



Delegated Report

Full Planning Application

Planning Application No:	20230181
Location:	Field Adjacent to Brookers Farmyard, Luddesdown Road, Luddesdown, Gravesend
Description:	Engineering works to construct a formal car parking area for Vineyard Farms Ltd office, and winery and vineyard workers.
Applicant:	Mr Steve Chappell
Site Visit Date:	22 March 2023 & 24 May 2023

Submitted Documents/Plans

Application form
Site Location Plan
Drawing no. H-01 Rev. P3 (Proposed Access Design and Parking Layout)
Planning Statement (dated 24/02/2023)
Transport Statement (ref. PL/RS/19020 dated February 2023)
Preliminary Ecological Appraisal (ref. 2023/01/12 dated 27 January 2023)

Superseded plan following KCC Biodiversity and Kent Downs AONB comments:

Drawing no. H-01 Rev. P1 (~~Proposed Access Design and Parking Layout~~)

Relevant Planning History

Reference	Description	Decision	Decision Date
20210607	Retrospective application for erection of two storage/fermentation tanks.	Temporary permission	23.07.2021
19880177	Erection of two agricultural buildings to form grain store, workshop/general purposes building.	Permission	23.05.1988
19500058	Alteration of existing and erection of new farm buildings	Permission	08.05.1950

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS07 – Economy, Employment and Skills
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development and Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- T1 – Impact of Development on the Highway Network
- T5 – Access to the identified Highway Network
- P3 – Vehicle Parking Standards

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
- 6 – Building a strong, competitive economy
- 9 – Promoting sustainable transport
- 12 – Achieving well-designed places
- 13 – Protecting Green Belt Land
- 15 – Conserving and enhancing the natural environment
- 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- SPG4 - KCC Parking Standards (2006)
- Gravesham Landscape Character Assessment (2009)
- Kent Downs AONB Management Plan 2021-2026
- Landscape Character Assessment Update 2020

Consultations, Publicity and Representations

External Consultees

Dickens' Country Protection Society

The Society has no objection to the proposal in principle but is concerned that the car park is relatively large and is described as being for the use of workers and visitors. The Society would be concerned if the proposal resulted in a significant increase in visitor traffic on narrow rural roads.

Environment Agency

No comments.

KCC Biodiversity

Initial comments:

We advise that additional information is sought from the applicant prior to determination of the planning application.

Under section 40 of the NERC Act (2006) and paragraph 174 of the NPPF (2021), biodiversity must be maintained and enhanced through the planning system. Additionally, in alignment with paragraph 180 of the NPPF 2021, the implementation of enhancements for biodiversity should be encouraged.

With concrete/crushed stone/plastic insets replacing the majority of the grassland at this site, it is unclear how a biodiversity net-gain will be achieved. There appears to be no reference to this within the ecology report.

We advise that it is demonstrated that the development is not entailing a biodiversity net-loss prior to determination of the application.

Further comments:

Whilst it is still unclear if a biodiversity net-gain is being achieved, the proposed planting of native hedgerow around and within the car park is a positive measure in an attempt to offset the loss of green space. As such, we advise that the soft landscaping within the most recent plan is secured via condition with any granted planning permission.

KCC Heritage

The site lies within an area of multi-period archaeological potential with a record of the site of possible later prehistoric or Romano-British activity in the form of crop marks c.80m to the east of the site. The proposed works would be likely to impact on any below-ground archaeological remains at the site and I recommend that if planning permission is granted, an archaeological field evaluation works condition is applied to any forthcoming consent.

I recommend that the field evaluation could comprise a geophysical survey in the first instance to limit physical impacts to the site. The detail of the approach would depend on the extent and depth of groundworks and I would be happy to discuss any of the above further and provide the applicant with a brief for the work on request.

KCC Highways

Provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority:-

- 1 Provision and maintenance of the visibility splays shown on the submitted plans with no obstructions over 1.05 metres above carriageway level within the splays, prior to the use of the site commencing.
- 2 Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing.
- 3 A minimum of 10% of the parking spaces shall be provided and retained with active EV charging points plus a minimum of a further 10% of the parking spaces shall be provided with passive (ducting / cabling only) provision.
- 4 Provision and permanent retention of the cycle parking facilities shown on the submitted plans prior to the use of the site commencing.

Informative: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway. Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil. Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the

Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

Kent Downs AONB Unit

We are unable to provide a detailed response to planning application consultations at the moment. This does not indicate that the AONB Unit considers the proposal would not impact on the statutory purposes of AONB designation and it is the responsibility of the Council to decide whether the application meets legislative and policy requirements in respect of AONBs.

The local planning authority has a legal duty to take account of the purposes of AONB designation in determining the application i.e. the conservation and enhancement of the area's natural beauty. In addition to consideration of the proposal against the local authority's development plan, account should be taken of paragraphs 176 and 177 of the NPPF and the principles and objectives of the Kent Downs AONB Management Plan, Third Revision 2021 to 2026. The Management Plan is adopted by all the local authorities in Kent as their policy for the management of the AONB and for the carrying out of their functions in relation to it. The national PPG confirms that AONB Management Plans can be a material consideration in determining planning applications.

The site is located within the West Kent Downs Landscape Character Area of the Kent Downs LCA Update 2020 and within the Luddesdown Sub Area. Summary characteristics of this Character Area include the dip-slop landform of dry valleys running north-south, interspersed with broad, undulating ridges and plateaux; extensive blocks of woodland, as well as strips on valley sides with the topography and woodland restricting views in much of the area, but with occasional long views along valleys. In respect of the Luddesdown sub area it is stated that 'this is a tranquil, complex and distinctive landscape, with a peaceful remote feel, strong sense of place and few detracting features. It has a strong sense of time-depth, and the structure of the landscape has remained largely unchanged since the late nineteenth century'.

Landscape Management Recommendations within the LCA include:

- Protect the deeply rural character of the area, resisting development which gives it a more urbanised character
- Protect the enclosed landscapes of the dry valleys formed by the steep valley sides and numerous woodland blocks
- Manage the extensive new vineyard areas to maximise the potential to enhance landscape and biodiversity
- Ensure that any new development around historic villages respects the scale, layout, massing and materials of existing buildings, and also their relationship with the landform. Landscape proposals should

reflect local character, using appropriate form, structure and species.

The site is located on the bottom of a dry valley and as such is in a particularly sensitive location, as dry valleys were one of the main targets of the AONB designation and are noted specifically as being one of the components of the 'dramatic landform and views' special qualities of the Kent Downs AONB. While the applicant has sought to moderate the effects of the proposal to an extent, the proposal would nevertheless introduce a relatively urbanising feature into this highly sensitive and rural landscape that would impact on the landscape and scenic beauty of the Kent Downs AONB.

If the Council is minded to accept the principle of the proposal, it is considered that further mitigation should be incorporated to help reduce the impacts. This is considered particularly important in view of the visibility of the site from the wider AONB landscape, including from Luddesdown Road, Cutter Ridge Road and from Public footpath NS255 to the west and Public Footpath NS239 to the east.

Mitigation should take the form of additional planting to that shown around the boundaries of the site, particularly the eastern boundary, which appears to be limited to a single row hedge. This should include substantial additional tree planting appropriate to landscape character. This would be in accordance with Principles SD2 and SD3 of the Management Plan.

However, in view of the elevated nature of views from the east and west, boundary planting would only be of limited effectiveness as views over the boundary planting are likely to be possible. It is therefore considered that additional planting should also be incorporated within the main body of the car parking area. While we note that planting is indicated within the central area of the carpark, in view of the sensitivities of the site it is considered that it should be specified that this will incorporate tree planting, which would help break up the expanse of hard surfacing when viewed from the higher topography of the valley sides to the east and west of the site.

In view of the rural location, should permission be forthcoming we would also recommend imposing conditions restricting any external lighting to ensure the dark night skies and tranquillity of the AONB are maintained, in accordance with Principle SD7 of the Management Plan.

As a final point, we note various references to the 'Millington case' used as justification for a winery use being accepted as a considered to fall within the definition of an agricultural use. The judgement in the Supreme Court Case referred to was in connection with a scale of Enterprise that was very different from that being considered under the current application. The Judgement states 'the making of wine or cider or apple juice on the scale with which we are concerned is a perfectly normal activity for a farmer engaged in growing wine grapes or apples'. The scale of the enterprise considered in this case related to the production of wine from grapes grown on a holding of just 3 ha so is of a clearly different scale to that which is being considered here.

Environment Agency

We have no comments to make on the application.

Internal Consultees

GBC Highways

This application is interesting but also confusing. Paragraph 3.3.2 refers to no visitor parking spaces being marked.

3.3.2 The remainder of the car park will be cellular casing filled with crushed stone with plastic insets to delineate the parking bays. It is not anticipated that the car park will have lighting at this time. If it is required, a lighting consultant will design a suitable low impact scheme with motion sensors. Ten of the bays will have 'active' electric vehicle charging infrastructure and five will have passive provision to enable future conversion. No specific bays will be marked out for visitors; they will use the general spaces provided. There will be planting around the car park perimeter and along the middle of the central island.

But this is contradicted by 4.7.1 which states 5 spaces will be marked for visitors.



May 2019



August 2009



January 2021

In terms of access for the disabled the applicant should note that people not in wheelchairs may have more difficult access issues and need to park as close as possible to the attraction and this aspect of the application should ideally be reconsidered given it is stated that wheelchair users can park in alternative spaces.

See paragraph 1.4.8 of the Planning Statement

- 1.4.8 A total of 60 spaces are shown which will also include ev charging spaces and disabled provision, albeit those using wheelchairs will be directed to use the space available within Brookers Farm itself.

Given the use could continue without the car park being formally surfaced, I have no objections.

- 4.7.1 The car parking standards for Office land-use are 1 space per 20 sqm. The proposed offices have an area of 369.5sqm equalling 19 spaces but the site occupies an isolated rural location and with the planned accommodation for 40 office staff, 15 winery workers and visitors, a total of 60 spaces is proposed. This includes four bays within the main car park that will be marked out so that they can be used immediately for disabled use, or converted to disabled use should future demand require. Five spaces will be marked as visitor parking.

From the analysis presented it is apparent that 5 visitor parking spaces are intended and marked spaces make it more obvious to visitors that parking is available, but signs can be obtrusive in a sensitive environment.

With regards to the sight line provision, generally they are measured to the edge of carriageway, but in certain instances a one metre off-set may be acceptable, although it does reduce the effect of the sight line. Here Google Street view shows mud on the highway and some foliage overhanging the carriageway which would move the effective channel line into the highway.

As the access is already in use and it seems the use could continue as it is related to an agriculture use without permission and a paved car parker would be a better option than an unpaved field, in this instance it seems appropriate to accept what is being offered, rather than insist on something that is not achievable, and the use continues.

Neighbouring properties

The application has been advertised by individual neighbour letters to 6 properties, in the press and on site. The consultation periods expired on 3rd, 7th and 14th April 2023 respectively.

Three letters of representation have been received from neighbouring properties, with the following comments:

- The number of parking spaces proposed is excessive and would be damaging to the AONB.
- The application is an indication about changing the barn into a processing factory, further industrialising the site and overdeveloping the Green Belt.
- There are usually no more than 10 cars and a minibus that park up; there is a concern about the purpose of the car park and any approval should restrict the car park to workers of the vineyard only, and confirmation should be sought about how workers will be transported and that there will be no more cars parked in passing places and in the fields.
- Local, single-track roads are unable to support the traffic that the development will generate.
- HGVs and cars have already caused damage to roadside banks, verges, trees and private entrances; this will worsen.
- The proposed increased in site traffic will all go against the flow of local traffic, causing traffic chaos on the single tract roads and further damage.
- Other similar developments have been refused (e.g. 20200865).
- Increase in roadside litter since the site has been in operation.
- There is more suitable space for a car park and office space elsewhere.
- There should be ample parking for the office workers and site visitors by the office building.

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

Officer's Analysis

Proposal

This application seeks full planning permission for engineering works to construct a formal car parking area for Vineyard Farms Ltd office, winery and vineyard workers and visitors to the winery.

The field is already used informally for parking for workers but ground conditions during winter are poor when the ground is saturated, muddy, frozen and rutted. The application therefore proposes a formal parking area. The scheme and intended layout is based on a scheme at the National Trust's Ightham Mote.

The applicant intends to move all office-based staff to Brookers Farm, by increasing office space provision here. The proposed size of the car park is reflective of this intention.

The car park is shown for 60 spaces, including EV charging spaces and disabled provision. The main access into the car park will be tarmac but the large majority of the car park will be with a crushed stone material rolled in to ensure a rural appearance, with plastic insets to delineate parking. A substantial amount of planting is intended, including double staggered hedgerows comprising hawthorn, field maple

and mixed black thorn.

Extract from Proposed Access Design and Parking Layout Plan



Principle Issues

Paragraphs 84 and 85 of the NPPF 2021 relate to supporting a prosperous rural economy. The development and diversification of agricultural rural businesses should be enabled, and it should be recognised that proposals to meet local business needs may be required in such areas, in locations that are not well served by public transport. It will be important, however, to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport).

Policy CS07 of the Core Strategy 2014 also supports proposals that promote the appropriate expansion and diversification of the rural area economy. Policy CS02 supports development outside rural settlements, including proposals to diversify and maintain the rural economy, where it is compatible with national policies for protecting the Green Belt and policies in this plan.

This proposal is located in the countryside, outside any rural settlement, and in the Green Belt. The site

relates to the business of Vineyard Farms Ltd, which is an organic vineyard with over 1600 acres of vineyards, woodland and pastureland. The company is seeking to become the UK's largest producer of English sparkling and still wines. Space is required for workers to park at the site, and rather than continue with informal parking in a field and on the rural lane, the applicant is seeking to formalise a parking area with a rural design approach.

National and local policy is generally supportive of such rural business development and expansion, subject to compatibility with policies for protecting the Green Belt and other policies in the development plan.

The main issues for consideration in the determination of this application are as follows:

- Appropriateness of development in the Green Belt
- Impact on openness
- Character and appearance of the surrounding area
- Residential amenity
- Highways and parking
- Ecological impact.

Whether the proposal is inappropriate development in the Green Belt

Paragraph 137 of the NPPF 2021 highlights the importance of the Green Belt and its role in preventing urban sprawl and keeping land permanently open. As the site lies in the Green Belt there is a need to establish whether the proposal amounts to inappropriate development.

The submitted Planning Statement asserts that cars already park in the field that is the subject of the application, and that the proposal does not amount to a change of use as the parking is by persons employed in agriculture and as such is incidental to the agricultural operation of the site as a vineyard. The proposal is to effectively formalise the use of an agricultural field for the parking of vehicles associated with the agricultural business activities of Vineyard Farms Ltd.

The Millington Court of Appeal Case (1999) is referred to in this regard, where it was established that the selling of wine grown on the premises, including public visits and tastings, were ancillary agricultural activities which did not need planning permission. However, the scale of this case was very different to the current application, concerned as it was with a much smaller holding.

It is recognised that the proposed use would be for the farm and on farm land, and that there is a current informal use of part of the field for parking. However, the proposed car parking use would be materially different from the current use as an agricultural field given the scale of the development involved, which comprises a large increase in the size of the parking area. The application form states that the number of 'existing spaces' is 25; whereas 60 spaces are proposed within an area of approximately 38m by 52m. This is more than doubling the size of the informal arrangement and formalising a car park of this size, involving losing such a large part of the field, is therefore considered to be a material change of use and the proposal should be assessed on this basis, as well as considering the engineering operations involved.

Whilst paragraph 150 (b) of the NPPF 2021 considers engineering operations as a form of development in the Green Belt that is not inappropriate provided the development preserves the openness of the Green Belt and does not conflict with the purposes of including land within it (which will be assessed below), the material change in the use of a field for a car park does not fall under one of the exceptional forms of appropriate development in the Green Belt, and therefore would simply be considered inappropriate development, which is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances have not been put forward as part of the application submission, and the proposal is unacceptable on this basis.

Harm to openness and the purposes of including land within the Green Belt

As set out in paragraph 150 (b) of the NPPF 2021, it is necessary to consider the level of harm to openness

from the proposal that would result from engineering operations for the creation of a formal car parking area on this site. It needs to be borne in mind that the Courts have held that the impact on openness has both a spatial and visual dimension and it is a matter of planning judgement as to whether the proposal will result in (any) harm to openness.

As stated above, the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and permanence. Paragraph 001 of the Planning Practice Guidance 2019 on Green Belts looks to assess the impact of a proposal on the openness of the Green Belt by taking into account the spatial and visual aspects of a development, its duration and remediability, and the activity levels generated.

The site comprises a field immediately adjacent the farm buildings, slightly to the south-west. Existing farm tracks run along the western and northern boundaries of the site. The land slopes up to the east. The proposed car park would be on the lower part of the field, where the land is more level.





It is recognised that cars are already present, and already have an impact the openness of the site in this location, spread as they can be along the existing farm accesses in the field and (more obviously) along the road. There are open views of the site from the surrounding roads and nearby footpaths, and the cars do impact on the current views. There is existing boundary screening that limits views into the site to an extent, but this is not substantial enough to screen it completely. The proposed formal arrangement would involve a much larger number cars across a much larger formal parking area than is currently used, extending into what is now an open field. The proposed car park surface would spread across a large part of the field, with hard tarmac surfacing at the opening, entirely urbanising the site, and whilst additional planting in and around the site would assist in lessening the visual impact to an extent, this in itself would impact on the openness of the field. There would also likely be a difference in activity levels related to the increase in the numbers of cars than already exists.

Site Photos taken 24/05/2023



Altogether, the proposed extent and spread of parking across the open field would impact on the openness of the site and would encroach into the countryside, contrary to the purpose of the Green Belt designation. The proposed engineering works for the car park fail to preserve the openness of the Green Belt and conflict with the purpose of it. The proposed change in the use of the land and engineering operations involved are therefore considered to be inappropriate development in the Green Belt.

Character and Appearance

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

Paragraph 174 of the NPPF 2021 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. The site lies within the Kent Downs Area of Outstanding Natural Beauty (AONB). Reflective of paragraph 176 of the NPPF 2021, Policy SD2 of the Management Plan 2021-2026 recognises the need to conserve and enhance the local character, qualities, distinctiveness and natural resources of the AONB. Principle SD8 seeks to ensure that proposals do not negatively impact on the distinctive landform, landscape character, special characteristics and qualities, the setting and views to and from the AONB.

The site is located within the West Kent Downs Landscape Character Area of the Kent Downs Landscape Character Assessment (LCA) Update 2020 and within the Luddesdown Sub Area. Summary characteristics of this Character Area include the dip-slop landform of dry valleys running north-south, interspersed with broad, undulating ridges and plateaux; extensive blocks of woodland, as well as strips on valley sides with the topography and woodland restricting views in much of the area, but with occasional long views along valleys. One of the Landscape Management Recommendations within the LCA includes protecting the deeply rural character of the area, resisting development which gives it a more urbanised character.

The site is located at the bottom of a dry valley, and in their advice on the proposal, the Kent Downs AONB Unit has noted that the site is in a particularly sensitive location, as dry valleys were one of the main targets of the AONB designation and are noted specifically as being one of the components of the 'dramatic landform and views' special qualities of the Kent Downs AONB. The site is therefore particularly visible from the wider AONB landscape, including from Luddesdown Road, Cutter Ridge Road and from Public footpath NS255 to the west and Public Footpath NS239 to the east.

The application site is also located in the Luddesdown Downs Landscape Character Area within the Gravesham Landscape Character Assessment and as such, Policy CS12 of the Core Strategy 2014 is also relevant. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the Gravesham LCA will be taken into account in determining applications. The LCA states the area is defined by very undulating topography with arable farmland and pasture, irregular field patterns, fields divided by native hedgerows and areas of native woodland that all contribute to the rural character of the area. The condition of the landscape is generally good, its sensitivity high. The guidelines for the area focus on conserving the distinctive features that are found in the area to protect and maintain its character and quality, including conserving hedgerows.

There has been a revision to the original submission following initial biodiversity and AONB comments, to include double staggered native hedgerows and cherry tree planting around and within the site, which would moderate the effects of the proposal to some extent by helping to break up the expanse of hard surfacing when viewed from the higher topography of the valley sides to the east and west of the site. However, considering the elevated nature of views of the site from the east and west, despite the additional boundary planting, views over the planting into the car park are likely, and as the proposed car park surface would be entirely different to the current grassed field and would introduce an urbanising feature into this landscape, the landscape and scenic beauty of the Kent Downs AONB and Luddesdown Downs LCA would be adversely impacted.

The proposal would therefore be contrary to Principles SD2, SD3 and SD8 of the Management Plan, which generally seek to conserve and enhance the character and qualities of the Kent Downs AONB, rather than detract from it. The proposal would also fail to meet the guidelines in the Kent Downs Landscape Character Assessment (LCA) Update 2020 and the Gravesham Landscape Character Assessment 2009. Overall, the proposal fails to conserve and enhance these valued landscapes and would conflict with the aims of Policies CS12 and CS19 of the Core Strategy 2014, and paragraphs 130, 174 and 176 of the NPPF 2021.

Residential Amenity

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

There are no immediate residential neighbours next to the application site; the nearest houses are at least 30m to the north (Brookers Cottage and Brookers Farm Cottage (Nos. 88 and 89 Luddesdown Road)) and the farm entrance and buildings are positioned between the application site and the cottages. Whilst there may be an increase in the activity levels and comings and goings from the increased car parking capacity, this is unlikely to cause any significant adverse impacts over and above what is already experienced by the established use. The proposal would not adversely affect outlook, light or privacy to these properties.

Overall, the impact on amenity is considered to be acceptable. As such, it would comply with Policy CS19 of the Core Strategy 2014 and paragraph 130(f) of the NPPF 2021.

Parking and Highways

As the access is already in use and the use could reasonably be expected to continue as it is related to an agriculture use without permission, and a surfaced car park would be a better option than an unpaved field, in this instance the proposal is considered appropriate and preferable to the use continuing with no control.

From the analysis presented it is apparent that 5 visitor parking spaces are intended. Marked spaces make it more obvious to visitors that parking is available, but signs can be obtrusive in a sensitive environment and therefore details of any such signage would be required to be considered. This should be conditioned.

With regards to the sight line provision, generally this is measured to the edge of carriageway, but in certain instances a one metre off-set may be acceptable, although it does reduce the effect of the sight line. Here, Google Street view shows mud on the highway and some foliage overhanging the carriageway which would move the effective channel line into the highway. The proposed visibility splays are acceptable and KCC Highways have recommended a condition regarding their maintenance. Details of EV points and cycle parking are also recommended to be conditioned.

Any Other Material Planning Considerations

Biodiversity

The NPPF 2021 in paragraph 180(a) states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or as a last resort compensated for, then planning permission should be refused. Policy CS12 of the Core Strategy 2014 reflects this stance and states that sites designated for their biodiversity value will be protected. There will be no net loss of biodiversity in the Borough.

A Preliminary Ecological Appraisal (PEA) has been submitted. KCC Biodiversity are satisfied that the proposed planting of native hedgerow around and within the car park is a positive measure in an attempt to offset the loss of green space, though it is still unclear if a biodiversity net-gain is being achieved. It is

advised that the soft landscaping within the revised plan is secured via condition. The Kent Downs AONB Unit have also advised that the implementation of any lighting is restricted to ensure the dark night skies and tranquillity of the AONB are maintained, in accordance with Principle SD7 of the Management Plan.

Archaeology

The site lies within an area of multi-period archaeological potential with a record of the site of possible later prehistoric or Romano-British activity in the form of crop marks c.80m to the east of the site. The proposed works would be likely to impact on any below-ground archaeological remains at the site and it is therefore recommended that an archaeological field evaluation works condition should be applied to any forthcoming consent.

On this basis, the proposal would therefore comply with Policy CS20 of the Core Strategy 2014 and paragraph 197 of the NPPF 2021.

Conclusion

The application is unacceptable for the following reasons:

1. The proposal, by virtue of the extent and spread of parking across the open field, would result in inappropriate development that would adversely impact on the openness of this site in the Green Belt and would encroach into the countryside. No special circumstances have been demonstrated to exist. As such, the proposal would fail to comply with the requirements of Policies CS02, CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraphs 137, 138, 147, 148 and 150 of the National Planning Policy Framework 2021.
2. The proposal, by virtue of the extent and spread of parking across the open field, would fail to conserve or enhance the rural landscape and scenic beauty of this site within the Kent Downs Area of Outstanding Natural Beauty and the Luddesdown Downs Landscape Character Area. As such, the proposal would fail to comply with the guidelines and principles of the Gravesham Landscape Character Assessment (2009), Kent Downs AONB Management Plan 2021-2026 and Landscape Character Assessment Update 2020, and the requirements of Policies CS02, CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraphs 130, 174 and 176 of the National Planning Policy Framework 2021.

Recommendation

Refusal

(See draft Decision)

Case Officer:	Mrs Katherine Parkin	Team Leader:	Miss Faye Hobbs
Signed:	<i>K. Parkin</i>	Signed:	
Dated:	24 May 2023	Dated:	24 May 2023