g) and (h), (iv) may be relevant, and should therefore be taken into account. To ensure that the assessment follows a coherent structure, the assessment of para. 154 exceptions will begin with consideration of (h), (iv) the re-use of buildings:

(h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;

No structural report, setting out the integrity of the barn structure has been provided as part of this application. It is evident, visually that the barn is in a state of disrepair. This can be seen in the photo below. In addition, the plans and documents indicate land level changes, the introduction of brick coursing, and alterations to openings and the roof pitch; which would be flipped. As such, the information before me indicates that the structure could not be reused and would instead essentially be rebuilt. In summary, the proposal cannot fall under exception (h), (iv).



The consideration of exception (g) shall now be made. This exception also requires an assessment of openness:

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.

The definition of previously developed land within the NPPF (2024) refers to land which has been lawfully (my emphasis) developed. There is no planning approval for the existing barn structure, as evidenced by the planning history of the site. As such exception (g) is not relevant, and an assessment on openness is not relevant and therefore not required for 154 (g).

Paragraph 155 of the NPPF (2024) sets out further exceptions where development in the Green Belt should not be regarded as inappropriate:

155. The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- b. There is a demonstrable unmet need for the type of development proposed;*
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and*
- d. Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below.*

With consideration to the above, it needs to be considered whether the proposal would fall under the definition of Grey Belt Land. The definition of Grey Belt within the NPPF (2024) states:

For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt

comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

It has already been established that the barn structure does not meet the definition of previously developed land. As such, an assessment of the proposal must be carried out in relation to paragraph 143 (a) (b) and (d), along with an assessment that it would not undermine the purpose (taken together) of the remaining Green Belt across the plan.

Government Guidance on Green Belt Matters has been updated on 27.02.25 and includes information on how the contribution land makes to the relevant Green Belt purposes should be assessed.

Purpose 143 (a) (NPPF) (2024) is to check the unrestricted sprawl of large built-up areas. The Government Guidance states:

Purpose A – to check the unrestricted sprawl of large built up areas

This purpose relates to the sprawl of large built up areas. Villages should not be considered large built up areas.

Contribution	Illustrative features
Strong	Assessment areas that contribute strongly are likely to be free of existing development, and lack physical feature(s) in reasonable proximity that could restrict and contain development. They are also likely to include all of the following features: - be adjacent or near to a large built up area - if developed, result in an incongruous pattern of development (such as an extended “finger” of development into the Green Belt)
Moderate	Assessment areas that contribute moderately are likely to be adjacent or near to a large built up area, but include one or more features that weaken the land’s contribution to this purpose a, such as (but not limited to): - having physical feature(s) in reasonable proximity that could restrict and contain development - be partially enclosed by existing development, such that new development would not result in an incongruous pattern of development - contain existing development - being subject to other urbanising influences
Weak or None	Assessment areas that make only a weak or no contribution are likely to include those that: - are not adjacent to or near to a large built up area - are adjacent to or near to a large built up area, but containing or being largely enclosed by significant existing development

The site is not adjacent to or near to a large built-up area. As such, the contribution to purpose A, using the Government Guidance is weak.

143 (b) is to prevent nearby towns merging into one another:

Purpose B – to prevent neighbouring towns merging into one another

This purpose relates to the merging of towns, not villages.

Contribution	Illustrative Features
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Strong	Assessment areas that contribute strongly are likely to be free of existing development and include all of the following features: - forming a substantial part of a gap between towns - the development of which would be likely to result in the loss of visual separation of towns
Moderate	Assessment areas that contribute moderately are likely to be located in a gap between towns, but include one or more features that weaken their contribution to this purpose, such as (but not limited to): - forming a small part of the gap between towns - being able to be developed without the loss of visual separation between towns. This could be (but is not limited to) due to the presence or the close proximity of structures, natural landscape elements or topography that preserve visual separation
Weak or None	Assessment areas that contribute weakly are likely to include those that: - do not form part of a gap between towns, or - form part of a gap between towns, but only a very small part of this gap, without making a contribution to visual separation

The site is not close to a large built up area, or a town such as nearby Northfleet/Gravesend. As such, the proposal does not make a strong contribution to purpose 143 (b).

Purpose 143 (d) (NPPF) (2024) is to preserve the setting and special character of historic towns.

Purpose D – to preserve the setting and special character of historic towns

This purpose relates to historic towns, not villages. Where there are no historic towns in the plan area, it may not be necessary to provide detailed assessments against this purpose.

Contribution	Illustrative Features
Strong	Assessment areas that contribute strongly are likely be free of existing development and to include all of the following features: - form part of the setting of the historic town - make a considerable contribution to the special character of a historic town. This could be (but is not limited to) as a result of being within, adjacent to, or of significant visual importance to the historic aspects of the town
Moderate	Assessment areas that perform moderately are likely to form part of the setting and/or contribute to the special character of a historic town but include one or more features that weaken their contribution to this purpose, such as (but not limited to): - being separated to some extent from historic aspects of the town by existing development or topography - containing existing development - not having an important visual, physical, or experiential relationship to historic aspects of the town
Weak or None	Assessment areas that make no or only a weak contribution are likely to include those that: - do not form part of the setting of a historic town - have no visual, physical, or experiential connection to the historic aspects of the town

Taking the above into consideration, it is evident that the site does not contribute strongly to 143 (d) (NPPF) (2024). Therefore, the application site can be considered as Grey Belt.

Given that it established through the assessment of the land, that it meets the Grey Belt Definition, considerations under the exception set out under 155 (NPPF) (2024) shall now be considered. All of the

criteria must be met in (a), (b), (c) and (d), for the development to be deemed not inappropriate.

Under 155 (a) (NPPF) (2024) the criteria is that the development would utilise Grey Belt Land and would not fundamentally undermine the purposes of the remaining Green Belt across the plan needs to be considered. The proposal is for the change of use of land from agricultural to C3 dwellinghouse, proposal to convert the existing agricultural barn into a single self-build dwelling with associated hard and soft landscaping. This small-scale proposal on Grey Belt Land is not considered to fundamentally undermine the purpose of the remaining Green Belt across the plan. As such, it is considered that the proposal complies with 155 (a).

Criteria 155 (b) (NPPF) (2024) sets out that development would not be inappropriate where there is a demonstrable need for the development proposed. As established in the Housing Need Section of this report, the Council is currently unable to demonstrate a 5-year housing land supply, and the delivery of housing was substantially below (less than 75%) the requirement of the housing delivery test. As such, it is considered that the proposal complies with 155 (b).

Criteria 155 (d) (NPPF) (2024) relates to the 'Golden Rules' and is not applicable for this application.

As such, criteria 155 (c) (NPPF) (2024) remains. This requires the development to be in a sustainable location, with particular references to paragraphs 110 and 115 of the NPPF (2024). Therefore, sustainability shall now be considered.

Sustainability

The NPPF (2024), taken as a whole, represent the Government's view of what constitutes sustainable development. Paragraph 84 of the NPPF (2024) states that:

Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;*
- d) the development would involve the subdivision of an existing residential building; or*
- e) the design is of exceptional quality, in that it:*
 - i. is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
 - ii. would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.*

The proposal does not meet any of the circumstances set out in paragraph 84 (NPPF) (2024). It has not been demonstrated that there is an essential need for a rural worker, the proposal does not relate to a heritage asset, the barn is in use (as evidenced by the site photos), the proposal does not include subdivision of a dwelling and the design is not of an exceptional quality.

This is continued in paragraphs 110 and 115 of the NPPF (2024) which seek to focus significant development in locations which are or can be made sustainable, through limiting need to travel or offer a genuine choice of transport modes, with safe and suitable access for all users.

In this case, the closest settlements to the site are Meopham (Meopham Green is approximately 0.7 miles away), and Culverstone Green (which is also approximately 0.7 miles away). The application site is considered to be detached from both these settlements. There is little in the way of amenities available at Meopham Green; including an occasional cake shop, pub and restaurant. Similarly, in Culverstone Green, there are limited facilities including a nursery, a petrol station and a Costcutter. Longfield, which has a greater variety of choices, is approximately 5.1 miles away, and Gravesend Town Centre, with various amenities and choices is approximately 7.1 miles away. In terms of transport options, the nearest bus stop is approximately a 7 min walk away (not including the walk from the dwelling to the road), with a limited service. In addition, the nearest local shop (the Costcutter) would be a 16 minute walk away. The road connecting the nearby site to the nearby settlements (with limited facilities) is served by a pavement, but for the most part would be unlit. With consideration to the above, there would be a reliance on the private motor car as a primary mode of transportation. The proposal is therefore considered to be contrary to paragraph 110 of the NPPF (2024) and CS19 (LPCS) which seek to encourage sustainable living, and the policies of the framework, which, amongst those cited, include improving conditions in which people live, work, travel and take leisure. As such, it is considered that reliance of private vehicles would be likely for future occupiers of the dwelling to access services and amenities, and that the development is not in a sustainable location. Therefore, the proposal would not meet the exception of paragraph 155 (c) of the NPPF (2024) and therefore the development is inappropriate.

As the development has been found to be inappropriate and therefore harmful, reference back to paragraph 153 (NPPF) (2024) and footnote 55, is required as per paragraph 014 of the Government Guidance. Paragraph 153 sets out that substantial weight is given to any harm to the Green Belt and its openness, and development should not be approved except in very special circumstances. Therefore, an assessment of the development in terms of harm and openness is now required.

As per the Government guidance (paragraph 013 Reference ID: 64-013-20250225):

Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgement based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

- *openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume*
- *the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness*
- *the degree of activity likely to be generated, such as traffic generation*

The proposal would restore/rebuild the barn structure and create a single dwelling on the western side of the site, relocating some existing structures and machinery, and removing a small shed and log store. It is noted that the application documents have presented figures to demonstrate that the extent of gross external area and volume of structures would be slightly reduced (by 22sqm). In addition, some of the remaining structures and machinery would be relocated to a tighter knit layout, which would actually serve to concentrate structures in one area. On a rural site, it is often part of the character that there are small structures and machinery around the site and they tend not to be clustered together. As such, the Local Planning Authority does not consider the consolidation of machinery, structures and removal of small-scale existing structures to outweigh the harm that would be caused to the openness by the introduction of a residential dwelling in this otherwise rural site, which is free from residential development. Residential development would introduce associated residential paraphernalia, lighting, increased traffic movements and permanence. Regardless of whether the development can be seen from the road or not, the new development would harm the open appearance of the site and the visual openness of the Green Belt would be eroded. Additionally, the proposal would result in a change in appearance from use as a paddock to include residential use which would usually be associated with a suburban location. This change in appearance would encroach on the open appearance of the wider

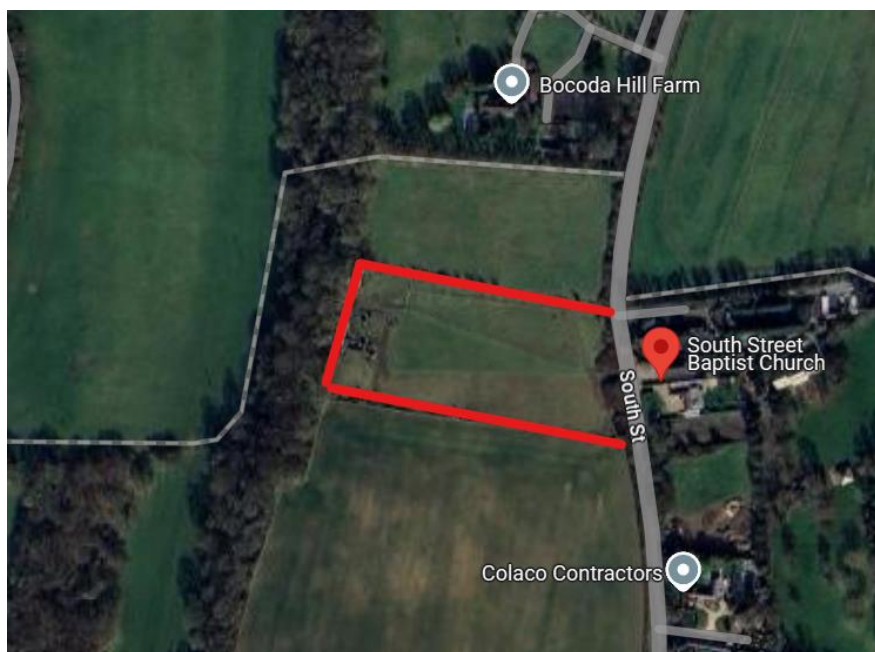
surrounding area and as such, in spatial terms there would be a harmful loss of openness- which would be permanent.

Permanent loss of openness - Openness and permanence are the essential characteristics of the Green Belt. The application site currently serves as a paddock, with associated structures used in conjunction with the use of the land (the caring for and keeping of horses). A residential use, including residential paraphernalia and lighting would permanently and irrevocably harm the Green Belt through loss of openness.

Encroachment of the countryside - The stated national purpose of the Green Belt at paragraph 143 (c) of the NPPF (2024) is to safeguard the countryside from encroachment. The urbanising features of the development would adversely affect the open nature of the Green Belt and would result in an encroachment on the countryside. The site is flanked by fields, with woodland and fields to the rear. The introduction of a residential use, in situ, would encroach on the countryside.

Safeguarding the countryside by minimising the expansion of the Borough's rural settlements - This is a stated local purpose of the Green Belt as set out at paragraph 4.2.7 of the adopted LPCS. As stated above, the proposal would result in an encroachment on the countryside.

Goggle Image with indication of site



Reference back to paragraph 153 of the NPPF (2024) informs us that inappropriate development in the Green Belt should not be approved except in very special circumstances and that very special circumstances will not exist unless the potential harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Consideration of Very Special Circumstances

No specific arguments have been explicitly put forward by the applicant in relation to the assessment of 'very special circumstances'. Notwithstanding this, the Design and Access Statement states the owner/applicant is seeking permission to convert the existing barn into a single dwelling for their own use allowing them to have a permanent presence on site to deter future vandalism, improve security and reduce crime. In addition, the statement refers to the reduction and consolidation of structures/machinery, re-use of the barn structure and ecological enhancements.

No crime reference No.s have been provided to demonstrate there is an issue with the security of the site.

Notwithstanding this, the security of the site is not considered to represent 'very special circumstances' to warrant the introduction of a residential use, indeed only minimal weight can be attached to the provision of a single dwelling to the Councils unmet housing need. As previously established, the effect on the openness and the Green Belt has been summarised as harmful, and the reduction and relocation of structures and machinery would not provide mitigation to justify a dwelling. Lastly, the ecological enhancements are not considered to add sufficient weight to the planning balance to mitigate the harm to the Green Belt.

Final Balancing of Inappropriateness in the Green Belt

The proposal would constitute inappropriate and harmful development in the Green Belt and paragraph 153 of the NPPF (2024) states that substantial weight should be given to this. The weight afforded to the delivery of a single dwelling and the benefits from economic activity arising from the development are minimal and the other very special circumstances considered, do not outweigh the harms identified and therefore do not provide necessary justification for the development.

The Effect on the Character and Appearance of the Area and Landscape

In addition to being within the Green Belt, the application site falls within the Meopham Downs Landscape Character Area. This area is characterised by gently undulating topography with a mix of arable and pasture farmland, three large settlements located along the A227 and traditional architecture surrounding village greens providing local vernacular. Policy CS12 (LPCS) seeks to protect the Green infrastructure within the Borough and states at 5.7.26 the overall landscape character and valued landscapes will be conserved, restored and enhanced. Paragraph 187 of the NPPF (2024) aims for development to contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside.

Policy CS19 (Development and Design Principles) (LPCS) (2014) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area. Moreover, Section 12 (Achieving well- designed places) of the NPPF (2024) sets out that the creation of high quality beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. It states developments should function well and add to the overall quality of the area, be visually attractive and sympathetic to local character.

The Design For Gravesham Design Code (2024) is a strategic document that sets out Gravesham's vision and expectation for quality place-making. It expects new development to reflect the prevailing pattern of built form in rural villages, meet a minimum density of 30dph in rural areas and pay close attention to materiality amongst other key design concepts. Gravesham's Householder Extensions/Alterations Design Guidance SPD (2021) set out key principles for new developments. Generally, the SPD (2021) highlights the importance of new development complimenting and corresponding to existing character and the wider context. In the case of this enquiry, the rural character of the area should be considered.

Impact on the Landscape

Notwithstanding the argument that the existing barn structure would be facilitate the dwelling, and soft landscaping conditions could be used to reduce the visual appearance of the dwelling, no amount of landscaping would be able to replicate the current appearance of the site, which is used as a paddock with surrounding trees and scrubland; which is common feature within the countryside. The introduction of a residential use on the site with all the associated residential paraphernalia and domestic parking would undermine the key characteristics of the Meopham Downs Landscape Character Area. In summary, the proposed residential use would adversely affect the character of the rural area, becoming more suburban and less rural. The proposal would therefore cause harm to the landscape character and natural beauty of the valued landscape. Therefore, this proposal would conflict with Policy CS12 (LPCS) (2014) which seeks to ensure valued landscapes will be conserved restored and enhance the natural environment and integrate well with the surrounding area.

Residential Use

It is desirable that the proposed dwelling would use external materials that are sympathetic to the barn structure and rural character of the area, such as the proposed black timber weatherboarding and the metal roof. The UPVC windows are not ideal, and timber is preferable, however, concerns regarding proposed materials could be addressed by condition, should planning approval be forthcoming. The proposed roof flip is not considered to be visually harmful, and would make sense in practical terms. However, the arrangement of openings, new openings and excessive glazing is considered to be unsympathetic to the barn structure and the character of the rural countryside. In addition, the residential use would lead to residential paraphernalia and new features such as additional hard landscaping, external lighting, and security measures. With residential use there is also the potential for boundary treatments which would lead to the enclosure of this open rural site.

Overall, the proposal would result in an unsympathetic development and inappropriate use of the land which is considered to be harmful to the open, rural character of the site and the Landscape Character Area. As such, the proposal would be contrary to Gravesham's Householder Design Guide (2021), Policies CS12 and CS19 of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Sections 12 and 15 of the National Planning Policy Framework (2024).

Residential Amenity

The NPPF (2024) states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 135 (f)). Paragraph 198 of the NPPF (2024) seeks to ensure that new development takes into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. The impact on amenity is also considered with regard to the criteria within Policy CS19 (LPCS), 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 and avoid adverse impacts from pollution.

Future Occupiers

Policy CS19 (LPCS) requires that all development should be 'fit for purpose' and be 'adaptable to allow changes to meet the need of users' and that 'the design and layout of new residential development, including conversion, will accord with the adopted Residential Layout Guidelines' (RLG) (2020). Moreover, on 25 March 2015 the Government issued a written ministerial statement, which introduced new technical housing standards in England and set out how these would be applied through planning policy

The gross internal area and rooms in the proposed dwelling are in accordance with the Nationally Described Space Standards (2015) and Gravesham's Residential Layout Guidelines (2020). It is considered that all habitable rooms will receive sufficient natural light. The high-level bathroom window could be conditioned to be obscure glazed, if planning permission were to be forthcoming.

No private garden area is indicated on the plans. A patio area is indicated, but for drainage purposes. The RLG (2020) sets out the minimum garden area requirements, which are as follows:

Table 2

Accommodation with :	Minimum garden area (sq. metres)	Minimum depth from rear wall of house (metres)
1-2 bedrooms	37.2	7.6
3 bedrooms	60.0	10.0
4 or more bedrooms	100.0	10.0

During the course of a dismissed appeal at 1 Hudson Close, Gravesend (APP/K2230/D/22/3306574) (Appendix 1), the Planning Inspector concluded that '*the scheme would fail to secure the provision of external amenity space. It would be contrary to Policy CS19 of the CS and the RLG, which require appropriate levels of private amenity space.*' Similarly, an appeal at 1 Harvest Lane, Gravesend

(APP/K2230/D/23/3326998) (Appendix 2) was dismissed. The Inspector stated, *‘the resultant garden would be undersized and impractical for a dwelling of its size. I therefore conclude that the proposal would not provide appropriate living conditions for residents of the appeal property, with regard to the provision of external amenity space. The proposal would also be contrary to CS Policy CS19 which indicates that new development will provide appropriate levels of private amenity space. Furthermore, it would be contrary to paragraph 135(f) of the National Planning Policy Framework (the Framework) where it advises that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users’.*

Therefore, it is evident, in this instance, that the proposed development fails to safeguard the amenity of future occupiers contrary to Policy CS19 (LPCS) (2014) and Section 12 (NPPF) (2024).

Impact on Amenity of Surrounding Properties

No neighbour responses were received as a result of the consultation carried out for this application. Neighbouring amenity is considered in terms of whether development would cause a sense of enclosure, loss of light, loss of privacy or loss of outlook. The proposed dwelling would be a sufficient distance away from neighbouring properties so as not to impact their amenity. As such, the proposal is considered to safeguard the amenity of surrounding properties in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2024).

Parking and Highways

The development should provide an acceptable amount of parking, not be detrimental to the highway network and promote sustainable transport methods, to accord with saved policy T1 and P3 of Gravesham Local Plan First Review (1994) and Policy CS11 (LPCS) and Section 9 of the NPPF (2024).

The new dwelling would be accessed using the existing vehicle access from South Street which has been in situ for a number of years. The access point is formed of hardcore material and is sufficient to accommodate traffic associated with the 2-bedroom dwelling, which would provide 2no. parking spaces within the site. It is noted the width of the parking spaces are slightly below the KCC SPG4 Kent Vehicle Parking Standards (2006), however there is more than sufficient space to accommodate two cars on the proposed driveway. As such, there are no objections to the proposed development on highways grounds.

Biodiversity and Ecology

Biodiversity Net Gain

Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact (‘net gain’) on biodiversity.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as ‘biodiversity net gain’ in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met (“the biodiversity gain condition”). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

The government legislation includes some exemptions, whereby the biodiversity net gain condition is not required, as set out below:

Self-build and custom build applications.

8.—(1) The biodiversity gain planning condition does not apply in relation to planning permission for development which—

- (a) consists of no more than 9 dwellings;
- (b) is carried out on a site which has an area no larger than 0.5 hectares; and
- (c) consists exclusively of dwellings which are self-build or custom housebuilding.

(2) In this regulation “self-build or custom housebuilding” has the same meaning as in section 1(A1) of the Self-build and Custom Housebuilding Act 2015⁽¹⁾.

The information provided with the application and on the application form is considered sufficient to confirm that the proposal would be exempt from the biodiversity net gain condition. There is one dwelling proposed, the site (within the red line boundary) is no larger than 0.5 hectares and the development would meet the definition of self-build housebuilding set out in section 1(A1) of the Self-build and Custom Housebuilding Act 2015.

Ecology

KCC Biodiversity have provided the following comments in relation to the proposal:

No ecological information has been submitted with this application. As a result of reviewing the data we have available to us, and the information submitted with the planning application, we advise that further information is sought from the applicant with regards to the potential for ecological impacts to arise.

It is noted that proposals are relatively small in scale with the conversion of a barn to a dwelling a small area of field being converted in to a garden. However from the limited information provided, it has not been possible to fully assess the likelihood of any constraints relating to ecology. In particular the likelihood of barn owls roosting in the building and the potential for protected/notable species within the garden area or access road.

To establish the potential for protected species presence, that must be taken account of in the planning decision, in the first instance, high quality, labelled, internal and external photos of the building and photos of the land within the wider redline boundary. These can then be reviewed by Kent County Council Ecological Advice Service (KCC EAS). These photographs may satisfy KCC EAS that no ecological surveys are necessary at the site. However, where photographs are inconclusive, or indicate possible features suitable for protected species, a simple Ecological Impact Assessment (EcIA) may need to be undertaken by a suitably qualified ecologist¹, in accordance with good practice guidelines. Any EcIA would need to include the following:

- *Details of the impacts of development proposals on the ecological baseline established via a Preliminary Ecological Appraisal (PEA)*
- *Details of any additional surveys undertaken following the PEA;*
- *Details of any appropriate and achievable ecological mitigation measures;*
- *Identification of any residual ecological effects after avoidance and mitigation measures have been considered, and any compensation measures required to offset residual effects;*
- *Details of ecological enhancement measures; and*
- *Provision of sufficient information to determine whether the project accords with relevant nature conservation policies and legislation.*

The above is in line with paragraph 99 of the Office of the Deputy Prime Minister (ODPM) Circular 06/20052 which states “it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision”.

The above is also in line with the National Planning Policy Framework (NPPF) 2024 and the Natural Environment and Rural Communities Act (NERC) Act 2006. Under section 40 of the NERC Act 2006 and

paragraphs 187 and 193 of the NPPF 2024, biodiversity should be maintained and enhanced through the planning system. Enhancement refers to providing net benefits for biodiversity over and above requirements for avoidance, mitigation and compensation.

As established above, the application has failed to provide sufficient information in relation to biodiversity and as such, fails to demonstrate how the proposal would comply with Policy CS12 (LPCS) (2014) and Section 15 (NPPF) (2024).

Heritage and Archaeology

The site lies within an area of archaeological potential and the plans demonstrate some excavation would be carried out to facilitate the dwelling. As such, if planning approval were to be forthcoming, an appropriate archaeological watching brief condition could be added to the decision notice.

Contamination

Policy CS19 (LPCS) indicates that new development will be located, designed and constructed to avoid adverse environmental impacts from pollution, including noise, air, odour and light pollution, and land contamination.

Paragraph 187 of the NPPF (2024) indicates that planning decisions should contribute to and enhance the natural and local environment by, amongst other things:

- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.....; and*
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*

GBC Environmental Protection Team have provided comments on the application and have stated that a contaminated land assessment would be required. This could be secured via a condition, if planning permission were to be forthcoming, as set out within the comments.

As such, it is considered that an agreed pre-commencement condition would be sufficient to address any land contamination concerns in accordance with Policy CS19 (LPCS) and paragraph 187 of the NPPF (2024).

Lighting

GBC Environmental Protection Team have also provided comments relating to lighting:

Artificial lighting can cause a statutory nuisance under the Environmental Protection Act 1990. It is important that the applicants are not permitted to install external lighting that illuminate anything other than the ground within the curtilage of the new properties in order to assist in preventing a nuisance from occurring (which would be most likely if the bedrooms on neighbouring properties are illuminated).

Notwithstanding the other issues aforementioned earlier in this report regarding lighting and light pollution, it is considered that a condition regarding lighting to safeguard the amenity of neighbouring properties could be added to the decision notice, if planning permission were to be forthcoming in accordance with Policy CS19 (LPCS) and section 12 of the NPPF (2024).

Drainage/sewerage

The information included with the application indicates that a cesspit would be the preferred means of dealing with foul water. As per comments received from the Environment Agency, consents may be required directly from them, regardless of the granting of planning approval.

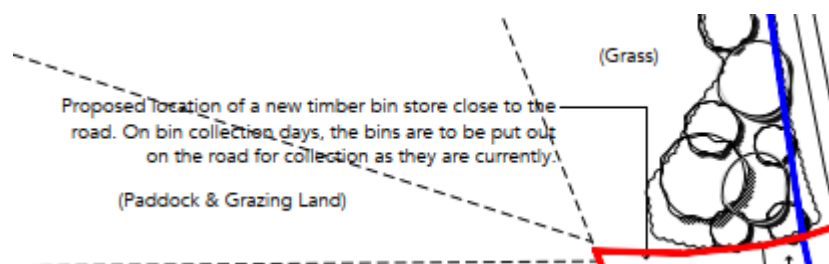
GBC Environmental Protection Team have also provided comments relating to drainage/sewerage, and have suggested the following informative be added to the decision notice if planning permission were to be forthcoming:

The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable. If foul sewage is to be removed using non-mains sewerage systems, a sewage treatment plant or septic tank system will be considered in preference to a cesspool. Such a system may require the prior consent of the Environment Agency under the terms of the Water Resources Act 1991. Applicants are therefore advised to discuss their requirements with the Environment Agency at the earliest opportunity. It should be ensured that the septic tank or cesspool is of adequate capacity to serve the proposed development and suitable access and hardstanding area shall be maintained to it on site.

As such, this informative could be added to the decision notice, as appropriate.

Waste

GBC Waste have not commented on the proposal. The plans indicate a new timber bin store, and state that waste is already collected from the site:



If planning permission were to be forthcoming, further information relating to waste could be requested, or an appropriately worded condition could be added to the decision notice. The distance travelled from the dwelling to put out the bins is not ideal, and would likely require transportation by vehicle on collection days.

Planning Balance and Conclusions

The Council cannot demonstrate a deliverable supply of five year housing land, with the evidence before me indicating a supply of 3 years and as such paragraph 11 (d) of the National Planning Policy Framework (2024) is relevant. The established impacts on the Green Belt, unsustainable location, lack of very special circumstances, design concerns, harm to landscape character, detrimental impact on amenity, and biodiversity concerns means that local and national planning policy provide a clear reason for refusing the development proposed. Therefore, under Paragraph 11 (d) of the National Planning Policy Framework (2024), the proposal does not benefit from the presumption in favour of sustainable development, as reflected in Policy CS01 of the Gravesham Local Plan Core Strategy (2014).

The proposed development is contrary to local and national planning policy, and should be refused on the following grounds:

1. *The site lies within the Green Belt where the construction of new buildings is inappropriate development unless it is for one of the exempted forms of development set out in paragraph 154 or 155 of the National Planning Policy Framework (2024). The proposal is for a dwelling in an unsustainable location and the building of a dwelling, whether as conversion or otherwise would still by definition result in a form of encroachment in the countryside and harmful to the openness by reason of the nature of the development and the paraphernalia and associated development that goes with it. The development does not, in the opinion of the Local Planning Authority, fall within the exceptions to inappropriate development in the Green Belt in the National Planning Policy Framework (2024). No very special circumstances have been put forward to outweigh the harm to the Green Belt or any other identified*

harm and therefore the proposal is contrary to Policy CS01 (Sustainable Development) and Policy CS02 (Scale and Distribution of Development) of the Gravesham Local Plan Core Strategy (2014) and Section 13 of the National Planning Policy Framework (2024) (Protecting Green Belt Land).

- 2. The proposal would result in an unsympathetic development and inappropriate use of the land which is considered to be harmful to the open, rural character of the site and the wider designated Landscape Character Area. As such, the proposal would be contrary to Gravesham's Householder Design Guide (2021), Gravesham's design code: Design for Gravesham (2024) and Policies CS12 and CS19 of Gravesham's Local Plan Core Strategy (LPCS) (2014), and Sections 12 and 15 of the National Planning Policy Framework (2024).*
- 3. The proposed development fails to include provision of a garden area for future occupants of the dwelling. As such, the proposal fails to safeguard the amenity of future occupiers contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) (LPCS) (2014) and Section 12 of the National Planning Policy Framework (2024).*
- 4. The application has failed to provide sufficient information in relation to biodiversity, specifically in regard to the ecology of the site and potential impact on protected species. As such, the application fails to demonstrate how the proposal would comply with Policy CS12 of the Gravesham Local Plan Core Strategy (2014) (LPCS) (2014) and Section 15 of the National Planning Policy Framework (NPPF) (2024).*

Recommendation

Refusal

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

Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:	L Hankin	Signed:	<i>R Hart</i>
Dated:	19th March 2025	Dated:	19 th March 2025