



Delegated Report

Full Planning Application

Planning Application No:	20230320
Location:	Little Cottage, Ridge Lane, Meopham, Gravesend
Description:	Demolition of existing dwelling and associated outbuildings, removal of lawful touring caravans, and the erection of a replacement dwelling
Applicant:	Mrs E Twinley
Site Visit Date:	10 May 2023

Submitted Documents/Plans

Application form

Covering letter amended 12 April 2023 (ref. J004292)

Drawing no. J004292-CD-01 (Site Location Plan)

Drawing no. J004292-CD-02 (As Existing Block Plan)

Drawing no. J004292-CD-03 (As Existing Site Plan)

Drawing no. J004292-CD-04 (As Existing Site Plan with PD Extensions)

Drawing no. J004292-CD-05 (As Existing Floor Plan with PD Extensions)

Drawing no. J004292-CD-06 (As Existing Floor Plan)

Drawing no. J004292-CD-07 (As Existing Elevations)

Drawing no. J004292-CD-08 (As Existing Outbuilding Plan and Elevations)

Drawing no. J004292-CD-12 (As Proposed Block Plan)

Drawing no. J004292-CD-13 (As Proposed Site Plan)

Drawing no. J004292-CD-16 (As Proposed Ground Floor Plan)

Drawing no. J004292-CD-17 (As Proposed Elevations Northern and Southern)

Drawing no. J004292-CD-18 (As Proposed Elevations Eastern and Western)

Preliminary Ecological Appraisal (December 2023)

Briefing Note - Arboricultural Impact Assessment on ASNW (7 December 2023)

Relevant Planning History

Reference	Description	Decision	Decision Date
20181207	Application for Lawful Development Certificate for the continued use of the former stables building as a residential dwelling and associated curtilage (known as Little Cottage).	Granted	29.11.2019
20180655	Application for Lawful Development Certificate for the continued use of the former stables building as a residential dwelling and associated curtilage (known as Little Cottage).	Withdrawn	19.11.2018
20100930	Removal of two sheds on plots 1 and 2 and erection of two new garden stores, one of each plot.	Permitted	11.11.2010

20100456	Erection of two detached three/four bedroom replacement dwellings with rooms in the roofspace, each with a detached garage at the front.	Permitted	03.09.2010
20060528	Erection of a detached stable block to provide two stables and tack room.	Refused	13.09.2006
20060512	Application for Lawful Development Certificate in respect of the existing use for the stationing of a mobile home.	Granted	16.08.2006

Development Plan

Gravesham Local Plan Core Strategy 2014

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS19 – Design and Development Principles

Saved Policies in the Gravesham Local Plan First Review 1994

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

Paragraph 33 of the NPPF (2023) 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 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 (2023), the Council will also seek to replace these.

Policy CS02 of the Core Strategy sets out the Borough's objectively assessed need for housing over the Plan period (up to the year 2028) and finds that there is a need for at least 6,170 new dwellings during the period. Evidence now available shows that the Council is not able to demonstrate a five-year housing supply (a 3.27 year supply has most recently been calculated within the statement published [here](#)), and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Core Strategy Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the NPPF (2023).

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

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

In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF (2023) at footnote 7 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in NPPF (2023) paragraph 187) and/or designated as Sites of

- Special Scientific Interest;
- Green Belt;
- Local Green Space;
- Areas of Outstanding Natural Beauty;
- A National Park or Heritage Coast;
- Irreplaceable habitats;
- Designated heritage assets (and other heritage assets of archaeological interest, see NPPF footnote 72); and
- Areas at risk of flooding or coastal change.

In determining applications for planning permission involving housing, the Council will therefore apply a weighted balance in favour of granting planning permission in accordance with relevant case law and guidance, having regard to the acceptability or otherwise of the proposals when evaluated against development plan policy, the need to make efficient use of land (paragraph 129(c)) in context, the relative contribution the proposal makes towards the alleviation of any shortfall in housing delivery at that time and any other considerations material to the proposed development.

As part of this balancing exercise, it should be noted that paragraphs 135 and 139 of the NPPF (2023) requires development to add to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers.

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

National Planning Policy Framework (2023)

- 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 and beautiful places
- Section 13 – Protecting Green Belt land
- Section 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

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

Consultations, Publicity and Representations

External Consultees

KCC Biodiversity Officer

Initial comments 10.05.2023

NO INFORMATION – MORE INFORMATION NEEDED

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.

Protected Species

Buildings are present on the site, as no photographs or ecological survey information have been supplied with the application, the potential for protected species roosting within the buildings on-site cannot be ruled

out. To determine if further survey is required by a suitably qualified ecologist, high quality photographs of the on-site buildings for removal are requested, particularly of the existing dwelling for removal. Photographs should show the buildings from all sides, and pay particular attention to the roof, soffits and fascias.

To ensure that the planning determination is adequately informed in respect of all potential ecological impacts, we advise that the photographs are sought prior to determination of the planning application. This is in alignment with paragraph 99 of ODPM 06/2005 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”.

Ancient Woodland

It should also be noted that directly to the south and east of the site is woodland designated as ancient semi-natural woodland. As such, we highlight paragraph 180 of the NPPF which states that “development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists”.

The Natural England/Forestry Commission standing advice states that there should normally be a minimum 15m buffer zone between development and ancient woodland. It is noted that some development appears to have already occurred on ancient woodland to the east of the site, with trees cleared between 2003 and 2015.

It is recommended that an arboricultural consultant be engaged to determine the potential risks of the development upon ancient woodland, as well as any appropriate avoidance and mitigation measures necessary. This information should be sought prior to the determination of the planning application to ensure that the development will not result in the loss or deterioration of ancient woodland.

Further comments 02.05.2024 following submission of Arboricultural Impact Assessment and Preliminary Ecological Appraisal

SUMMARY – SUFFICIENT INFORMATION PROVIDED

We have reviewed the additional information submitted by the applicant and advise that sufficient ecological information has been provided.

It should also be noted that directly to the south and east of the site is woodland designated as ancient semi-natural woodland. As such, we highlight paragraph 180 of the NPPF which states that “development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists”. The submitted arboricultural report indicates that measures can be put in place during construction (including site clearance) to avoid significant adverse effects on the adjacent ancient woodland.

Under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and paragraphs 180 and 186 of the National Planning Policy Framework (NPPF) 2023, 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 such, if planning permission is granted, we advise the condition(s) below are/is included.

Ecological Mitigation

Badgers

Prior to commencement (including site clearance), to avoid impacts to badger setts, an updated site walkover by a suitably qualified ecologist will be undertaken six weeks prior to commencement to identify if there are any sett entrances within 20m of the site boundary. Should additional entrances be identified, details of any additional survey and mitigation requirements will be submitted to the Local Planning Authority for written approval prior to the onset of works.

Protected/Priority Species and Ancient Woodland

From commencement of works (including site clearance), methods for the protection of retained habitats and precautionary mitigation measures for protected species will be followed in accordance with the details contained in Section 5 of the Preliminary Ecological Appraisal report (David Archer Associates, December 2023) and the Briefing Note Re: Little Cottage, Ridge Lane, Meopham, Kent, DA13 0DP: Arboricultural Impact Assessment on ASNW (David Archer Associates, December 2023).

Lighting

Local authorities have a duty to ensure impacts upon legally protected species are avoided and impacts upon bats and dormice are a material consideration in any planning permission under the Natural Environment and Rural Communities (NERC) Act 2006 and through the NPPF 2023.

Therefore, to mitigate against potential adverse effects on biodiversity, the Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 8 Bats and Artificial Lighting at Night'¹ should be consulted in the lighting design of the development.

We advise that the incorporation of sensitive lighting design for biodiversity is submitted to the local planning authority and secured via an attached condition with any planning permission.

Lighting Condition:

Prior to occupation, a lighting design plan for biodiversity will be submitted to, and approved in writing by, the local planning authority. The plan will show the type and locations of external lighting, to demonstrate that areas to be lit will not adversely impact biodiversity. All external lighting will be installed in accordance with the specifications and locations set out in the plan and will be maintained thereafter.

Lighting Informative:

Lighting in the vicinity of a bat roost or along commuting / foraging routes could constitute an offence both to a population and to individuals. Artificial lighting has been shown to be particularly harmful to bats along river corridors, near woodland edges and near hedgerows. Hazel dormice which can inhabit woodland, particularly ancient woodland, may also be sensitive to lighting. To mitigate against potential adverse effects on biodiversity, the Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 8 Bats and Artificial Lighting at Night' (or subsequent updates) should be consulted in the lighting design of the development.

Ecological Enhancement

Prior to completion, the ecological enhancement measures detailed in Section 5.3 of the Preliminary Ecological Appraisal report (David Archer Associates, December 2023) will be implemented and maintained thereafter.

KCC Heritage

This email is to confirm that I consider it unlikely that the proposed works would have a significant below-ground archaeological impact at this location and have no further comments to make in this case.

Meopham Parish Council

Meopham Parish Council objects to this planning application on the basis of inappropriate development within the green belt. When the Lawful Development Certificate 20181207 was issued, the comment was made that thereafter, there shall be no intensification of use and/or development. Whilst the supplementary information provided states that there is a decrease in floorspace there is in fact an overall increase in the habitable footprint of the proposed new dwelling.

Internal Consultees

GBC Highways

The proposal is for a replacement dwelling using an existing access so there are no highway objections, the car parking provision complies with current guidance. One secure cycle parking space should be provided per building to comply with SPG4 of the Kent County Council adopted by Gravesham Borough Council.

I note however that the issue of disposing of foul drainage is unknown, although there must be an existing provision, although this may be lost as a result of the development. Whilst Building Regulations should be sufficient, it may be worth considering a drainage condition to ensure the provision for surface water and foul water is adequate and accessible and will not conflict with one another.

GBC Environmental Protection

No objection. Drainage/sewerage, lighting and code of practice on construction and demolition informatives are recommended.

Neighbouring properties

The application has been advertised by individual neighbour letters to 5 properties, and on site. The overall consultation periods expired on 19 May 2023.

No letters of representation have been received from neighbouring properties.

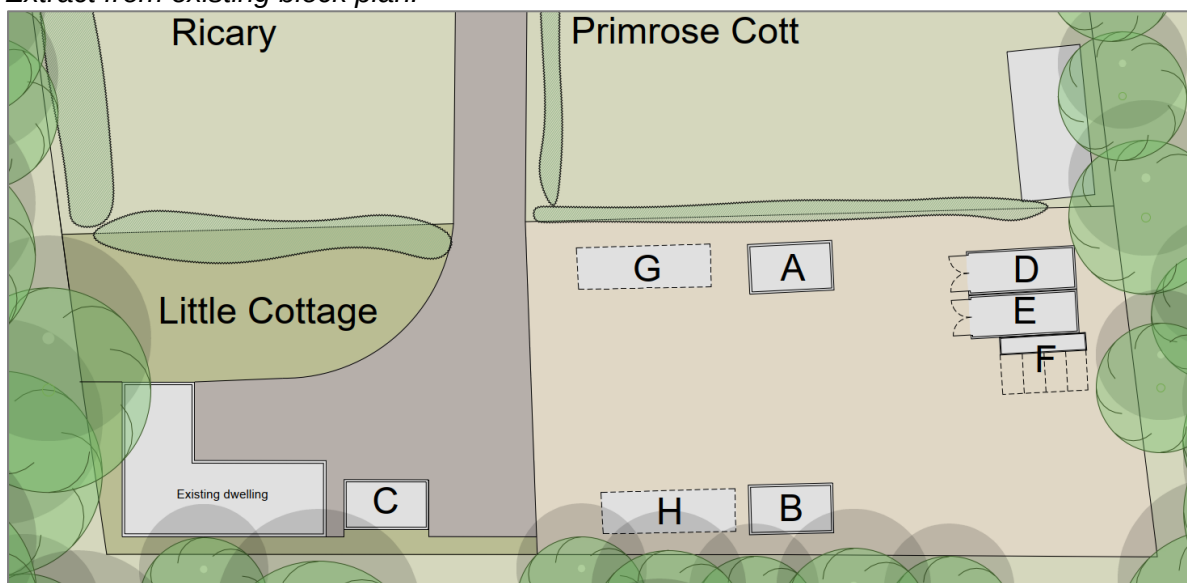
The Local Ward Councillors were also consulted and no responses were received.

Officer's Analysis

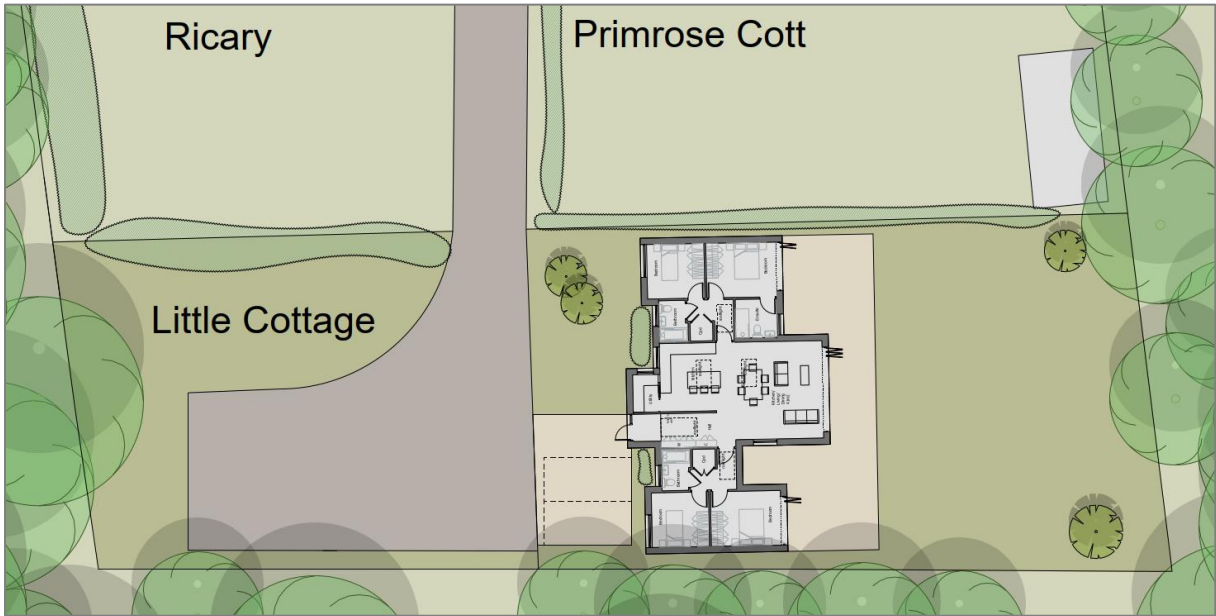
Proposal

This application seeks full planning permission for the demolition of the existing dwelling and associated outbuildings, removal of lawful touring caravans, and the erection of a replacement dwelling.

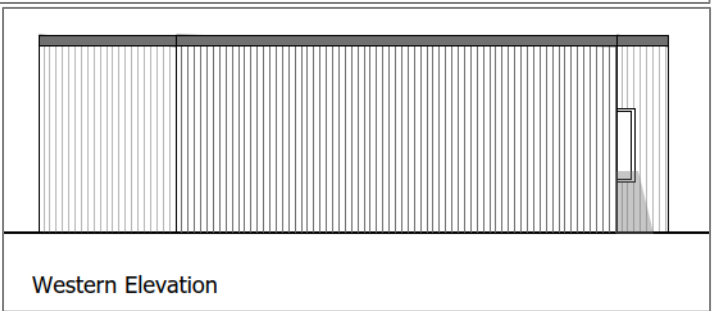
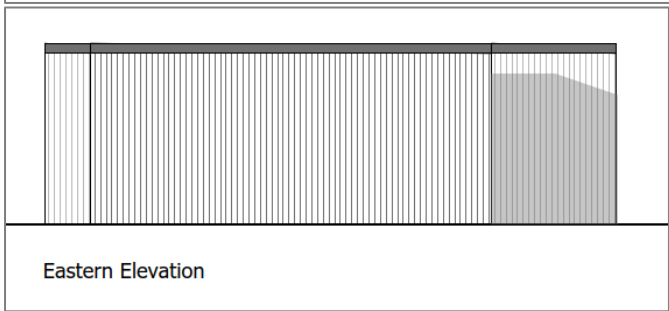
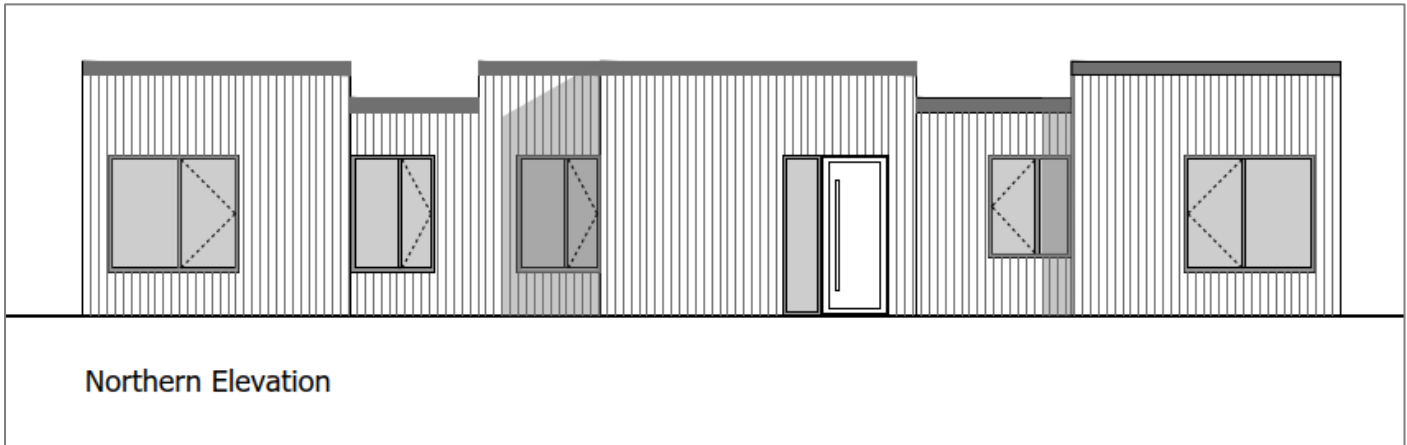
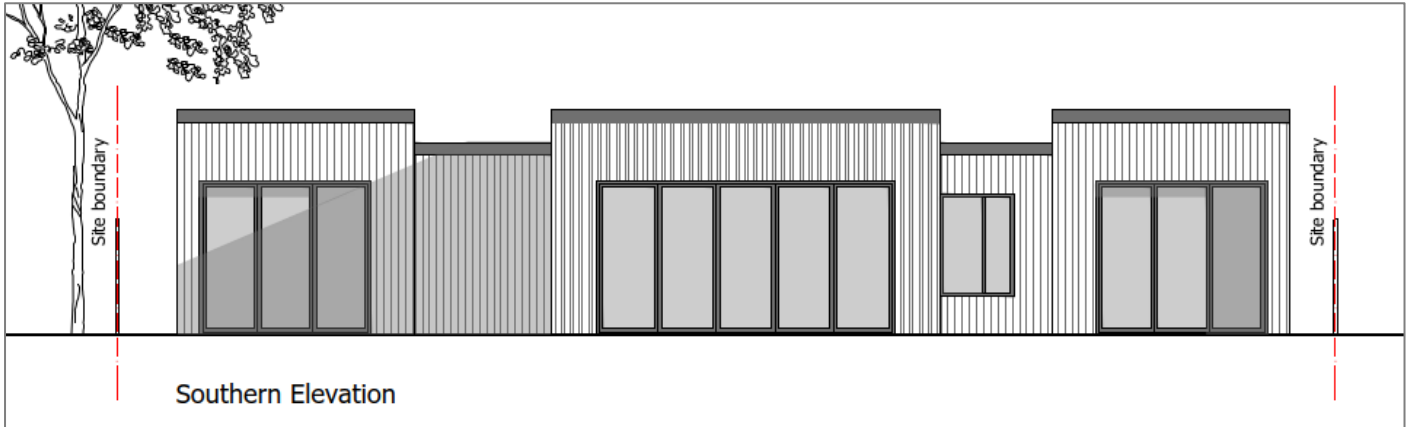
Extract from existing block plan:



Extract from proposed block plan:



Proposed elevations:



The application proposes the demolition of 5 existing buildings (3 timber sheds and domestic kennels), the existing dwelling currently on the site and the removal of 2 metal storage containers and 1 touring caravan.

The proposed house would contain a hallway, an open plan kitchen/dining/living room, utility room, two single and two double bedrooms (one with an ensuite) and two bathrooms. The design of the house is contemporary, and its finish on the plans would appear to be timber clad, though no details of materials have been submitted.

The proposed layout shows the house positioned slightly off-centre towards the east of the plot. The proposed house would front west, and the rear would face east. There would be a large area of hardstanding to the front of the property, including parking spaces for two cars. There is a further area of hardstanding across the rear of the property, with garden beyond.

Principle Issues

The property is located in the countryside outside any settlement boundary, in the Green Belt and in the Harvel Wooded Downs Landscape Character Area (LCA). It is also adjacent a Biodiversity Opportunity Area and a Local Wildlife Site to the north and Ancient Woodland to the east and south.

The site currently contains a detached, single storey, 2 bedroom dwelling tucked into the south-western corner on a good size plot. There is a tarmac driveway/turning space and garden to the front (north) of the property. Beyond the tarmac area, the eastern half of the plot is covered in shingle and contains various buildings/structures and materials.

Views to west and east of plot:



As the property lies within the Green Belt, this is the starting point for the determination of this application. The main issues for consideration with this proposal are as follows:

- Principle of development in the Green Belt
- Impact on openness and the character and appearance of the surrounding area
- Design
- Residential amenity
- Highways
- Biodiversity

Principle of Development

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 2023). Paragraph 152 of the NPPF 2023 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.

Policy CS02 of the Core Strategy 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 Core Strategy 2014.

Local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt (paragraph 154 of the NPPF 2023). However, there are exceptions to this which, as in the case of this proposal, include:

(d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; and

(g) the partial or complete redevelopment of previously developed land, which would not have a greater impact on the openness of the Green Belt than the existing development or would not cause substantial harm to openness and would contribute to meeting an identified affordable housing need.

Saved Policy C12 of the Local Plan 1994, which relates to replacement dwellings in the countryside, must also be considered. However, this policy pre-dates the NPPF, and therefore greater weight should be given where the approach is consistent with paragraph 154 the NPPF.

Policy C12 states that there will be a strong presumption against allowing the replacement of existing dwellings, which will only be set aside if the listed criteria are met. Criterion (i) states that proposals for replacement dwellings that are not original ("original dwelling" for the purpose of Policy C12 means the building in permanent residential use on 1st July 1948) but have gained immunity from enforcement will be considered on their individual merits, having regard to their origins, location and nature of accommodation they currently provide. Criterion (iii) is also relevant to this proposal, and states that the replacement dwelling must be of similar scale and mass to the existing dwelling and must be no larger than the existing dwelling unless it is demonstrated that enlargement is required for the provision of essential basic amenities. However, only some weight can be given to the size limitation, as the NPPF accepts an increase that is not 'materially larger' than the existing dwelling.

Appropriateness of Development in the Green Belt

Paragraph 152 of the NPPF 2023 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.

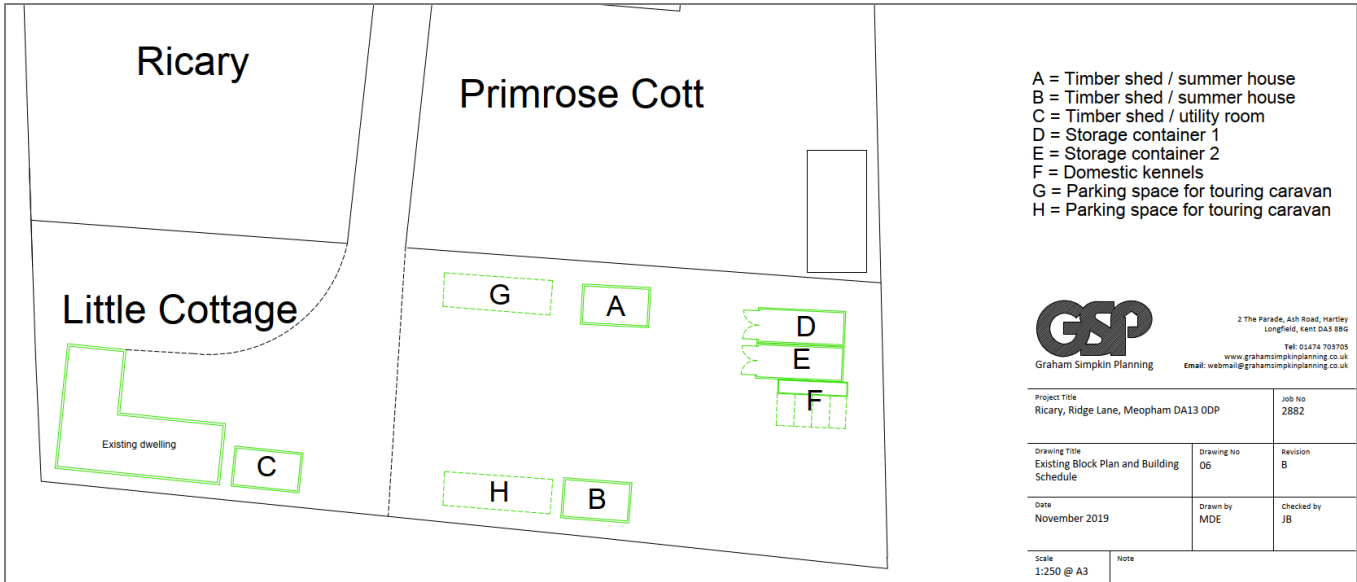
The construction of new dwellings is inappropriate in the Green Belt (paragraph 154 of the NPPF 2023). The exceptions to this include (as stated above) replacement buildings and the redevelopment of previously developed land.

In this case, as a replacement dwelling, the proposal would fall within the above exceptions and is therefore not inappropriate development in the Green Belt, though this is dependent on it not being materially larger than the building it replaces and not having a greater impact on the openness of the Green Belt than the existing development. These matters will be considered in further detail below.

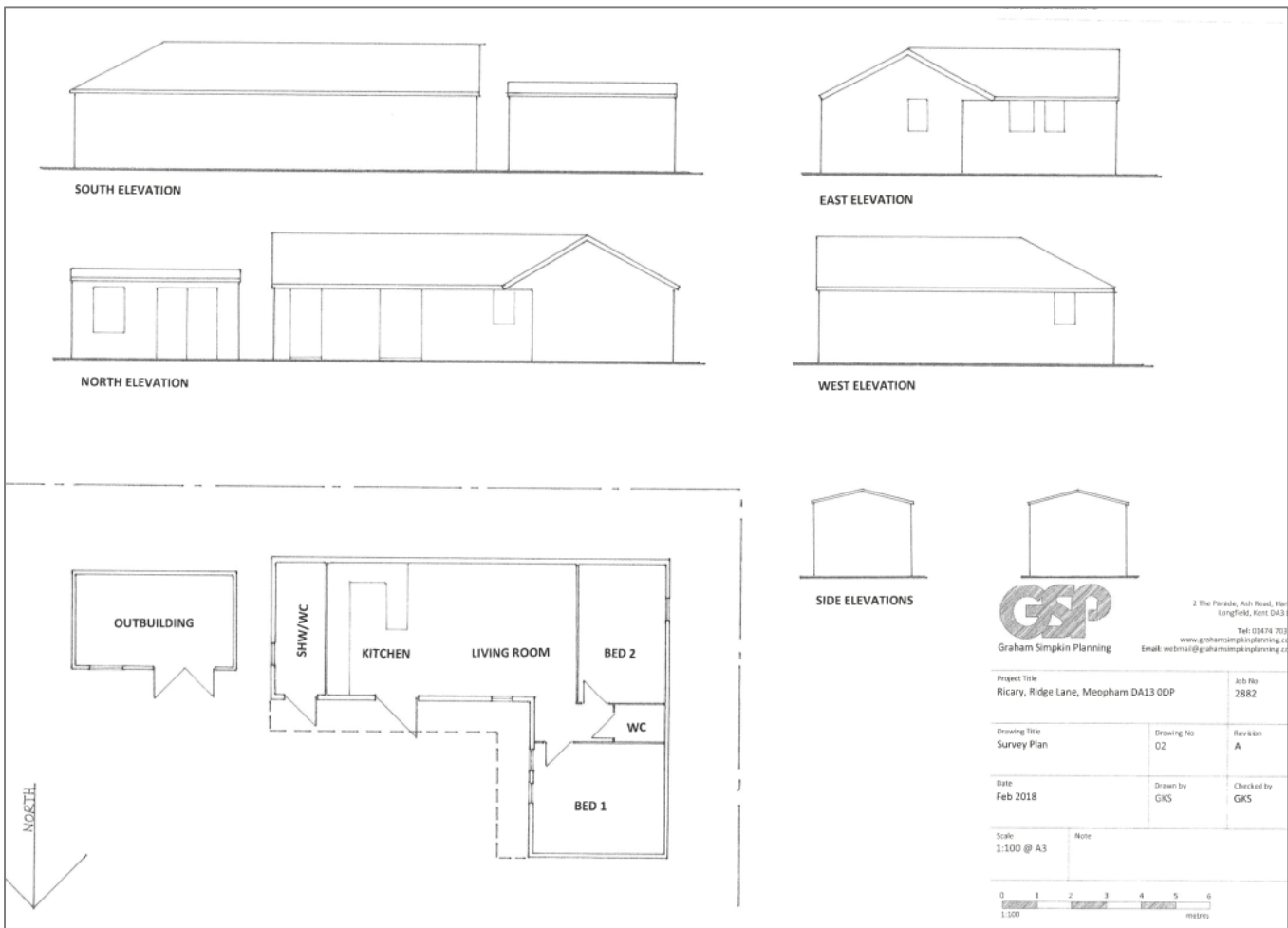
Increases in the size of the dwelling

The dwelling and buildings on the site were granted by virtue of a Lawful Development Certificate in November 2019 (application 20181207). It is noted that there is no internal bathroom in the dwelling other than an WC; the shower room is accessed externally.

20181207 Block Plan and Building Schedule

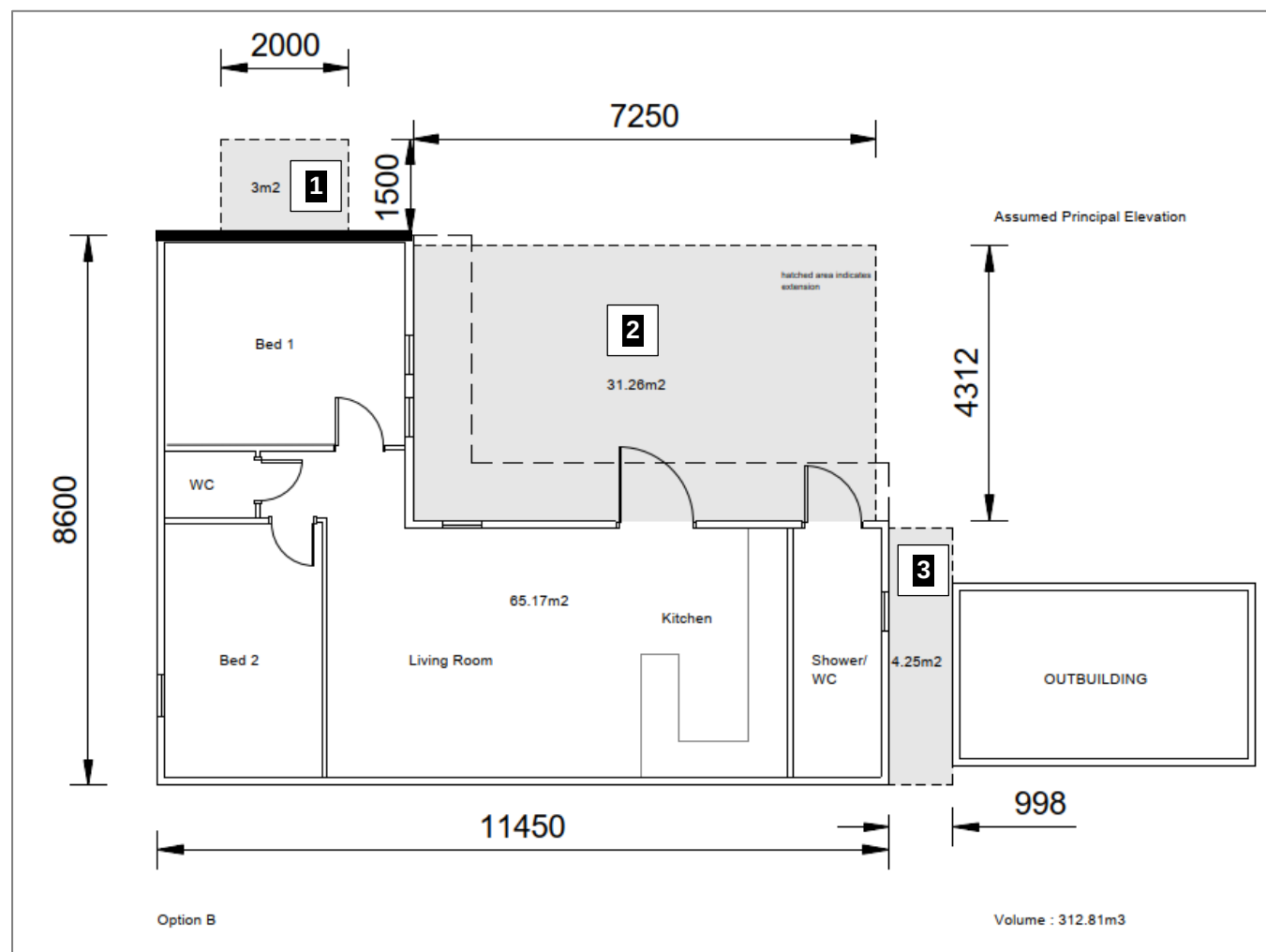


20181207 Elevations/Plan of Existing Dwelling



The external gross floor area of the existing dwelling has been measured at approximately 75m² (this includes the area under the canopy, which could be infilled without permission). It does not include the outbuilding.

A plan has been submitted to show potential extensions that could be carried out under permitted development to increase the size of the original dwelling:



However, as potential extension no. 1 would be forward of the principal elevation (demarked above in a thick black line), and potential extension no. 2 would have a width greater than half the width of the original dwellinghouse, these would not be permitted development (see Class A (e)(i) and (j)(iii) respectively) and cannot therefore be considered in terms of increasing the size of the existing dwelling. Potential extension no. 3 could be considered under permitted development, but as it would link to the existing outbuilding (13.92m²) this would then also have to be treated as an extension to the property. This would have the potential to add up to 18m² (or 19%) to the size of the existing property. As no other details about the height of the potential extensions have been submitted, it is not clear whether they would meet all other permitted development requirements.

In order to help determine whether the new building is materially larger than the one it replaces, the table below sets out the existing and proposed gross external floor areas of the buildings on the site:

	Existing gross external floor area (m ²)	Gross existing external floor area (m ²) plus potential extensions	Current proposed gross external floor area (m ²)
Dwelling	75	93 (>18)	146 (>71)

Building A	13.35	13.35	
Building B	13.35	13.35	
Building C	13.65	13.65	
Buildings D, E and F	36.10	36.10	
Total	151.45	169.45	146
Percentage Increase		<u>>19%</u>	<u>>49% (>36%)</u>

From the calculations above, the gross external floor area of the proposed dwelling would result in a building that, at 49% bigger than the existing dwelling alone, would be considered to be materially larger. It would be over the usual limit of one third of the gross floor area of the original dwelling set out in Policy C13 of the Local Plan 1994 in relation to extensions to dwellings in the countryside. The proposal would therefore appear to fail under paragraph 154 (d), as whilst the proposed replacement building would be in the same use, it would be materially larger than the existing building.

Size and Fallback

As discussed above, Policy C12 of the Local Plan 1994 states that a replacement dwelling must be of similar scale and mass to the existing dwelling, and must be no larger than the existing dwelling unless it can be demonstrated that a modest enlargement is required to allow for the provision of essential basic amenities such as a bathroom, toilet or kitchen, which currently do not exist or are clearly inadequate or to meet the special needs of the occupants. In this case, it is considered that an enlargement would be required to provide basic amenities, because as noted above, there is no internal shower/bathroom in the existing house.

Policy C12 pre-dates the more recent planning policy on this issue in the NPPF 2023 at paragraph 154 (d), and greater weight should be given to this latter approach, where an increase that is not 'materially larger' than the existing dwelling would be accepted.

In relation to the proposed dwelling, which would be single storey, the gross floor area (measured externally) has been calculated to be approximately 146m², which is 49% over the size of the existing dwelling, and would be considered to be materially larger than the existing dwelling.

However, the submitted Planning Statement additionally refers to the consideration of both potential additional permitted development additions to enlarge the existing property, as well as the presence of various existing buildings and structures on the site that would be removed as part of the proposed redevelopment of this site.

In relation to this "fallback" position and the further lawful development additions that it has been suggested could reasonably be constructed, the external floorspace of the existing dwelling on the site could be increased from 75m² up to 93m².

In order to be considered as a fallback, the alleged fallback development has to be a use or development that is possible/can be implemented without the need for further planning permission, for example a current lawful use or change of use (i.e. does not fall within the definition of development in the Planning Act or permission has already been granted but not yet implemented) and/or development permitted by way of permitted development rights (i.e. the GPDO or a development order).

If there is a genuine "fallback" then there must be a possibility that this development will be implemented if the current application is not permitted.

If both these factors are evidenced, then the fall back can be a material consideration in determining an application. The case of *Mansell v Tonbridge and Malling BC* [2017] EWCA Civ 1314; [2019] PTSR 1452 explains this issue. Taking this case into account, the factors in the determination of the fallback are:

1. It is a genuine lawful fallback development?

The site does not benefit from any Lawful Development Certificates. However, it is reasonable to assume that given the modest size of the existing dwelling, where the shower room is accessible only from outside, an extension could reasonably be sought to provide additional space to alter the internal layout.

2. Is there a “possibility” that the fallback would be implemented?

There would be no apparent reason that a potential side addition as discussed above would not be carried out under permitted development should permission for the new dwelling not be forthcoming.

3. If it is accepted that there is a genuine lawful fall back, then the current proposal needs to be assessed against the benefits or harm of that fall back being implemented – would the current application be less harmful than the use or development previously permitted.

In this case, it is judged that there would be a genuine fall back. If the potential permitted development addition were to be constructed, this would further add to the total amount of built form on the site; up to approximately 169m² gross external floor area, taking the other existing buildings on the site into account.

In terms of the amount of buildings on the site, it is clear that due to its size, the proposed dwelling would have less of an impact than the existing dwelling plus the potential permitted development addition and the existing buildings/structures on the site.

This is a material consideration that should be given significant weight in this case when considering the harm to the openness of the site and Green Belt within which it sits.

Impact on Openness

The site can be described as previously developed land as it is an existing residential site. As the proposal would not provide affordable housing, the proposal can be judged against the first part of paragraph 154(g), which seeks to prevent a greater impact on the openness of the Green Belt than the existing development on a site.

Paragraph 142 of the NPPF 2023 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It also states that 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 is located within the countryside and lies to the south of a number of detached houses along the road in good size plots.

Current Google Earth Image

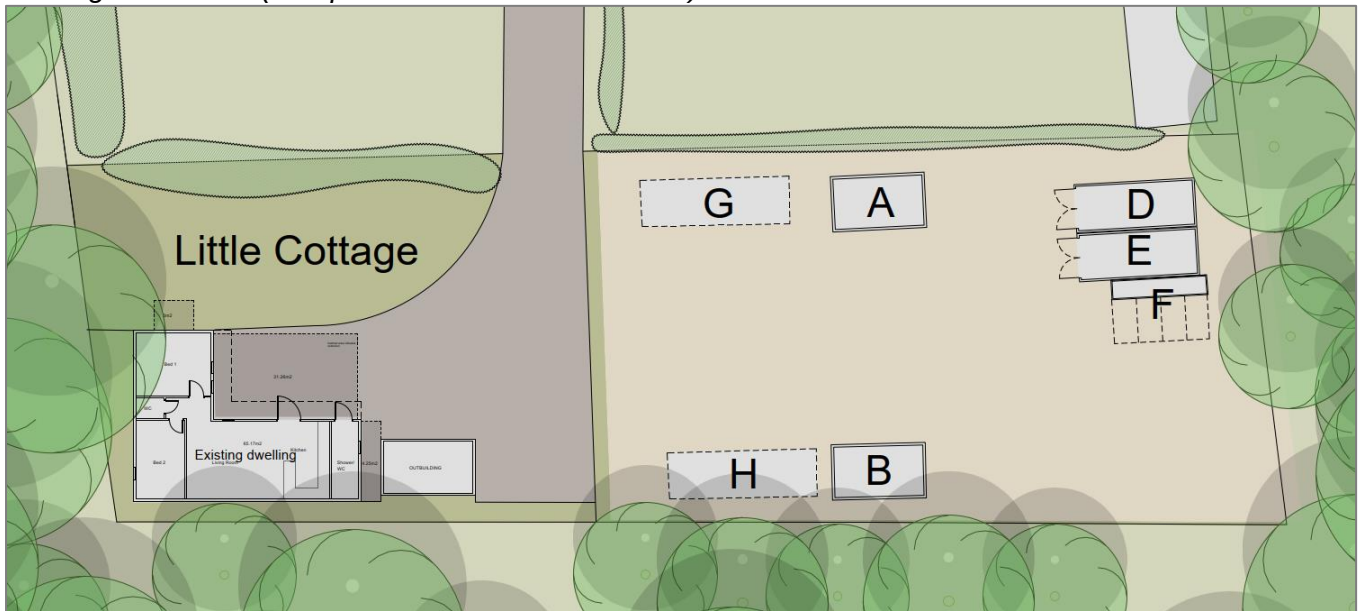


The existing dwelling is positioned into the south-west corner of the plot. There are various existing lawful outbuildings/structures and areas of hardstanding spread across the site, including timber sheds and storage containers. To the north of the application site, two new detached dwellings (Ricary and Primrose Cottage) were constructed either side of a central access under planning permission 20100456. Beyond them, are further detached dwellings fronting Ridge Lane. These dwellings are all located centrally within their plots, as is the proposed dwelling. The proposed dwelling would be lower in height at single storey and more modern in design with a flat roof, rather than the one and a half storey chalets typically found around the site.

As part of the proposal the existing buildings/structures on the site would all be removed, and the existing area of hardstanding across the eastern side of the site would be reduced. Whilst at present there is open space to the centre of the plot, there are buildings/structures around the boundaries and at either end of the

site, and the removal of these buildings would open up the plot here (see comparison images below):

Existing Block Plan (with potential side link extension):



Proposed Block Plan:



In relation to the size of the existing dwelling alone, the proposed dwelling would be materially larger than this building, increasing the size of the dwelling on the site, which would undoubtedly have an impact on spatial and visual character.

However, the existing dwelling on the site is not the only building present; there are a number of permanent buildings that are spread across the site. When considered together, the existing dwelling, plus a potential fallback extension and the various outbuildings, would equate to a greater amount and spread of built development than the proposed single dwelling.

There would be space gained and opened up around the proposed building, which would be concentrated in one part of the site. This would add to the spaciousness of the overall site against the established vegetated boundaries. Whilst the size of the proposed dwelling would be greater than the existing, the total external floor area of all the existing buildings on the site would be more than that of the proposed dwelling.

In the context of the impact of the further additions that could reasonably be expected to be carried out to the existing property, the overall impact on openness is considered to be improved by the proposal, and it would not be considered to have a greater impact on openness than the existing development on the site,

thereby minimising the harm to the Green Belt. The use of landscaping would further help to reduce the visual impact, and it would be particularly important to condition the removal of the existing buildings and restrict permitted development rights to ensure that the openness that is gained, is maintained.

The proposed development is therefore considered to be appropriate in the Green Belt and acceptable in terms of the harm and impact on the openness of the Green Belt. The proposal would therefore comply with the requirements of Policy CS02 of the Core Strategy 2014 and paragraphs 142, 152, 153 and 154 of the NPPF 2023.

Impact on Landscape Character

Policy CS19 of the Core Strategy 2014 requires that new development is well designed and respects the character and appearance of the surrounding area. The application site is in the Harvel Wooded Downs Landscape Character Area and as such, Policy CS12 of the Core Strategy 2014 is also relevant. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the Gravesham Landscape Character Assessment (GLCA) will be taken into account in determining applications. Paragraph 180 of the NPPF 2023 seeks to protect and enhance such valued landscapes.

In relation to the Harvel Wooded Downs Landscape Character Area, the GLCA states that the key characteristics of this landscape include a varied topography with steep valley sides and ancient woodland, small paddocks and pasture. The condition and sensitivity of the area are moderate and the guidelines are to conserve and create.

The development of this site with a replacement dwelling would not have a significantly different impact to the existing property in terms of the impact on the wider landscape character of the area. The plot is set well back from the road, to the rear of other dwellings; it cannot be seen from any public vantage point. Ridge Lane is rural in nature, with dwellings set within good size plots and the proposal would be in keeping with this. The use of landscaping conditions would further help reduce any visual impact and retain the rural setting with appropriate boundary treatments and hard and soft landscaping. The proposed development is therefore considered to be acceptable in terms of conserving the rural character of the site and surroundings. The proposal would therefore comply with the requirements of the Gravesham LCA 2009, Policies CS12 and CS19 of the Core Strategy 2014 and paragraphs 135 and 180 of the NPPF 2023.

Design

Development Plan policy places considerable emphasis on the importance of achieving high quality, beautiful and sustainable buildings and places. Paragraph 135 of the NPPF 2023 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.

Whilst the development proposed would alter the character and appearance of the site, the new dwelling would not appear incongruous given the pattern and varied styles of development in its immediate vicinity. The roof height would be no higher than the existing dwelling (approximately 3.5m), and the building would be lower than the immediate neighbouring houses, which are one and a half storey chalets. The proposed replacement single storey dwelling is contemporary and well designed. There are no details about materials but provided these are conditioned to be high-quality and appropriate for the rural, wooded setting (timber cladding would be most fitting) the design of the building would be acceptable.

View of rear of Ricary and Primrose Cottage to the north



The proposed replacement single storey dwelling is contemporary and well designed. There are no details about materials but provided these are conditioned to be high-quality and appropriate for the rural, wooded setting (timber cladding/windows would be most fitting and sympathetic to the design of the existing dwelling) the design of the new building would be acceptable.

Furthermore, the new dwelling would be set well back from the road and would be centrally located in the plot with the existing trees/hedges along the boundaries being retained, helping to mitigate any visual impact. As the site is currently somewhat untidy on the eastern half of the plot, which contains the existing outbuildings, open storage and shingled surfacing, the proposal is generally considered as an opportunity to improve the appearance of the site, keeping the built form to one part of the plot, opening it up to either end, and softening the appearance with further lawned areas and planting.

View of eastern half of plot:



It will be important to condition the retention of existing trees/planting, as well as requiring further details of new landscaping, and restricting permitted development outbuildings and open storage to ensure the improvement in the character and appearance of the site.

Overall, subject to conditions, there would be no harmful effect on the character and appearance of the surrounding area and the proposal would be in compliance with the requirements of Policy CS19 of the Core Strategy 2014 and paragraph 135 of the NPPF 2023.

Residential Amenity

The NPPF 2023 states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 135f). The impact on amenity is also considered with regard to the criteria within Policy CS19 of the Core Strategy 2014, which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those of neighbouring properties and land.

Future Occupiers

It is considered that the proposal would comply with the Technical Housing Standards - Nationally Described Space Standards 2015 in terms of the size of the proposed accommodation, which with a gross internal floor area (GIFA) of approximately 123m², would exceed the minimum standard of 99m² for a 1 storey, 4 bedroom, 6 person dwelling.

The proposal would also comply with the Council's residential layout guidelines in terms of the size of the proposed garden.

Primrose Cottage would have a view of the part of the rear garden closest to the new dwelling, as it would be positioned more centrally in the plot. However, as with Ricary, Primrose Cottage is approximately 20m away, and there would be no significant difference experienced between the impact on the proposed property compared to the existing situation in terms of overlooking or loss of light.

There is therefore no conflict with the requirements of the SPG2 Residential Layout Guidelines (2020), Policy CS19 of the Core Strategy 2014 and paragraph 135 of the NPPF 2023 in respect of the standard of amenity and living conditions for future occupants of the proposed dwelling on the site.

Neighbouring Properties

The continued residential use of the site for one dwelling would be in keeping with surrounding uses, and the replacement of the existing dwelling will have no additional impact on neighbouring properties with regard to noise, disturbance and activity levels.

Due to the change in the layout of the plot, the position of the proposed dwelling would be closer to the adjacent neighbouring property to the north (Primrose Cottage). However, the proposed dwelling is single storey (3.5m in height), which would not be significantly higher than the existing boundary fencing. The building would also flank onto the rear of Primrose Cottage with no windows on the flank elevation (though any windows would regardless be obscured by the boundary treatment) and there would therefore be no opportunity for overlooking. Additionally, there would be approximately 20m space between the buildings, with existing retained boundary screening between, and whilst the property would be visible from Primrose Cottage, the visual impact would be reduced by the distance between the buildings. Additional planting along the shared boundary would further assist with screening. It is considered that there would be no significant loss of outlook, privacy, sunlight or daylight for the occupiers of Primrose Cottage from the proposal.

View of shared boundary with Ricary:

View of shared boundary with Primrose Cottage:



Overall, the proposal for the replacement dwelling would therefore have a negligible impact on neighbouring properties. As such, it would comply with Policy CS19 of the Core Strategy 2014 and paragraph 135(f) of the NPPF 2023.

Parking and Highways

A 4 bedroom dwelling would require a maximum of 3 car parking spaces, which can easily be accommodated on the site plan. Two demarked parking spaces are shown to the front of the property on the proposed site plan. The proposal is therefore considered to comply with parking standards. One secure cycle parking space per bedroom should be provided to comply with SPG4. There would be sufficient space for cycle storage.

The proposal would utilise the existing access and would accommodate plenty of space for turning. As the proposal would result in similar traffic movements to the existing, there would not be a significant impact on highway safety. The proposal would therefore comply with Saved Policies T1 and P3 of the Local Plan 1994 and Policies CS11 and CS19 of the Core Strategy 2014 in terms of parking and highway safety.

Any Other Material Planning Considerations

Environmental Protection

The application would have a low environmental risk. Conditions should be imposed relating to lighting, and drainage, and an informative relating to the code of practice on construction and demolition. The proposal would therefore comply with Policy CS19 of the Core Strategy 2014 and paragraph 191 of the NPPF 2023.

Trees and Biodiversity

The site is adjacent a Biodiversity Opportunity Area and a Local Wildlife Site to the north and Ancient Woodland to the east and south.

The NPPF 2023 in paragraph 186(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.

Paragraph 186(c) also states that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

It is recognised that the proposal seeks to retain the existing planting and trees on the site and to provide additional planting. The eastern side of the site would be re-landscaped around the house, though no details have been provided at this stage. It would be important to keep additional hard surfacing to a minimum and use softer materials where possible (such as for the parking area to the front of the house; this could be shingled). Details of the landscaping would be important to be conditioned to ensure appropriate improvements are carried out.

Initially, the Council's KCC Biodiversity Advisor requested further ecological information with regards to the potential for ecological impacts to arise given the designations around the site.

Consequently, a Preliminary Ecological Appraisal (December 2023) and a Briefing Note - Arboricultural Impact Assessment on ASNW (7 December 2023) were submitted and KCC Biodiversity were re-consulted.

KCC Biodiversity are satisfied that the submitted arboricultural report indicates that measures can be put in place during construction (including site clearance) to avoid significant adverse effects on the adjacent ancient woodland. Under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and paragraphs 180 and 186 of the NPPF 2023, 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 such, if planning permission is granted, ecological mitigation conditions are recommended, including relating to badger setts, carrying out methods for the protection of retained habitats and precautionary mitigation measures for protected species and ecological enhancement in accordance with the details contained in the submitted reports, and sensitive lighting design for biodiversity.

On this basis, the development is considered to be capable of providing a biodiversity net gain through a good level of additional planting and habitat creation. Subject to the above recommended conditions, this development complies with the requirements of paragraphs 180 and 186 of the NPPF 2023 and CS12 of the Gravesham Core Strategy 2014.

Archaeology

The site lies within an area of archaeological potential. However, it is considered unlikely that the proposals would have a significant below-ground archaeological impact. The proposal therefore complies with Policy CS20 of the Core Strategy 2014 and paragraph 203 of the NPPF 2023.

Conclusion and Recommendation

Overall, the proposed replacement dwelling would not harm the openness of the Green Belt and would conserve the rural landscape context of this site within the Harvel Wooded Downs Landscape Character Area. The submitted fallback position would result in a less practical, less attractive dwelling and outbuildings that would have a greater impact on the openness of the Green Belt than the proposed development. This would regardless outweigh any harm to the Green Belt in terms of openness that would result from the proposed development.

Subject to conditions, the proposal would also be acceptable in terms of design, amenity, parking and highways, environmental protection, biodiversity and archaeology impacts. As such, the proposal would comply with the requirements of Policies CS02, CS11, CS12, CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014, saved Policy C12 of the Gravesham Local Plan 1994 and paragraphs 130, 135, 142, 152, 154, 180, 186, 191 and 203 of the National Planning Policy Framework 2023.

(For detailed conditions and informatives, see draft Decision.)

Case Officer:	Mrs Katherine Parkin	Team Leader:	Richard Hart
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Signed:	<i>K. Parkin</i>	Signed:	<i>R Hart</i>
Dated:	16 May 2024	Dated:	20th May 2024