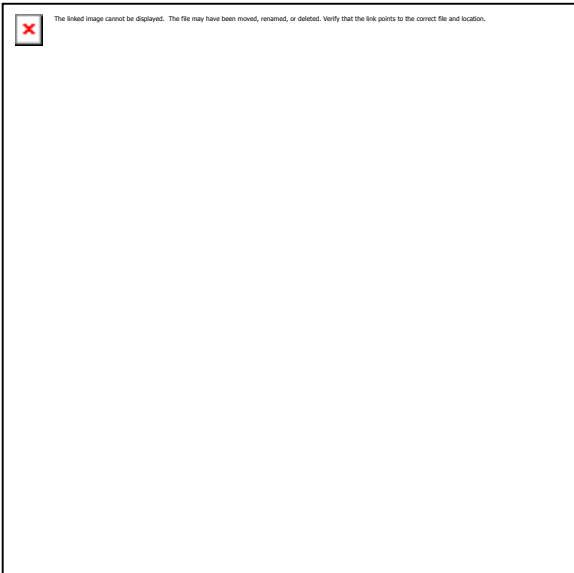




Delegated Report

Planning Application

Planning Application No: 20220828

Location: Land At Rosalie Meadow Lane Culverstone Gravesend

Description: Erection of four bedroom house with integral garage.

Applicant: Mr Dwinder Tamna, Schuech Developments Ltd

Site Visit: 12th August 2022

Submitted Documents/Plans

Application form;
Design & Access Statement;
Drawing No. RML/2022/01 Rev A – Proposed Plans, Elevations & Sections
Drawing No. RML/2022/01 Rev A – Existing & Proposed Block Plan
Drawing No. RML/2022/02 – Site Location Plan
Drawing No. RML/2022/01 – Block Plan

Relevant Planning History

Reference	Description	Decision	Decision Date
20160674	Erection of a three bedroom detached dwelling and detached garage.	Refused (Dismissed at appeal)	08.11.2016
20020795	Outline application for the erection of a detached dwelling.	Refused (Dismissed at appeal)	22.11.2002

*20160674 appeal decision attached as appendix 1.

*20020795 appeal decision attached as appendix 2.

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

Gravesham Local Plan: First Review (1994)

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

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.

National Planning Policy Framework (2021)

- 2 – Achieving Sustainable Development
- 13 – Protecting Green Belt land
- 12 – Achieving sustainable development and well-designed places

Supplementary Planning Guidance

- 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);
- Householder Extensions/Alterations Design Guide (2021); and
- Gravesham Landscape Character Assessment (2009).

Consultations, Publicity and Representations

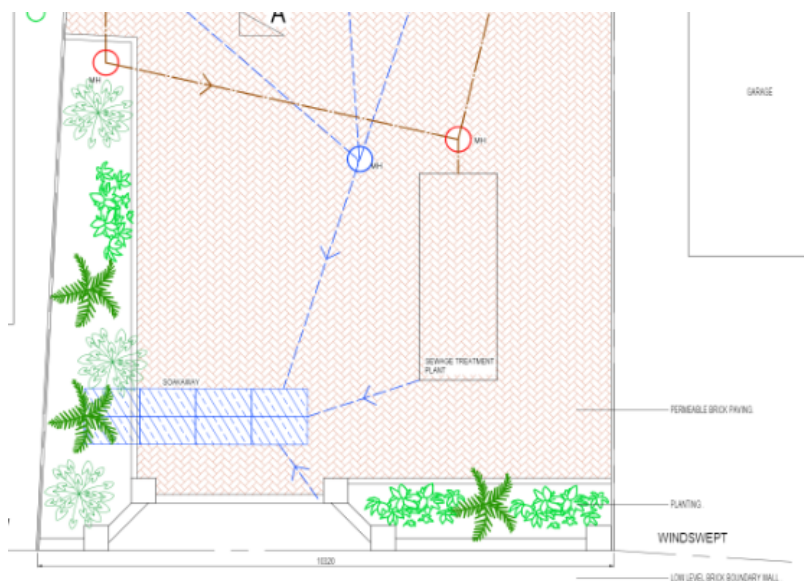
Consultees

GBC Highways

This proposal raises several issues, the majority of which will be of no consequence, but there is one that may be significant.

1. The garage is less than ideal, but at some 3 metres wide and 5.5 metres long internally it would be sufficient to park a car but no include any storage. However, with the number of parking spaces in the front garden the garage is not a necessary requirement.
2. The cycle storage is for three cycles and not bicycles at the rate of one per bedroom, the cycle store should therefore be enlarged to accommodate at least three bicycles but ideally should be capable of accommodating at least one tricycle, or other adaptive cycle as well as two bicycles.

3. My concern relates to the disposal of water and it appears to be both surface and foul water disposal as the package treatment plant drains to the surface water soakaway as shown on drawing RML/2022/01 Rev A.



PROPOSED GROUND FLOOR PLAN

Building Regulations give the following information;

Packaged treatment works

Siting

1.54 The discharge from the wastewater treatment plant should be sited at least 10m away from watercourses and any other buildings.

Design and construction

1.55 Packaged treatment works should be type-tested in accordance with BS 7781 or otherwise tested by a notified body.

1.56 If the packaged treatment works requires power to operate it should be able to adequately function without power for up to 6 hours or have an uninterruptable power supply.

The soakaway used for discharge is within 10 metres of the building.

And

Soakaways and other infiltration drainage systems

3.23 Infiltration devices include soakaways, swales, infiltration basins and filter drains.

3.24 Further information on the design of infiltration drainage systems can be found in CIRIA Report 156 – *Infiltration drainage – Manual of good practice*.

3.25 Infiltration drainage is not always possible. Infiltration devices should not be built:

- a. within 5m of a building or road or in areas of unstable land (see Planning Policy Guidance Note 14 Annex 1);

The soakaway is within 2 metres of the road

There also the need to demonstrate that a tanker used for removing sludge from the treatment works can park clear of the (private) highway so it does not obstruct passing traffic, this may require a wider access and potentially compromise any drainage system installed due to the weight of the vehicle compressing the ground.

1. To protect visibility splays as best as able, I would suggest there should be no hard/ soft landscaping or boundary treatment over 1 metre in height within 2.4 metres of the (private) highway, if applied at other properties as they are developed or redeveloped this provides the opportunity to establish appropriate sight lines for all accesses.

I accept the issue of the drainage is a matter for building regulations, but the access and control of boundary/landscaping is I believe a planning issue and could probably be resolved by appropriate conditions.

Neighbouring properties

The application was advertised by site notice and individual letters to four properties.

One letter of objection was received. Main concerns raised:

- the proposed dwelling very brick wall heavy and may block sunlight
- the front building line is very long
- there is an oak tree that may have a TPO (*there are no TPOs*)

Officer's Analysis

Site Description

The area of land in question known as 'Land at Rosalie, Meadow Lane' has a frontage of some 10.03 with a depth of some 77 metres. The topography of the site is that it gently rises up from Meadow Lane and the site is void of any structures.

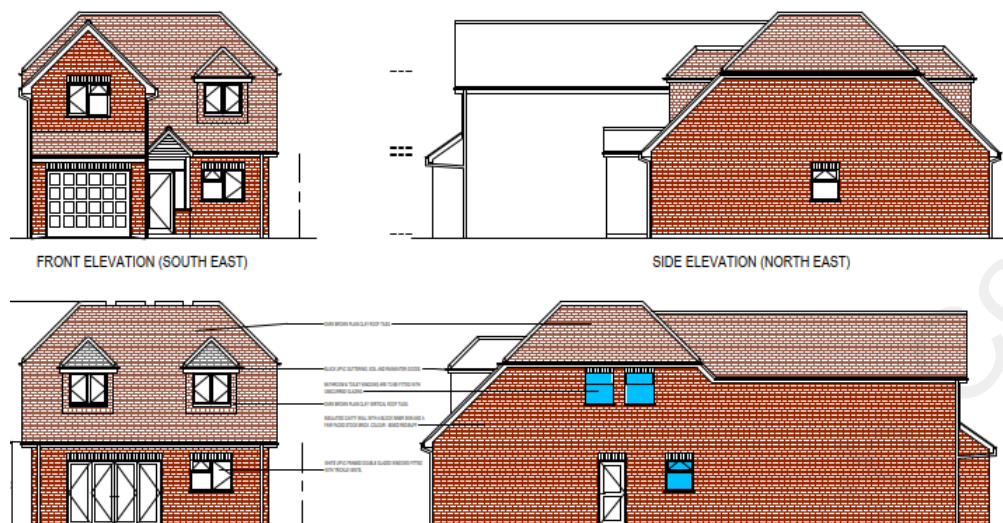
Adjacent to the site to the north east is the detached replacement dwelling known as Windswept which was constructed in 2009/2010. Adjoining the site to south west is the replacement dwelling known as Sweet Meadow which was constructed in 2004/2005.

North west of the site backs onto the garden of the detached property known as Oakland, Whitepost Lane.

On the opposite site of Meadow Lane fronting the site are the two detached dwellings known as Fox Holt and Daisy Cottage.

Meadow Lane is an un-adopted highway which is partially surfaced but has no dedicated footway or drainage.

The application is for a full application for the erection of four bedroom house with integral garage:



Preliminary Issues

The Application site lies within the Green Belt as defined on the adopted Gravesham Local Plan Core Strategy (2014) policies map and this must be the starting point for determining this application. Given paragraph 140 of the NPPF states that Green Belt boundaries should only be amended in exceptional circumstances, in the context of the preparation or review of a Local Plan, it is not for the current application to seek to amend such a policy designation.

Similarly, whilst the Council is committed under policy CS02 to meet its full objectively assessed housing need for housing and employment and to undertake a strategic Green Belt review, if required, to achieve this end, it is not for a planning application to pre-empt due process given the outcome of this process may be to identify preferable and more sustainable alternatives.

On this, it is noted that the Inspector in finding the Gravesham Local Plan Core Strategy sound, was clearly of the opinion that a plan-led process should be followed rather than the ad hoc release of sites. The Inspector's report states at paragraph 48 that:

Nevertheless, a small element of total new housing supply would still need to come from the Green Belt to meet the overall requirements in the plan period, albeit in the latter part thereof. This should only reasonably and realistically be identified as part of a formal Green Belt review process that includes full public consultation and a comparative assessment of realistic opportunities, rather than through any "one off" releases in advance thereof. This should be conducted through a formal statutory process, as distinct from any ad hoc site by site decisions that would not necessarily identify the most suitable and sustainable locations for any new housing that may be required in the Green Belt.

Culverstone Valley Area

The Culverstone Valley Area (CVA) lies within the Green Belt but because of its unique history as an area of plot-land development in the countryside dating from the 1930s it was treated as a special case to which policy C14 of the Gravesham Local Plan First Review (November, 1994) applied.

This policy was generally less restrictive than Green Belt policy applied elsewhere, allowing for the replacement of existing 'authorised' chalets and caravans (or the extension of existing authorised chalets)

under specified circumstances, subject to replacement dwellings being for permanent occupation and of a limited size and design appropriate to a rural area. The Culverstone Valley Area Supplementary Planning Guidance (October, 2002) expanded on this policy approach and provided further guidance on design issues.

As part of an examination of the Gravesham Local Plan Core Strategy, the Planning Inspector considered representations made in respect of the policy approach adopted toward the Culverstone Valley Area. In particular, he asked participants for comments on the following question (Issue 6, Question V)

Should there be a new housing policy for the Culverstone Valley Area; should the current Local Plan policy be retained (saved) or should any proposals that come forward be judged on their merits against the National Planning Policy Framework (NPPF) and any other relevant policies of the Local Plan Core Strategy only?

The view of the Council was that policy C14 should continue to be 'saved' until such time as the issue was looked at in the context of a subsequent Site Allocations and Development Management Policies development plan document (DPD). The Council did recognise, however, that the policy was inconsistent both with the approach to Green Belt as set out in the NPPF and policy CS02 of the Local Plan Core Strategy.

The Planning Inspector issued his report on the Local Plan Core Strategy on 22 July 2014 and he recommended that policy C14 be deleted so that development proposals are subject to the same Green Belt policies applying elsewhere in the borough, in line with the NPPF.

With the adoption of Gravesham Core Strategy in September 2014 Policy C14 was no longer saved and is not a material consideration for the purposes of this application.

Whilst the Planning Inspector considers that any comprehensive Green Belt boundary review should include the Culverstone Valley Area to establish whether or not it still meets the national and local purposes of including land in the Green Belt, this will be a matter for future deliberation when the Site Allocations and Development Management Policies DPD is prepared and examined.

Housing Need

In regard to housing need, Policy CS02 (LPCS) 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. This engages the first part of footnote 8 of the National Planning Policy Framework and this means for decision-taking that planning permission for applications involving the provision of housing should be granted in line with the requirements of the National Planning Policy Framework Para 11(d) unless:

- i. the application of policies in this Framework (the NPPF) that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.
- 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.

The proposed development for a net increase of '1' no. dwelling would offer a minimal contribution towards meeting this local need and, accordingly, officers considers that this should be accorded minimal weight in support of the application. However, this has to be balanced against other requirements of the NPPF (2021) and in particular paragraph 130 and 134 - of the NPPF (2021) which requires development to be add to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers. The proposed development is considered acceptable as discussed below.

Green Belt

The application site lies within the Metropolitan Green Belt It is therefore considered that the key issues in this case relating to the Green Belt are:

- Whether the proposal is inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework and development plan policy, and
- Whether any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Paragraph 137 of the NPPF states that the fundamental aim of Green Belts is to prevent urban sprawl by keeping land permanently open, with their essential characteristics being their openness and their permanence.

Paragraph 138 of the NPPF indicates that the Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

In addition to the above five nationally defined purposes of the Green Belt, policy CS02 of the adopted Gravesham Local Plan Core Strategy states that the local purposes of the Green Belt will be maintained. Paragraph 4.2.7 of the document sets these purposes as being:

- to maintain the break in development between the eastern edge of Gravesend and the Medway Towns which is one of the few barriers preventing the further eastward sprawl of London and the merging of towns along the southern part of the Thames Estuary;
- to assist in safeguarding the countryside by minimising the expansion of the Borough's rural settlements; and
- to assist in concentrating development on underused, derelict and previously developed land in the urban area of Gravesend and Northfleet.

Paragraph 147 of the NPPF sets out that 'inappropriate development' is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 148 of the NPPF advises that, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Any development in the Green Belt is inappropriate unless it falls within one of the exceptions set out in the closed lists contained in paragraphs 149 and 150 of the NPPF.

Paragraph 150 of the NPPF is not considered to be relevant in this case.

Paragraph 149 states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include:-

- 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) 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, whether redundant or in continuing use (excluding temporary buildings), which would:

– not have a greater impact on the openness of the Green Belt than the existing development; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Clearly, the first four bullet points do not apply in this instance as the proposal is not for agriculture or forestry; is not for appropriate facilities for outdoor sport, recreation or cemeteries; is not an extension or alteration of an existing building; and is not a replacement building.

Consideration therefore needs to be given as to whether the development falls under the last two categories.

The site subject to this application is an open piece of land between two dwellings.

The local planning authority therefore contends that the only exception that might apply under paragraph 149 of the NPPF in this case relates to 'limited infilling in villages' under bullet point (e).

On this, it is noted that neither the NPPF or the development plan define the terms 'limited', 'infilling' or even what constitutes a 'village'. Because of this, the local planning authority argues that the following points need to be addressed to determine whether the proposal should be considered as an exception or be deemed 'inappropriate' development.

These points are:

- Whether Culverstone Green is a village
- If Culverstone Green is a village, where its boundary lies relative to the application site?
- Whether the proposal subject to this application can be considered 'limited'; and
- Whether the proposal constitutes 'Infilling'

For the proposed development to constitute an 'exception' rather than be classed as 'inappropriate' development, it is contended that all of the above criteria need to be met.

Whether Culverstone Green is a 'village'

The adopted Gravesham Local Plan Core Strategy (2014) at 4.2.4, Table 2 and at 4.2.6 sets out a settlement hierarchy with 13 rural settlements inset from the Green Belt and two others (Harvel and Luddesdown) that are 'washed over'. None are specifically identified as 'villages'.

It is stated at 4.2.6 that where the rural settlements have been inset, the boundaries do not define the full extent of each settlement but relate to a coherent and established built up area where infilling would not adversely affect local character and identity or impact on the openness of the Green Belt.

This settlement hierarchy is reproduced below:

First Tier Settlements	Gravesend/Northfleet/Ebbsfleet, i.e. the urban area
Second Tier Settlements	Istead Rise, Hook Green Meopham, Higham
Third Tier Settlements	Culverstone Green, Meopham Green, Vigo
Fourth Tier Settlements	Cobham, Shorne, Sole Street
Other Settlements	Harvel, Lower Higham, Luddesdown, Lower Shorne, Shorne Ridgeway, Three Crutches

Source: Settlement Hierarchy Technical Paper December 2009 (attached as appendix 2.)

As noted above, there is no definition of a 'village' in either the NPPF or the development plan. Whilst the boundaries and status of individual rural settlements may be subject to review in the context of the emerging Site Allocations and Development Management Policies DPD, the boundaries shown on the policies map derive directly and are unchanged from those shown on the Gravesham Local Plan First Review proposals map (1994) as villages under now defunct policy V1.

As paragraph 144 of the NPPF only allows 'villages' to be excluded from the Green Belt by way of an inset designation and all of the above rural settlements are inset, it is accepted that they must by definition be treated as villages for the purposes of the application of planning policy.

If Culverstone Green is a village, where its boundary lies relative to the application site?

As Culverstone Green is considered for the purposes of this application to be a village, the question arises what its boundaries are on the ground and whether the application site within them. In this context it will be noted that the Court of Appeal case for Wood v Secretary of State for Communities and Local Government [2014] EWHC 683 (Admin) (Attached as appendix 3) in quashing the original decision did not make a planning judgement as to where the boundary might lie, rather that the original Inspector had misdirected himself in accepting the Green Belt/inset boundary as being the edge of the village after he had noted the built development continuing to the east.

It is considered that when determining this application the boundary conclusion that the Green Belt/inset boundary as shown on the policies map remains the village boundary – the fact that sporadic ribbon development continues to the north and south of the site is not determinative in this matter.

In this respect, the local planning authority argues that there remains a clear distinction between the more built up areas of Culverstone Green (in this case Whitepost Lane to the west and south) and the looser development of Meadow Lane and Rhododendron Avenue which is within the area known as Culverstone Valley. This area is quite rightly washed over and where the Council considers it important to maintain openness as a key characteristic of the Green Belt.

The local planning authority therefore contends that the designated rural settlement boundary shown on the adopted policies map remains justifiable on the ground and that the application site lies beyond it within the Green Belt. The proposal is therefore considered to be 'inappropriate' development in the Green Belt.

Whether the proposal subject of the appeal can be considered 'limited'.

Because the proposal only comprises a single detached dwelling it can be considered to be 'limited'.

Whether the proposal constitutes 'infilling'.

Neither the NPPF nor the development plan currently defines the term 'infilling'. However, this issue has been dealt with by various Inspectors at appeal which are material considerations

Full copies of these decisions are included in Appendix 4, with relevant extracts provided below:-

19750434 (T/APP/5277/A/75/11618/05)

9. Even if it were within the confines of the built up area, I would say that it is not an infill site. Not only the width of the site in relation to others must be taken into account but also the nature and location of the developments on either side. To the west the site is separated from the public house by a car park, while to the east Shornebury lies enclosed by its garden and trees and is well set back from the road: the erection of two houses as proposed would not be development of a gap in an otherwise built-up frontage.

8. I have considered the argument you have put forward that the proposed development would be acceptable under Policy RS2 of the Kent Structure Plan. This policy restricts new residential development at villages and rural towns to minor redevelopment and minor development such as infilling. I cannot agree that this policy could reasonably be applied to the appeal proposal. For the reasons already outlined I do not consider the site to be within the settlement area of the village. Moreover, I do not consider that the erection of 2 dwellings plus their garages in a frontage of some 50m, where at present the buildings either side are some 90m apart, could reasonably be regarded as infilling or minor development within the context of this policy.

There have also been other recent appeal decisions with similarities to the current application.

APP/P3420/A/14/2227000 – Land adjacent to Wall Farm House, Nantwich Road, Audley ST7 8DL – site comprised a plot lying in the Green Belt set within an area of ribbon development outside the defined settlement boundary. The Inspector considered this in light of paragraph 89 of the NPPF and whether it could be accepted as an exception as limited infilling in a village. No view was expressed on whether the site was in the village because the Inspector came to the conclusion that the width of the plot taken together with the fact that the adjoining property to the east was well set back and screened from the public highway accentuated the gap to such an extent that the development could not be considered as infilling.

APP/X1925/A/13/2205699 – Land adjacent to 20 Maydencroft Lane, Gosmore, Hitchin, Herts SG4 7QB – site lies within Green Belt on the edge of small village of Gosmore. Application considered in the context of paragraph 89 of the NPPF and whether it constituted limited infilling in a village. Inspector concluded that the site did not lie within the built up core of the village and, although the frontage comprised a high brick wall, it was at a point of transition where the character changed from a built up to an open frontage. Because the nursing home was set back from the frontage and this part of the lane was not built up, the Inspector concluded that this would not be filling a small gap and could not be considered to be infill.

A more recent appeal decision 2186760 (appendix 5) the Inspector concluded the following:

Within the site itself, there is an absence of significant built form, with the site mainly consisting of a flat grassed area. Given the size of the gap, the proximity of neighbouring buildings and the open nature of the site, I do not consider that the proposal would result in development of a gap in an otherwise built up frontage. As a result, the proposal does not constitute infilling as defined by the parties

In the above appeal decision the site in question had a frontage of some 49 metres and was situated between a public house and detached dwelling.

The applicant in their supporting statement refers to recent findings of Sullivan LJ (with whom Bean and King LJ agreed) who found that planning policy required the decision-maker to consider whether, as a matter of fact on the ground, the site appeared to be in the village. As this report has already demonstrated the site is clearly outside the built form of Culverstone Green and for the purposes of planning policy outside the defined village boundary.

When the Inspector re-determined Wood v Secretary of State for Communities and Local Government [2014] EWHC 683 (Admin) the Inspector agreed with the Local Planning Authority and stated:

9. In this case, whilst there is the See-Ho public house to the west and Shornebury to the east, the appeal site provides a clear, significant and distinct gap between these parts of the built up frontage. Moreover, the appeal site itself is a large open area with close boarded fencing on its east, south and western boundaries. Along the frontage with The Ridgeway is a raised grassed bank with coniferous hedge, and a post and rail fence. Within the site itself, there is an absence of significant built form, with the site mainly consisting of a flat grassed area. Given the size of the gap, the proximity of neighbouring buildings and the open nature of the site, I do not consider that the proposal would result in development of a gap in an otherwise built up frontage. As a result, the proposal does not constitute infilling as defined by the parties and as found in

earlier appeal decisions for the appeal site in 1975 and 1991.

In conclusion the local planning authority is of the view that the proposal does not constitute infilling under the terms of paragraph 149 of the National Planning Policy Framework 2021 and this has been clearly backed up by appeal decisions mentioned above.

Consideration of 'very special circumstances'

The applicant has not provided any 'very special circumstances' within the supporting planning statement.

Conclusion on Green Belt issues and assessment of harm.

The local planning authority is of the opinion that the application site lies outside the defined settlement boundary of Culverstone Green within the Green Belt; that there have been no significant changes in circumstances since that boundary was defined that would warrant a different interpretation being taken now; and that in any event, the proposal does not constitute infilling.

It is therefore argued that the proposal represents 'inappropriate' development in the Green Belt which is by definition harmful and which should only be permitted where the appellant can demonstrate 'very special circumstances' that clearly outweigh harm caused by inappropriateness and any other harm.

In undertaking the balancing exercise to determine whether or not those 'very special circumstances' clearly outweigh such harm, substantial weight must be accorded to the harm caused to the Green Belt.

The local planning authority contends that harm to the Green Belt in this instance primarily comprises:

Permanent loss of openness – Openness and permanence are the essential characteristics of the Green Belt. The site is currently undeveloped and void of buildings. The introduction of a large detached dwelling with a garage will permanently and irrevocably harm the Green Belt through loss of openness at this point. Whilst it may be possible to mitigate visual impact to a limited degree by screening, this cannot in itself overcome the adverse impact on openness which is defined by the presence or absence of the buildings themselves.

Encroachment of the countryside – This is a stated national purpose of the Green Belt at paragraph 80 of the NPPF. Whilst the application site is an isolated plot set amidst other residential plots on the edge of the Culverstone Green inset area, this is not an uncommon characteristic in rural areas where a mosaic of smaller plots often mark the transition from settlement to open countryside. The construction of a detached two storey dwelling with integral garage on the site would introduce an urbanising feature which would adversely affect the character of the settlement at a point of transition where the denser more closely grained development within the inset rural settlement changes to a looser form characterised by larger dwellings set within substantial plots., it is considered that this still represents an encroachment of the countryside. The proposed development would be highly visible and prominent on Meadow Lane.

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 Gravesham Local Plan Core Strategy (2014). As noted above, the local planning authority considers the proposal subject of the application to represent an encroachment of the countryside. This would take place as a result of the effective expansion of Culverstone Green inset rural settlement into Culverstone Valley. The local planning authority is also concerned that this could establish a precedent for similar such development within the area known as Culverstone Valley.

Impact on the landscape

Section 15 of the NPPF highlights the importance of conserving and enhancing the natural environment, one aspect of which is the protection and enhancement of valued landscapes. Policy CS12 of Gravesham Local Plan Core Strategy states that the overall landscape character and valued landscapes within the

Borough will be conserved, restored and enhanced and that proposals will take account of the Gravesham Landscape Character Assessment.

In May 2009 the Local Planning Authority published the Gravesham Landscape Character Assessment which identified 11 distinct areas within the borough. The application site falls within Meopham Downs.

The Gravesham Landscape Character Assessment demonstrates the qualities which make the landscape area special and undermines Policy CS12 of the Core Strategy which seeks to conserve and enhance its quality.

It is considered that the construction of detached dwelling on an undeveloped site will have an adverse impact on the landscape. The applicant has not included a landscape and visual appraisal or detailed landscaping scheme. Notwithstanding the lack of this information no amount of landscaping will be able to replicate the current stance of the site which is vacant of built form. The introduction of a large dwelling on the site with all the associated residential paraphernalia will appear as an alien feature within the landscape. In addition the vast area of parking with little soft landscaping is in complete contrast to the verdant character of the area.

In summary it is concluded the proposed development will be harmful to the Meopham Downs landscape character area and therefore conflicts with policy CS12 of Gravesham Core Strategy and section 15 of the National Planning Policy Framework 2021.

Sustainability

Section 2 of the NPPF, taken as a whole, represent the Government's view of what constitutes sustainable development. Given that 'inappropriate development' in the Green Belt should not be permitted unless 'very special circumstances' are demonstrated that clearly outweigh harm, and the local planning authority is of the opinion that this does not apply in this case, the proposal is contrary to the NPPF and therefore by definition unsustainable.

It should be noted that in paragraph 11 of the NPPF there is a presumption in favour of sustainable development but in respect of decision taking it is indicated that development proposals would not be approved if 'specific policies in this Framework indicate development should be restricted' and it is pertinent to note that an example is given as being land designated as Green Belt.

Paragraph 80 of the NPPF also provides specific advice on sustainable development in rural areas and should avoid new isolated homes in the countryside unless there are special circumstances which are listed as follows:

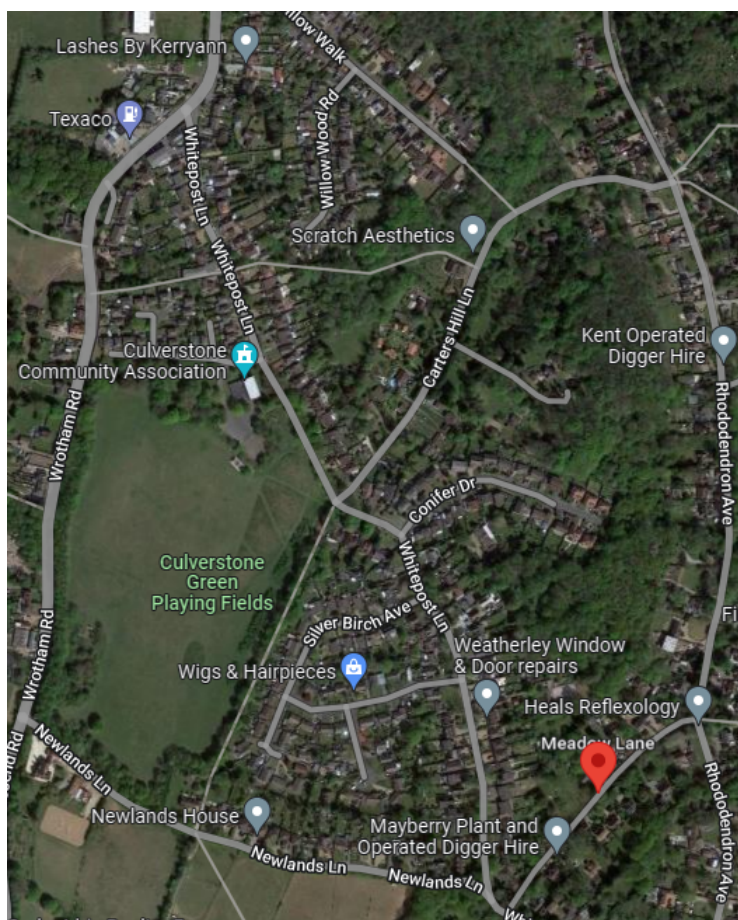
- the essential need for a rural worker to live permanently at or near their place of work in the countryside; or
- where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
- the exceptional quality or innovative nature of the design of the dwelling.

Such a design should:

- be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
- reflect the highest standards in architecture;
- significantly enhance its immediate setting; and
- be sensitive to the defining characteristics of the local area.

It is acknowledged that over 1km to the north west of the site is a garage (Texaco), shop (A1) and a primary school. Meadow Lane and the first section of Whitepost Lane has no dedicated pedestrian footway as

shown on the below photograph.



Whitepost Lane (Google Street View)

With the distance of over 1km to the nearest shop and the fact that the road has no dedicated pedestrian footway or street lighting at night it can be concluded that future occupiers would be required to use a private motor vehicle which is not sustainable form of development.

It should be noted that a recent appeal decision (See Appendix 5) for development adjacent to the settlement of Shorne Ridgeway recently provided clarification on the issue of sustainability.

The Inspector stated “It was indicated to me at the Hearing that these services are very limited, with no more than a handful of buses a day at best, which reflects the ‘infrequent’ nature suggested in the Technical Paper. Both are factors which would mean that there would be an over-reliance on private motor vehicles to access local services. The proposal would therefore fail to achieve the social role of the planning system in terms of the lack of accessible local services, and the environmental role by minimising waste and pollution.”

The Inspector went on to state “due to limited accessibility, there would be difficulty for future occupiers in accessing local services to support the community’s health, social and cultural well-being, which would be contrary to the social role of planning which seeks these aims. What is more, I have found that there would be significant harm to the Green Belt through inappropriateness. The proposal would therefore fail to fulfil the environmental role of sustainable development which includes contributing to protecting and enhancing our natural, built and historic environment.”

The proposal is therefore considered to be contrary to local and national policies 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.

Design

When evaluating the design of this proposal it needs to be considered against the design principles of Policy CS19 of Gravesham Core Strategy (2014) which require development to conserve and enhance the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anti-crime standards. At a national level the NPPF in paragraph 130 provides guidance on providing good design.

The application site is a narrow plot of land located within two chalet bungalows. The land slopes down to the east. The proposed dwelling is shown to be two storey with a large projection to the front which will accommodate a garage at ground floor and a bedroom at first floor. It will have a hipped roof with a section of flat roof. Generally, the use of flat roofs at two storey are unacceptable in design terms. The use of such a roof usually indicates that the property is too large/deep and is a sign of poor design. The western flank is deep at over 16m and will appear dominant in the street scene and when seen from the neighbouring property to the west.

The proposal is therefore not considered to conserve and enhance the character of the area and will result in a bulky and dominant form of development contrary to policy CS19 of the Gravesham Core Strategy 2014 and para. 130 of the National Planning Policy Framework 2021.

Climate Change

Policy CS18 of Gravesham Core Strategy (2014) sets out the requirements for dealing with sustainable drainage and surface water run-off. Sustainable Urban Drainage Strategy (SUDS) for the site which should include the following details:

- Pervious pavements/road surface to allow water to drain through the surface;
- outlet to pipes or infiltration to ground;
- rain gardens for each dwelling (simple and small basins for roof water drainage); and
- Filter Drains.

In order to deal with the above if the application was to be supported a condition would be required to deal with Sustainable Urban Drainage Strategy (SUDS) for the site.

Living environment for future occupiers

The proposed development needs to ensure that the development will provide adequate living conditions for future occupiers and this is reinforced by the Council's Residential Layout Guidelines and the nationally described space standard. These guidelines provide requirements for room sizes and amenity space.

The property meets both sets of standards in terms of floor area and there is sufficient amenity space for the proposed dwelling.

There will be no overlooking from the proposed development onto adjacent properties.

In summary it is considered that dwelling will provide acceptable living conditions for future occupiers and thus comply with the Council's Residential Layout Guidelines and Policy CS19 of Gravesham Core Strategy.

The effect on neighbouring properties living conditions

There are no habitable room windows proposed in the flank walls at first floor and therefore there will be no loss of privacy to neighbouring dwellings. Due to the path of the sun and the position of the proposed dwelling there will be no detrimental impact on sunlight or daylight to either neighbouring dwelling. In terms of outlook, the proposed dwelling projects much further forward than Sweet Meadow to the southwest and will be two storey. This neighbour has a large double garage and car port to the front and there are tall

trees between the properties. Any loss of outlook is not considered significant and therefore, on balance, no concerns are raised.

In terms of residential amenity the proposal accords with policy CS19 of the Gravesham Core Strategy 2014 and para 130f of the National Planning Policy Framework 2021.

Effects on highway safety/parking provision

The scheme as submitted needs to be considered against saved policy T1 and P3 of Gravesham Local Plan First Review (1994), Policy CS11 of Gravesham Core Strategy and Section 4 of the NPPF. These policies ensure that development has an acceptable amount of parking, is not detrimental to the highway network and promotes sustainable transport methods

Both the borough highway engineer raises some concerns regarding the size of the garage, the amount of cycle parking and the disposal of water. The amount of parking regardless of the garage is sufficient for this size property and there is space to accommodate more cycles which can be controlled by condition. The disposal of water can also be controlled by condition.

There is no conflict with local or national planning policy in regard to highway impact.

Conclusion & Recommendation

1. The site is within the approved Metropolitan Green Belt. Within the Green Belt there is a strong presumption against permitting new development outside of the present defined extent of urban areas and the present extent of any village. National Planning Policy Framework Section 13 (Protecting Green Belt Land) indicates that the most important attribute of Green Belts is their openness. The proposed development is inappropriate development and would cause harm to the Green Belt, and to the character and appearance of the area. As such the proposal is considered to be contrary to the advice in National Planning Policy Framework Section 13 (Protecting Green Belt Land), and Policy CS02 (Scale and Distribution of Development) of the Core Strategy.
2. The site lies in the designated countryside outside the confines of the urban areas and rural settlements. The proposal comprises of residential development in the countryside, being within an unsustainable location and contrary to Policies CS01 and CS02 of Gravesham Core Strategy and paragraph 79 of the National Planning Policy Framework 2021.
3. The proposed two storey detached dwelling by virtue of its massing and bulk, together with vast areas of hard landscaping, will result in an incongruous and dominant form of development out of character with the surrounding properties contrary to policy CS19 of the Gravesham Core Strategy 2014 and para. 130 of the National Planning Policy Framework 2021.
4. The site is within the Meopham Downs designated landscape character area and the proposed dwelling would be detrimental by introducing inappropriate residential development which will result in visual harm by suburbanising the site. The development is contrary to Policy CS12 of the Core Strategy and Section 15 of the National Planning Policy Framework 2021 which seek to give long term protection of these areas.

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

Case Officer:	Mrs Alison Webster	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>

Dated:	5 October 2022	Dated:	5th October 2022
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Gravesham Borough Council