



Delegated Report

Application No: 20241045

Location: 43 Beechwood Drive Meopham Gravesend Kent DA13 0TX

Description: Demolition of existing bungalow. Erection of detached replacement self build dwelling with rooms in the roof space, dormer to rear roof slope and two dormers to front rear slope. Erection of a detached double garage.

Applicant: Mr Patrick Mauehan

Site Visit Date:

Submitted Documents/Plans

The application comprises the following documents and plans:

- Application form
- Drawing no. 001 Proposed Floor Plans and Elevations.
- Drawing no. 002 Existing Floor Plans and Elevations
- Drawing no. 003 Proposed Garage
- Drawing no. 02/11/2024/R1 Existing and Proposed Block Plans and Location Plan.

Relevant Planning History

The planning history relating to this site is summarised below.

<u>Application No.</u>	<u>Description</u>	<u>Status</u>	<u>Decision</u>
20060784	Erection of detached replacement dwelling with rooms in the roofspace and a detached garage at the front.	Permitted	13.11.2006
19920400	Erection of a conservatory at the rear.	Permitted	13.08.1992
19581348	Erection of chalet for week-end and holiday use	Permitted	15.12.1958

Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The Courts have held that it is a matter of planning judgement as to whether a proposal is in accordance with the development plan when 'read as a whole' and conflict with a particular policy or policies may not pass that threshold.

Where there are other material considerations, the development plan should be the starting point, and other material considerations should be taken into account in reaching a decision. One such consideration will be whether the plan policies are relevant and up to date.

In this instance the development plan for Gravesham currently comprises: -

- The Gravesham Local Plan Core Strategy (September 2014);
- Remaining Saved Policies of the Local Plan First Review (1994); and
- The Kent Minerals and Waste Local Plan 2013 - 2030 (2016, revised 2020).

Gravesham Local Plan Core Strategy (September 2014)

- Policy CS01 – Sustainable Development
- Policy CS02 – Scale & Distribution of Development
- Policy CS11 – Transport
- Policy CS12 – Green Infrastructure
- Policy CS18 – Climate Change
- Policy CS19 – Design & Development Principles

Saved Policies in the Gravesham Local Plan First Review (November 1994)

- C12 – Policy For Replacement Dwellings in the Countryside
- P3 – Vehicle Parking Standards

Paragraph 34 of the NPPF (2024) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan First Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 13 – Protecting Green Belt land
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

- SPG4 – KCC Parking Standards (2006).
- Landscape Character Assessment (2009)
- Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020.
- Design for Gravesham – Design Code SPD (2024).

Consultations, Publicity and Representations

Meopham Parish Council

No response received.

GBC Environmental Protection

There is no objection to this application. The following are recommended:

Code of Practice on Construction and Demolition

Please apply as appropriate due to the proximity of other dwellings.

Drainage/sewerage informative

The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable.

KCC Biodiversity (comments dated 20 October 2025)

We have reviewed the information submitted in support of this application and advise that insufficient ecological information has been provided to determine the application. The following information is required:

- Ecological Impact Assessment, including a preliminary roost assessment for bats

NO ECOLOGY (ECIA NEEDED)

No ecological information has been submitted with this application. As a result of reviewing the data 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.

Habitats and features (including mixed scrub, log piles and established trees) are present on and around the site, indicating ecological value and the potential for protected species presence that must be taken account of in the planning decision. As such, an Ecological Impact Assessment (EcIA) should be undertaken by a suitably qualified ecologist. The EcIA will need to include the following:

- Details of the impacts of development proposals on the ecological baseline established via a Preliminary Ecological Appraisal (PEA) and any necessary additional surveys undertaken;
- Details of any necessary and achievable ecological mitigation and/or compensation measures;
- Details of ecological enhancement measures, and;
- Provision of sufficient information to determine whether the project accords with relevant nature conservation policies and legislation.

The existing structure proposed for demolition has raised roof tiles/wooden panelling, damaged soffits as well as established trees adjacent to the site, so the potential for roosting bats cannot be ruled out. As these proposals may have the potential to adversely affect bats, we highlight the need for a Preliminary Roost Assessment (PRA) for bats to be carried out, as part of the EcIA.

To ensure that the planning determination is adequately informed in respect of all potential ecological impacts, we advise that the EclA is sought prior to determination of the planning application. This is in accordance with paragraph 99 of the Office of the Deputy Prime Minister (ODPM) Circular 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”*.

Under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and paragraphs 187 through 195 of the NPPF 2024, biodiversity should be maintained and enhanced through the planning system.

BIODIVERSITY NET GAIN: SELF-BUILD EXEMPTION

The applicant considers the proposals to be exempt from statutory biodiversity net gain under the self-build exemption. For this exemption to apply, the proposals must:

- consist of no more than 9 dwellings;
- on a site that has an area no larger than 0.5 hectares; and
- consist exclusively of dwellings that are self-build or custom housebuilding as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015

It is not within our remit to verify that the proposed dwelling meets the definition of self build or custom housebuilding as defined in the 2015 Act. The LPA should therefore ensure that the proposals meet the definition and that a mandatory 10% biodiversity net gain does not apply.

Government guidance on self-build and custom housebuilding indicates that *“[in] considering whether a home is self-build or custom build home, relevant authorities must be satisfied that the initial owner of the home will have primary input into its final design and layout ... Off-plan housing, homes purchased at the plan stage prior to construction and without input into the design and layout from the buyer, are not considered to meet the definition of self-build and custom housing”*.

A recent appeal decision indicates that a *“suitably robust mechanism such as a planning obligation/legal agreement or other means”* is necessary to properly secure a development as self-build and to prevent it reverting to an open market dwelling where a mandatory 10% biodiversity net gain would otherwise apply.

KCC Biodiversity (comments dated 29 July 2025)

We have reviewed the information submitted in support of this application and advise that insufficient information has been provided to determine the application. We advise that additional Site Photographs are required prior to determination of the planning application.

SITE PHOTOGRAPHS NEEDED

From the information provided, it has not been possible to fully scope out all ecological constraints, including protected species such as breeding birds and roosting bats.

To establish the potential for any protected species presence which must be taken account of in the planning decision, in the first instance, high quality, labelled photographs of all aspects of the application site relevant to the proposed development should be requested. In particular, these photographs should be of all aspects of the existing building, specifically the gable end. They should also be able to confirm the presence/absence of any trees and log piles on site. These photographs should be of the site in its current state, and not prior to submission of the application form.

The photographs may provide sufficient confirmation to the LPA that no ecological surveys are necessary. However, where photographs are inconclusive, or indicate possible features suitable for protected species, an Ecological Impact Assessment (EclA) may need to be undertaken by a suitably qualified ecologist.

KCC Heritage

The site lies within an area of multi-period archaeological potential. However, based on existing Historic Environment Record data for the area and the relatively limited extent of the proposed works, I consider it unlikely that these proposals would have a significant below ground archaeological impact and have no further comments to make in this case.

KCC Public Rights of Way

I have no objections to the above planning application at 43 Beechwood Drive. Public Right of Way Footpath NS295 is the main access route to the property. Contractors must ensure the safety of pedestrians who have right of way on this path. I enclose a copy of the Public Rights of Way network map showing the line of the path for your information.

The granting of planning permission confers no other permission or consent on the applicant. It is therefore important to advise the applicant that no works can be undertaken on a Public Right of Way without the express consent of the Highways Authority. In cases of doubt the applicant should be advised to contact this office before commencing any works that may affect the Public Right of Way. Should any temporary closures be required to ensure public safety then this office will deal on the basis that:

- The applicant pays for the administration costs.
- The duration of the closure is kept to a minimum.
- Alternative routes will be provided for the duration of the closure.
- A minimum of six weeks notice is required to process any applications for temporary closures.

This means that the Public Right of Way must not be stopped up, diverted, obstructed (this includes any building materials or waste generated during any of the construction phases) or the surface disturbed. There must be no encroachment on the current width, at any time now or in future and no furniture or fixtures may be erected on or across Public Rights of Way without consent.

Southern Water

Proposed soakaways

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development. No new soakaways should be located within 5 metres of a public or adoptable gravity sewer, rising main or water main.

No Soakaways should be connected to the public surface water sewer.

Proposed works involve demolition

In order to protect and safeguard the existing water supply apparatus, Southern Water requests formal notification of any proposed demolition works prior to such works being undertaken.

Tree planting

We have restrictions on the proposed tree planting adjacent to Southern Water sewers, rising mains or water mains. Reference should be made to Southern Water's publication "A Guide to Tree Planting near water Mains and Sewers"

(https://www.southernwater.co.uk/media/pddob0vn/ds-tree-planting-guide-1_nwm.pdf) and the Sewerage Sector Guidance (<https://www.water.org.uk/sewerage-sector-guidance-approved-documents/>) with regards to any landscaping proposals and our restrictions and maintenance of tree planting adjacent to sewers, rising mains and water mains.

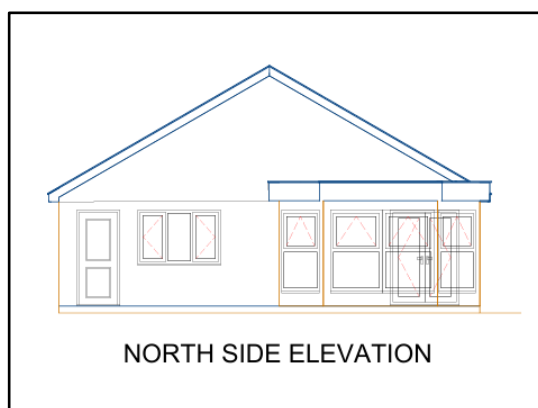
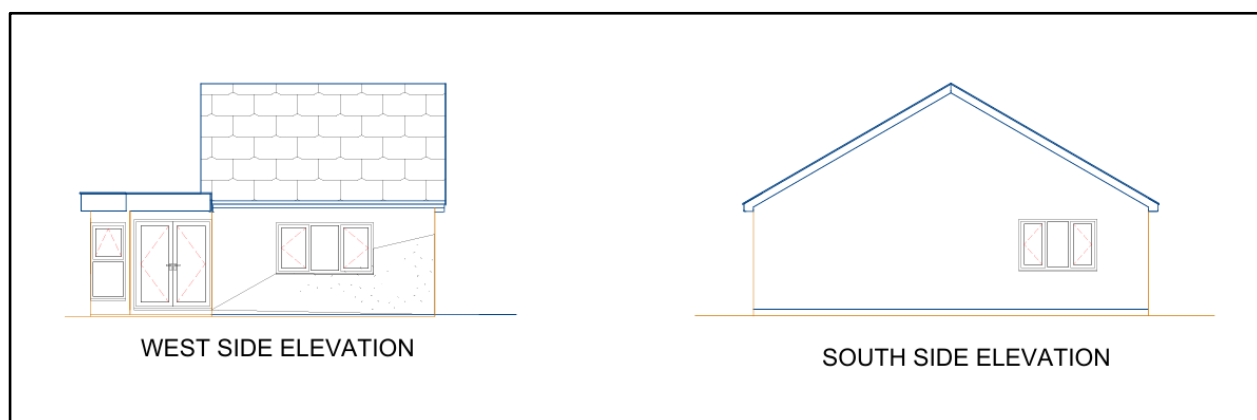
Condition: In order to protect public apparatus, Southern Water requests that if consent is granted, the following pre commencement condition is attached to the planning permission. The developer must advise the local authority (in consultation with Southern Water) of the landscaping proposals in proximity of public apparatus in order to protect it in accordance with Southern Water's guidance, prior to the commencement of the development.

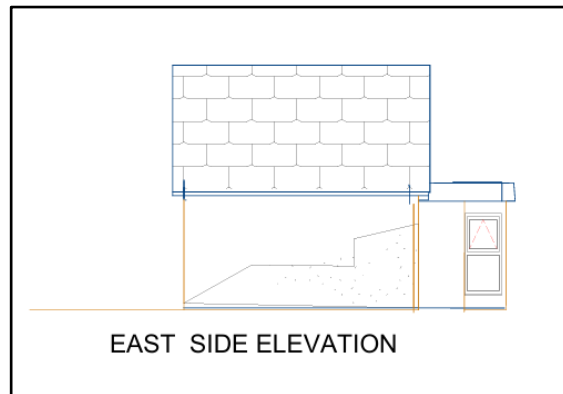
Neighbouring properties

Five neighbouring properties have been consulted and a site notice displayed. No representations have been received.

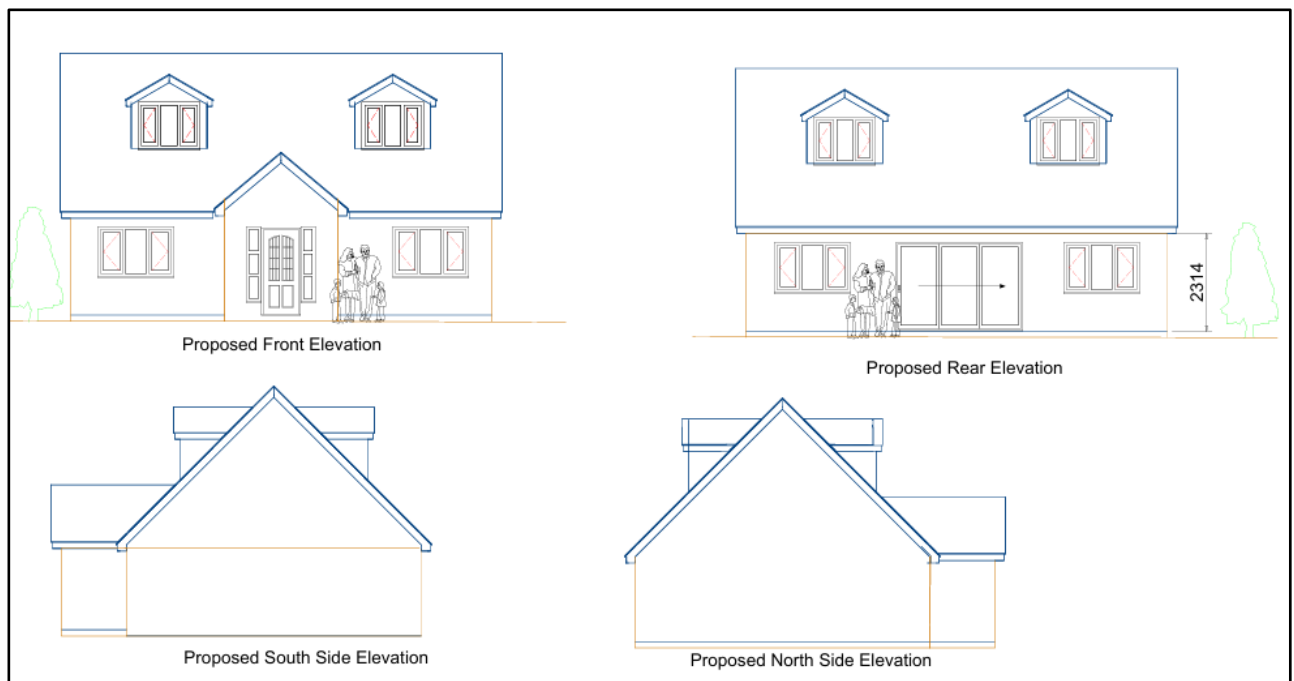
Analysis

This application seeks the replacement of the existing bungalow with a replacement dwelling. The elevations of the existing dwelling can be seen in the following extracts from the submitted drawings:





The proposed elevations are set out below:



The main planning considerations relating to this proposal are as follows:

- Housing need.
- Is the proposed development appropriate in the Green Belt?
- The effect of the proposal on the openness of the Green Belt.
- Saved Policy C12 of the Local Plan First Review.
- Design and visual impact.
- Impact on landscape.
- Impact on residential amenity.
- Highway issues.
- Cycle and refuse storage.
- Biodiversity.
- Very special circumstances.

Housing need

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

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

It is a matter of law that all planning applications need to be considered in accordance with the legislation and relevant policy that applies at the point a decision is taken. The Council published a revised 5 year housing land supply statement in February 2025. It demonstrates that based on data up for the period 2024 - 2029, the Council can only demonstrate a land supply of 3.0 years.

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

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

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

- Habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest;
- Land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75);
- 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, 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.

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 NPPF and established local planning policy taken as a whole.

Is the proposed development appropriate in the Green Belt?

The application site lies within the Green Belt outside the village of Culverstone Green, a rural settlement inset from the Green Belt as identified on the Core Strategy Policies Map. The site falls within an area known as the Culverstone Valley Area. While this area has always been subject to Green Belt policy, up until 2014 development within the area was considered against a specific area policy, Policy C14 of the Gravesham Local Plan First Review. Policy C14 and the associated Supplementary Planning Guidance for the Culverstone Valley Area were withdrawn following the adoption of the Core Strategy in September 2014, on the recommendation of the Examination Inspector. From this point, development in this area has been considered against national and locally adopted Green Belt policy, in the same way as other areas within the Borough that lie in the Green Belt. Policy CS02 of the Core Strategy 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 as 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.

National policies for protecting the Green Belt are set out in Section 13 of the NPPF. Paragraph 153 is particularly relevant in the consideration of planning applications within the Green Belt:

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. 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.

Paragraph 154 of the NPPF states that development in the Green Belt is inappropriate unless one of the listed exemptions applies. This is reproduced in full below:

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

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages;*
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*

- g) *limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.*
- h) *Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*
 - i) *mineral extraction;*
 - ii) *engineering operations;*
 - iii) *local transport infrastructure which can demonstrate a requirement for a Green Belt location;*
 - iv) *the re-use of buildings provided that the buildings are of permanent and substantial construction;*
 - v) *material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and*
 - vi) *development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.*

Those exemptions that could potentially be considered to apply to this proposal are discussed below:

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

The following table provides a useful comparison between the existing and proposed dwellings:

	Floor area (sq.m.)	Height	Footprint
Existing dwelling	50.23	5.3m	58.7
Proposed dwelling (not including the garage)	106.6	5.9m	73.34

These figures represent a 112% increase in floor area and a 25% increase in footprint.

In addition to the replacement dwelling, a detached garage/storage building is proposed. This would occupy a footprint of approximately 35.42m and would measure approximately 4.2m in height.

These figures clearly indicate that the size of the proposed dwelling (and indeed the combined size of the proposed dwelling and garage) would be materially larger than the dwelling to be replaced. As such the exemption at paragraph 154(d) of the NPPF would not be applicable.

e) limited infilling in villages

In assessing whether the development would constitute limited infilling in a village, the following points need to be considered:

- a) Is Culverstone Green a 'village'?
- b) If Culverstone Green is a village, where does its boundary lie relative to the development site?
- c) Can the proposal be considered 'limited'?
- d) Does the proposal constitute 'infilling'?

For the proposed development to constitute an 'exception' rather than be classed as 'inappropriate' development, all of the above criteria need to be met. These are discussed below:

a) Is Culverstone Green a 'village?'

Paragraphs 4.2.4 and 4.2.6, and Table 2 of the Core Strategy set out a settlement hierarchy. Within the rural area thirteen rural settlements are identified which are inset from the Green Belt. Two other settlements, Harvel and Luddesdown, are 'washed over'. None are specifically identified as 'villages'.

It is stated at paragraph 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

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

Paragraph 150 of the NPPF allows 'villages' to be excluded from the Green Belt by way of an inset designation and 13 of the above rural settlements are inset. It is therefore accepted that they must by definition be treated as villages for the purposes of the application of planning policy. In light of this, Culverstone Green must be defined as a village.

b) If Culverstone Green is a village, where does its boundary lie relative to the development site?

As Culverstone Green is considered for the purposes of this proposal to be a village, the question arises what its boundaries are on the ground and whether the proposed development site lies within them.

In assessing this issue, an appeal decision relating to a proposal for a new detached dwelling on a site known as Rosalie on Meadow Lane is relevant (Gravesham planning reference 20160674). In the appeal decision, the Planning Inspector considered the issue of whether the site lies within a village. The conclusions on this issue, as set out at paragraphs 5 – 8 of the decision letter, are reproduced below:

5. *The appeal site is located within a somewhat unique and distinct built up area that sits between the A227 at Culverstone Green and Harvel and referred to as the Culverstone Valley. It contains a number of irregular residential plots with dwellings of varying sizes, forms and appearance. Its distinctiveness would appear to originate from its origins as sporadic and often unauthorised plot-land development in the countryside dating from the 1930's.*

6. *Notwithstanding development plan proposals maps the boundaries of such diverse rural areas and their settlements are in many instances subjective. In this case the appeal site is not adjacent to the village boundary at the junction with Whitepost Lane. The boundaries are indicated as not defining the full extent of each settlement but relates to a coherent and established built up area where infilling would not adversely affect local character or identity or impact on the openness of the Green Belt.*
7. *When travelling along the lane I saw that there was a clear visual break between the more densely built up area within the settlement boundary and a looser and more sporadic development leading off the lane and within the Green Belt of the Culverstone Valley, to which the appeal site is clearly a part of. This included changes to plot sizes and a network of narrow and pot holed rural lanes with blind bends. My perception was on the ground that as you were leaving the village boundary you were entering a peripheral and unique semi-rural area, clearly distinguishable from the more built up and regular pattern of residential development along Whitepost Lane and within the village boundary.*
8. *In this regard my attention has been directed to a recent Court of Appeal judgement. The Court found that the Inspector was required to consider whether, as a matter of fact on the ground, the site appeared to be in the village; further, that he misdirected himself by accepting the Local Plan as being conclusive as to whether or not the site appeared to be in the village. Put simply, the judgement found that the village boundary defined on the proposals map should not be determinative where the boundary does not accord with the Inspector's assessment of the extent of the village on the ground. In this case I have found the appeal site lies within the Green Belt outside of the village both in terms of the settlement boundary and in my view, as a matter of fact on the ground.*

Given that Rosalie lies in closer proximity to the identified rural settlement of Culverstone Green that the current application site, the above conclusions are considered equally applicable to the current proposal. Indeed, it is considered there remains a clear distinction between the more built-up areas of Culverstone Green and the looser development of Beechwood Drive which is within the area known as Culverstone Valley. Within this area 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 site does not lie within a village and as such the proposal is therefore considered to be 'inappropriate' development in the Green Belt.

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

As the proposal comprises one detached dwelling it can be considered to be 'limited'.

d) Whether the proposal constitutes 'infilling'.

Neither the NPPF nor the development plan define the term 'infilling'. However, it is accepted the generally agreed definition of infilling is as follows:

The development of a small gap in an otherwise continuous built-up frontage, or the small-scale redevelopment of existing properties within such a frontage

As the site forms a plot between properties it is considered that it could be defined as "infilling".

In summary, although the proposal could be defined as “limited infilling”, the application site does not lie within a village. As such the proposal would not meet the criteria set out at paragraph 154 (e) of the NPPF

g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.

As acknowledged above, the proposal would be defined as “limited infilling”. Furthermore, the site would be defined as previously developed land. However, it would fail to meet the test to “not cause substantial harm to the openness of the Green Belt”. The issue of harm to the openness of the Green Belt is discussed in more detail below under the heading “The effect of the proposal on the openness of the Green Belt”.

In light of the above assessment it is considered that none of the listed exemptions set out in paragraph 154 of the NPPF are applicable to the current proposal.

Notwithstanding this, in order to determine whether the proposal would constitute inappropriate development it is also necessary to assess whether it would meet the requirements of paragraph 155 of the NPPF. This is reproduced below:

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

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

With respect to paragraph 155 it is considered that the proposal would fail to meet criterion (c) as it would not be in a sustainable location. The site is located some distance from local services and facilities. The nearest primary school, medical centre and local retail facilities are located on or near to Wrotham Road. It is likely that future residents would need to drive to these services and facilities. There is no dedicated footway or street lighting for the majority of the route to Wrotham Road. Furthermore, the road is narrow and as such would be unattractive for pedestrians, cyclists or those with mobility issues particularly during bad weather or in the dark. In addition, the application site is not located in proximity to public transport services. The nearest bus stops are located on Wrotham Road and the nearest train station is in Meopham. Due to the nature of the existing roads, it is unlikely that future residents would walk to the bus stops. And it would be highly likely that residents would need to drive to the train station. For these reasons it is considered that this proposal would not be in a sustainable location and as such would fail to meet criterion (c) of paragraph 155.

This is consistent with a recent appeal decision issued on 18 September 2025 relating to the “proposed change of use of an agricultural building into five holiday let accommodation units” at Abbey Farm Barn, Church Street, Higham, Rochester, Kent ME3 7LS (Gravesham planning reference 20240139). In this decision the Inspector assessed the issue of criteria (c) and whether

the appeal site would be in a sustainable location as follows:

10. *The appellant indicates that the appeal site should be considered 'Grey Belt' land. Criteria (c) of paragraph 155 requires that the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework.*
11. *Paragraph 110 encourages the management of patterns of growth to support the objectives of promoting sustainable transport. Paragraph 115 requires that in assessing sites, it should be ensured that sustainable transport modes are prioritised taking account of the type of development and its location amongst other things.*
12. *The appeal site is in a very isolated location in the countryside, located some distance from the nearest village of Lower Higham. Although the walking distance to the village would not be excessive, access is along an unlit country road with no demarcated footway. The nature of this route would be likely to deter pedestrian and cycling access to the village, particularly in the evenings and during the winter months. Moreover, the submitted evidence does not provide details of the shops or services provided within the village.*
13. *On balance, the proposal would not be located where future occupiers would be able to rely on accessible local services and facilities to serve their everyday needs without having to travel some distance and in all likelihood by car. Drawing the above together, the proposal would not be in a sustainable location and would therefore not comply with the exception regarding the development of Grey Belt land.*

Given the similarities relating to the isolated location of the appeal site and the current application site, the above conclusions are equally applicable to this proposal.

As none of the specified exceptions set out in paragraph 154 would apply and as all the criteria set out in paragraph 155 would not be satisfied, the proposal would constitute inappropriate development in the Green Belt.

In accordance with paragraph 153 of the NPPF, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. A discussion as to whether a case of very special circumstances exists in relation to this development is set out later in this report.

The effect of the proposal on the openness of the Green Belt

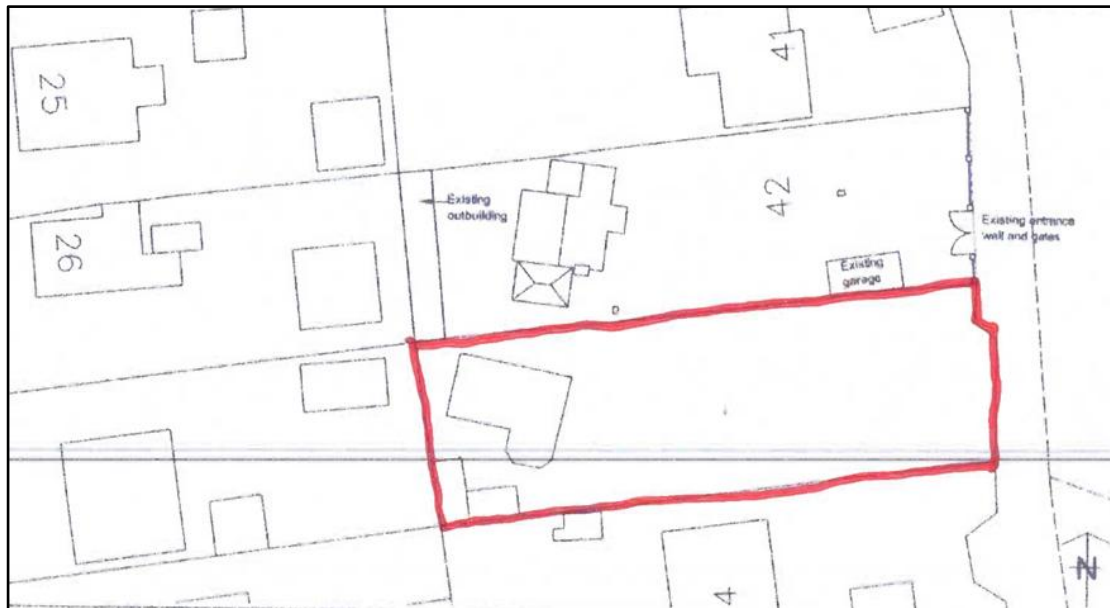
Paragraph 142 of the NPPF refers to the open character of Green Belts:

The Government attaches great importance to Green Belts. 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 their permanence.

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

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

The existing dwelling is located towards the rear of the site in proximity to the western boundary. This is clearly shown on the existing block plan accompanying the application:



As such the majority of the site is undeveloped and open in character. This is evidenced from the following image:



This open character would be lost due to the siting of the proposed replacement dwelling and garage together with the area of hardstanding that would be provided towards the front of the site. This can be seen on the proposed block plan accompanying the application:



The siting of the proposal combined with the increase in the footprint, volume and height of the development would erode the open character of the site, resulting in substantial harm to the openness of the Green Belt. The negative effect on the openness of the Green Belt would conflict with the aims of Green Belt policy as set out in paragraph 142 of the NPPF. It would also result in the proposal failing to meet the tests set out in paragraph 154(g) of the NPPF.

Saved Policy C12 of the Local Plan First Review

Saved Policy C12 of the Local Plan First Review relates to replacement dwellings in the countryside. It states that there will be a strong presumption against allowing the replacement of existing dwellings which will only be set aside if specified criteria are satisfied. These criteria are discussed below:

- i) This criterion requires the existing dwelling to be an “original dwelling” in permanent use as a dwelling. The proposal would meet this test.
- ii) This criterion requires that the existing dwelling must be in an appropriate location, meaning that it must be well related to existing roads and to essential services and must be in or close to an established rural settlement. For the reasons set out previously in this report, the site would not be in a sustainable location and would not be well related to essential services. As such, it would fail to meet criterion ii) of Saved Policy C12.
- iii) This criterion requires the replacement dwelling to be of a similar scale and mass to the existing dwelling and must be no larger than the existing dwelling unless it can be demonstrated that modest enlargement is required to allow the provision of essential basic amenities such as a bathroom, toilet or kitchen, which currently do not exist or are clearly inadequate to meet the special needs of the occupants. As set out earlier in this report, the replacement dwelling would be larger than the existing. A footnote to this criterion states where a modest enlargement can be justified, it should not be greater than one third of the floorspace of the existing dwelling excluding garage(s) and outbuildings and the

replacement of bungalows by dwellings of two or more storeys will be resisted.

As previously set out in this report, the proposal would be significantly larger than the existing dwelling. Furthermore, although a case for a modest enlargement has not been submitted with the application, the increase in the size of the floorspace would be greater than one third of that of the original dwelling. It would also result in the replacement of a bungalow with a two storey dwelling. In these respects the proposal would fail to meet criterion iii) of Saved Policy C12.

- iv) This criterion states the layout of the replacement dwelling shall not be such as to facilitate its later subdivision. The proposed layout does not lend itself to subdivision and as such the proposal meets this test.
- v) This criterion requires that the replacement dwelling should normally occupy the same site as the existing dwelling. Given the siting of the existing dwelling towards the rear of the site, it is considered that the proposed siting could be justified as it would be more in-keeping with the siting of other dwellings within this locality.
- vi) This criterion requires that the existing or proposed means of access, including access for fire fighting appliances, must be satisfactory. It is considered that the proposal would provide satisfactory access.
- vii) This criterion requires that the existing or proposed site drainage and means of soil and waste disposal must be satisfactory. Although details of proposed drainage have not been submitted with the current application, if planning permission were to be granted a pre-commencement planning condition could be imposed requiring these details to be submitted.

In light of the above considerations, this proposal would fail to meet criteria ii) and iii) of Saved Policy C12 of the Local Plan First Review.

Design and visual impact

Section 12 of the NPPF relates to “achieving well-designed places” and sets out the Government’s requirements in relation to design issues. Paragraph 131 is particularly relevant:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The aims set out in paragraph 131 of the NPPF are reflected in Policy CS19 of the Core Strategy. This requires new development to be “visually attractive, fit for purpose and locally distinctive” and to “conserve and enhance the character of the local built, historic and natural environment”. It also requires new development to “integrate well with the surrounding local area”. In addition, Policy CS19 requires the following:

“....the design, layout and form of new development will be derived from a robust analysis of local context and character and will make a positive contribution to the street scene, the quality of the public realm and the character of the area. Account will be taken of the scale, height, building lines, layout, materials and other architectural features of adjoining buildings.”

Design for Gravesham (2024) expands on the Core Strategy, and Policy CS19 in particular, to provide additional clarity on what is expected of applicants when submitting design proposals,

setting out the minimum requirements to achieve design quality.

Beechwood Drive is characterised by dwellings of differing architectural styles which tend to be located on spacious plots. In this context, there is no objection to the design of the proposed dwelling *per se*. There are examples in Beechwood Drive of other properties that are of a similar scale and design. Although only limited details of materials have been provided, these would need to be of a high quality and would need to complement those used on nearby properties.

It is important to note that although the design of the proposed dwelling is considered acceptable, this does not overcome the more fundamental concerns relating to Green Belt issues as set out above.

Impact on 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.

The site is located within the Harvel Wooded Downs Character Area. The key characteristics are defined in the Gravesham Landscape Character Assessment as follows:

- *Varied topography with steep valley sides and plateaux*
- *Ancient woodland, chestnut coppice and small paddocks and pasture*
- *Traditional historic settlement of Harvel set around village green*
- *Occasional traditional farmsteads*
- *Haphazard mosaic of residential plots and small holdings set within the woodland*

The Gravesham Landscape Character Assessment states that the strong landscape elements within the Harvel Wooded Downs should be conserved, whilst design standards should be defined to halt the erosion of the area with inappropriate development.

This area is characterised by a “haphazard mosaic of residential plots” which are enclosed by woodland. This proposal would further consolidate the sporadic built development within this locality which would erode the spacious, wooded character of the housing in this landscape area. It is considered that the proposal would therefore conflict with the characteristics of the Harvel Wooded Downs Character Area as identified in the Gravesham Landscape Character Assessment and would be contrary to Policy CS12 of the Core Strategy which seeks to conserve, restore and enhance the overall landscape character.

Impacts on residential amenity

Paragraph 135 of the NPPF requires planning decisions to, *inter alia*, provide “a high standard of amenity for existing and future users”. In addition, Policy CS19 of the Core Strategy requires new development to be located, designed and constructed to “safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land”.

Privacy

The proposed dwelling would be unlikely to result in a loss of privacy to neighbouring occupiers. The main aspect of all the proposed windows is towards the front and rear of the property. As these views would be towards the highway to the front and garden area to the rear, these windows would not result in window-to-window overlooking or the loss of privacy to neighbouring garden

areas. No windows are proposed in the side elevations of the building.

Sunlight/daylight/outlook

The proposed dwelling would have similar front and rear building lines to the property to the south, no. 44 Beechwood Drive. Due to the siting and orientation of the new development in relation to this neighbouring property, there would be no significant loss of sunlight, daylight or outlook to the occupiers of this dwelling.

In addition, due to the orientation of the property to the north, no. 42 Beechwood Drive, and its separation distance from the proposed dwelling, it is unlikely there would be a significant loss of sunlight, daylight or outlook to the occupiers of this neighbouring property.

External space standards

Paragraph 9 and table two of the Council's Residential Layout Guidelines set out the Council's requirements for private amenity space for new dwellings. For dwellings with four bedrooms it requires a minimum garden area of 100m² and a minimum depth from the rear wall of the house of 10.0m. The proposed dwelling would exceed the minimum requirements set out in the Council's Residential Layout Guidelines.

Internal space standards

The "Technical housing standards – nationally described space standard" was published by the Department for Communities and Local Government in March 2015. This document sets out requirements for the gross internal area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home.

The proposed dwelling would comprise a two-storey, four bedroom, five person dwelling. The required minimum gross internal floor area for such units is 97m². The gross internal floor area of the proposed dwelling would measure 106.6 significantly exceed this standard.

These standards also provide minimum requirements for the size of bedrooms, including the following:

in order to provide one bedspace, a single bedroom has a floor area of at least 7.5m² and is at least 2.15m wide

The smaller bedroom on the first floor would measure approximately 1.9m in width and as such would not fully meet this criteria. Given that there is only a marginal shortfall in the width of the bedroom, it is considered that it would be appropriate to take a flexible approach in this particular case. Indeed, given that this is the fourth bedroom in the property, it could be repurposed as a study, where there are no minimum size requirements.

Highway issues

Policy CS11 of the Core Strategy seeks to ensure that new development mitigates its impact on the highway and that sufficient parking is provided in accordance with adopted parking standards, reflecting the availability of public transport provision and the accessibility of local services and facilities. Saved Policy P3 of the Gravesham Local Plan First Review requires development to make provision for vehicle parking in accordance with the Kent County Council Vehicle Parking Standards.

The Kent County Council Vehicle Parking Standards require a maximum of three on-site parking spaces to serve a four bedroom dwelling. The proposed block plan indicates that this level of

parking could be provided on site. As such it is considered that this proposal would be acceptable in terms of highway safety.

Cycle and refuse storage

The current Kent County Council Vehicle Parking Standards provide minimum cycle parking standards. For residential dwellings there is a requirement of one space per bedroom. Although the submitted drawings do not indicate any cycle storage facility, this could be secured through an appropriately worded planning condition if planning permission were to be granted.

Paragraph 32 of the Council's Residential Layout Guidelines (2020) relates to refuse storage and contains the following requirement:

Refuse containers shall be provided on a hardstanding and within purpose built enclosures, which are readily accessible for collection.

Again, the submitted drawings do not indicate details of refuse storage, although if permission were to be granted this could also be secured by a planning condition.

Biodiversity

Paragraph 180 of the NPPF (2024) relates to biodiversity and states that, *inter alia*, if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Policy CS12 of the Core Strategy reflects this stance and requires there will be no net loss of biodiversity in the Borough.

The KCC Ecological Advice Service has been consulted on this application and commented that habitats and features (including mixed scrub, log piles and established trees) are present on and around the site, indicating ecological value and the potential for protected species presence that must be taken account of in the planning decision. As such, an Ecological Impact Assessment (EclA) should be undertaken by a suitably qualified ecologist. The application has not been accompanied by an Ecological Impact Assessment. The lack of such an assessment forms a further reason for refusal.

With respect to Biodiversity Net Gain the applicant has indicated that the proposed dwelling would be self-build. As such it would be exempt from statutory Biodiversity Net Gain.

Very special circumstances

As set out above, the proposal is considered to be inappropriate development in the Green Belt. In accordance with paragraph 153 of the NPPF such development "should not be approved except in very special circumstances". It advises that 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".

A case of very special circumstances has not been submitted with the application. Furthermore, for the reasons set out above, the lack of a five year housing supply by the Council would not constitute a case of very special circumstances required to enable the development to be supported. As such, it is considered that the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, would not be outweighed by other considerations.

Conclusion

In conclusion, it has been shown that this proposal constitutes inappropriate development within the Green Belt and would have a negative impact on the openness of the Green Belt. In the absence of a sufficiently strong case of very special circumstances this proposal must therefore be seen as contrary to existing Green Belt policy as set out in the NPPF and Policy CS02 of the Core Strategy.

In addition, the proposal fails to meet the criteria set out in Saved Policy C12 of the Gravesham Local Plan First Review. There are also concerns with respect to impact of the proposal on the landscape character of the Harvel Wooded Downs Character Area and the absence of an Ecological Impact Assessment

It is acknowledged that planning permission for a replacement dwelling was granted in 2006. However, this was never implemented and was allowed to lapse. Given the lack of a fallback position, this application has therefore been determined in the light of relevant existing planning policy, which for the reasons set out earlier in this report, have changed significantly since the previous permission was granted

Recommendation:

Refuse planning permission for the following reasons:

1. This proposal would result in the construction of a new dwelling within the Green Belt. Such development is regarded as inappropriate development unless it meets any of the exceptions set out in paragraph 154 and satisfies all the criteria set out in paragraph 155 of the National Planning Policy Framework (2024). The development would not meet any of the exceptions set out in paragraph 154 and due to the unsustainable location of the site would not satisfy all the criteria set out in paragraph 155. In addition, the development would harm the openness of the Green Belt. In the absence of any very special circumstances to clearly outweigh the harm to the Green Belt, the proposal is considered to constitute inappropriate development, contrary to the National Planning Policy Framework (2024) and Policy CS02 of the Gravesham Local Plan Core Strategy (2014).
2. The proposed dwelling would not be of a similar scale and mass to the existing dwelling. It would be larger than the existing dwelling and no case has been forwarded to demonstrate that the enlargement is “modest” and required to allow the provision of essential basic amenities such as a bathroom, toilet or kitchen, which currently do not exist or are clearly inadequate to meet the special needs of the occupants. In addition, the site would not be in an appropriate location, well related to essential services. As such the proposal is contrary to Saved Policy C12 of the Gravesham Local Plan First Review (November 1994).
3. The application site is located within the Harvel Wooded Downs Landscape Character Area. This proposal would consolidate the sporadic built development within this locality which would erode the spacious, wooded character of the housing in this landscape area. The development would therefore fail to conserve, restore and enhance the overall landscape character and as such would be contrary to the National Planning Policy Framework (2024) and Policy CS12 of the Gravesham Local Plan Core Strategy (2014).
4. The application is not accompanied an Ecological Impact Assessment and contains insufficient information to demonstrate the presence or otherwise of protected species and the extent that they may be affected by the proposed development. As such the proposal would be contrary to the National Planning Policy Framework (2024) and Policy CS12 of the Gravesham Local Plan Core Strategy (2014).

INFORMATIVES:-

1 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-TAKING

In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure)(England) Order 2015 and paragraph 39 of the National Planning Policy Framework, the Local Planning Authority has approached the assessment and determination of this application in a positive and proactive manner and, where appropriate, has worked with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area. In this instance, the application is contrary to local and national policy.

2 DRAWINGS AND DOCUMENTS

For the avoidance of doubt the decision to refuse this application was taken in relation to the following plans and documents:

- Application form
- Drawing no. 001 Proposed Floor Plans and Elevations.
- Drawing no. 002 Existing Floor Plans and Elevations
- Drawing no. 003 Proposed Garage
- Drawing no. 02/11/2024/R1 Existing and Proposed Block Plans and Location Plan.

See draft Decision

Case Officer: Gary Edwards	Team Leader: Richard Hart
Signed: Gary Edwards	Signed: R Hart
Dated: 11 November 2025	Dated: 13th November 2025