

Delegated Report

Householder Planning Application

Planning Application No: 20260326

Location: North Lodge Meopham Court Wrotham Road Meopham

Description: Removal of existing timber fence and erection of flint wall and gates.

Applicant: Mr J Freeman

Site Visit Date: 09.04.2026

Submitted Documents/Plans

- Application form;
- Drawing no. BDS-NL-P01 – Site Location Plan, Existing and Proposed Block Plan;
- Drawing no. BDS-NL-P02 – Existing and Proposed Plans and Elevations;
- Heritage Statement.

Relevant Planning History

None.

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 - Transport
- CS12 – Green Infrastructure
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- TC3 – Development Affecting Conservation Areas

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

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

Other material considerations

Section 72(1) of the Act requires special attention to be paid to the desirability of preserving or enhancing

the character or appearance of the conservation area.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 9 – Promoting sustainable transport
- Section 12 – Achieving Well-Designed Places
- Section 13 – Protecting Green Belt land
- Section 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- The Street, Meopham Conservation Area Appraisal Supplementary Planning Document (2016)
- Management Plan Rural Conservation Area Appraisals Supplementary Planning Document (2016)
- Gravesham Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)
- Gravesham Landscape Character Assessment (2009)

Emerging Local Plan as a Material Consideration

Paragraph 48 of the Framework makes it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise. An emerging Local Plan, does not form part of the Development. The Framework, at Paragraph 49 allows local planning authorities to give weight to relevant policies in emerging Local Plans, according to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the Framework, the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given to those policies.

West Oxfordshire District Council v Secretary of State for Housing, Communities and Local Government & Rosconn Strategic Land Ltd [2018] EWHC 3065 (Admin) is a High Court judgement that deals with the weight to be given to a Regulation 19 Local Plan. In this judgement the Court found that the weight to be given to an emerging Local Plan, was a matter of planning judgement, which had to be reached having fully considered the relevant part (Paragraph 49) of the Framework.

The Council's emerging Local Plan, is in the process of being consulted upon (it has reached Regulation 19 stage), the Council is not yet aware of whether third parties will support or object to specific policies within the Plan, or whether they will consider the policies with the emerging Local Plan to be broadly sound and consistent with the NPPF (2024). Taking this into consideration, one can only conclude that at this stage of the process, **limited (i.e. minimal) weight should be afforded to the emerging Regulation 19 Local Plan**. This position would only change once the emerging Local Plan has progressed towards submission and examination, with the Council being fully aware of policies that are subject to unresolved objections and with knowledge of policies that have had their soundness and conformity against the Framework challenged.

This approach accords with the approach taken in a separate High Court case, Gladman Developments Ltd v SSHCLG & Corby Borough Council; & Uttlesford DC [2020] EWHC 518 (Admin) and Court of Appeal [2021] EWCA Civ 104, which was also the subject of a Court of Appeal Ruling [2021] EWCA Civ 104.

Consultations, Publicity and Representations

Consultees



KCC Highways

Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Local Highway Authority in accordance with the current consultation protocol arrangements. However, if there are any material highway safety concerns that you consider should be brought to the attention of the Local Highway Authority, then please contact us again with your specific concerns for consideration.

No response from

- GBC Conservation Officer
- Meopham Parish Council
- Ward Councillors

Neighbouring properties

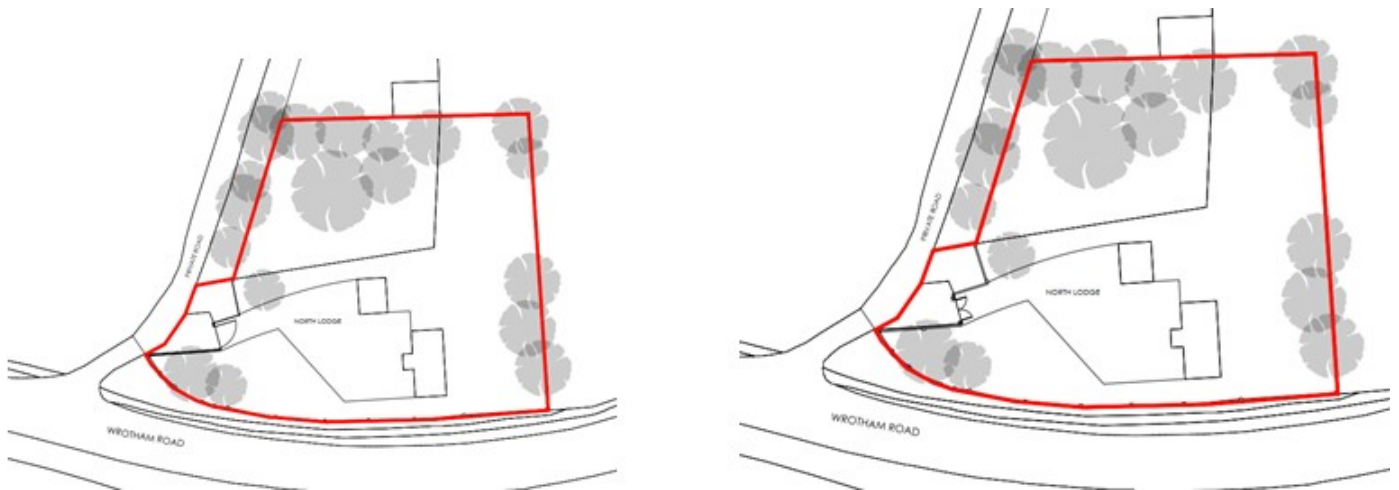
2 surrounding properties were consulted plus site and press notices – overall consultation expiry date was 01.05.2026 – no responses received.

Officer's Analysis

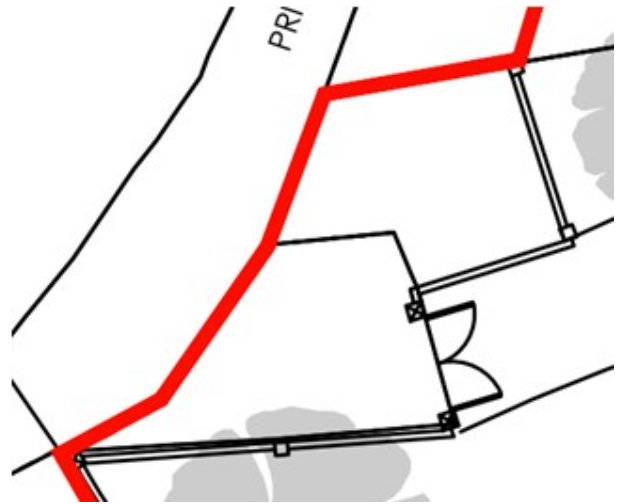
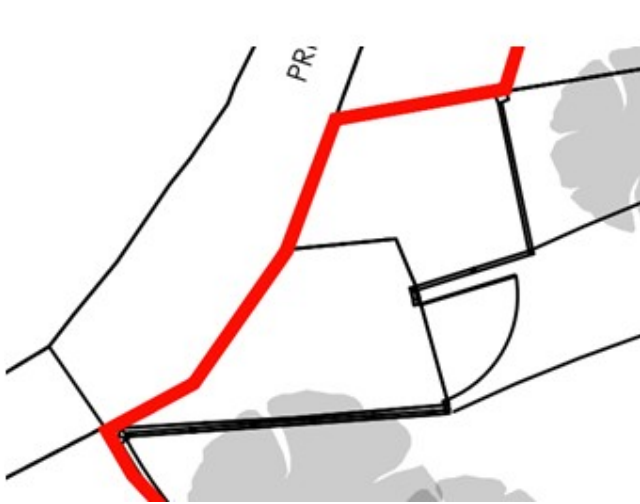
The application site consists of a two storey detached dwelling located on the eastern side of Wrotham Road just south of the access to Meopham Court. The site is situated in the Green Belt, the Meopham Downs Landscape Character Area and The Street, Meopham Conservation Area.

The proposal is for the removal of a section of existing timber fence and gate and erection of a flint wall and gates.

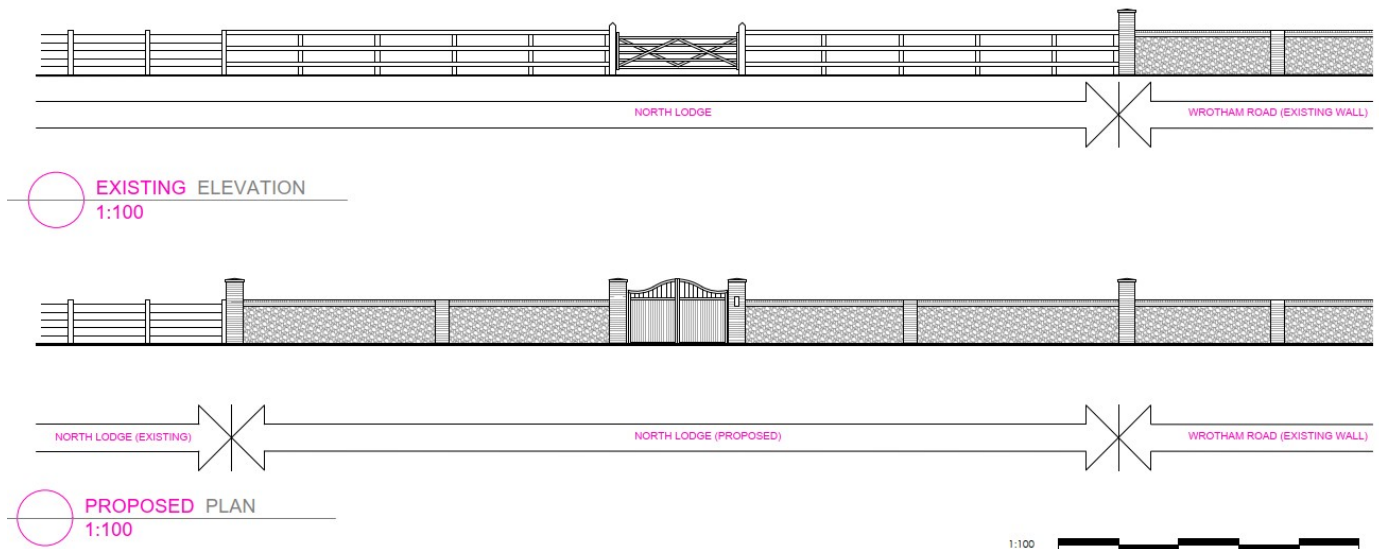
For ease of reference of the existing and proposed block plans are as follows:



A close up view of the section of fencing and gate to be removed and replaced with a flint wall and gates is as follows:



The existing and proposed elevations are as follows:



The existing fencing is seen in the below images:



A CGI image of the proposed wall and gates is as follows:



The proposal is to replace a 29m wide section of the existing fencing which is staggered and set back from the private road at a distance ranging from 6.5m – 13m. It has one long section extending into the site before it turns at a right angle where the single vehicular access gate is, it then turns at another right angle into the site before another right angle turn. The existing fencing is a post and rail fence and with a long singular post and rail gate. The proposed replacement flint wall and gates would be on the same siting and alignment as the existing fencing and gate. It would have a capping detail on top, brick piers and double timber vehicular access gates with a solid lower panel and a half open upper section with posts.

The heights of the existing post and rail fence and gate and the proposed flint wall and gates are as follows:

Existing

Height of fence – 1.55m

Height of gate – 1.25m

Height of gate piers – 1.78m

Proposed

Height of wall – 1.52m

Height of gate – 2.17m

Height of brick piers at either end and either side of gate – 2.2m

The principal considerations are considered to be:

- Whether the proposal would be inappropriate development in the Green Belt including impact on openness
- Design, Character and Appearance including Heritage
- Landscape Character
- Neighbouring Amenity
- Parking and Highways

Whether the proposal would be inappropriate development in the Green Belt including impact on openness

The site lies within the Metropolitan Green Belt. Paragraph 142 of the NPPF (2024) states that the government attaches great importance to Green Belts and that the fundamental aim of Green Belt policies is to prevent urban sprawl by keeping land permanently open with their essential characteristics being their openness and permanence. Paragraph 143 of the NPPF (2024) sets out that the Green Belt has five purposes:

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

Paragraph 153 of the NPPF (2024) sets out that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and that 'inappropriate development' is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances and 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.

Paragraph 154 of the NPPF (2024) states that 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.

Of relevance to the proposal is (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

The proposal would not result in any extensions to the building but is for replacement of an existing fence and gate with a wall and gates to the front of the dwelling so could most closely come under an 'alteration'. It would be a 29m section of fencing that would be replaced including the singular access gate. The proposed wall would follow the exact alignment of the existing fencing, it would not move any further



forward and the flintwork for the wall and the timber for the gate are sympathetic materials. The proposed development is considered to be minor development to the front garden area of the dwelling which would not result in a disproportionate addition over and above the size of the original building.

As the proposal is for minor development which is modest in scale and of acceptable design in keeping its rural character it considered the proposal would also not impact on the openness of the Green Belt.

As the proposal would not be a disproportionate addition, the proposal would meet the exception (c) of paragraph 154 of the NPPF (2024). The proposal would also preserve the openness of the Green Belt and would not conflict with the purposes of including land within the Green Belt. As such the proposal is considered compliant with Policy CS02 (LPCS).

Design, Character and Appearance including Heritage

North Lodge is the first property on the right as one enters the private road of Meopham Court which runs off of the main Wrotham Road. The house is positioned some 40m to the east of the private road of Meopham Court which then runs further round the corner to a number of historic properties also in the Hook Green Conservation Area.

The existing fencing is set back from the private road and so not on the back edge of the private road. The existing fencing is typical of fencing found in a rural area being open post and rail fencing with an open post and rail gate.

In the Heritage Statement the existing boundary wall fronting the Wrotham Road is referred to as comprising a continuous 1.5m high flint wall with two bands of red brick and a brick coping. It is then stated that the existing timber post and rail fence appears incongruous with the character and detailing of the adjacent flint and brick walling fronting the Wrotham Road. It is therefore proposed to remove the existing fencing and gate and replace with a flint wall with double timber vehicular access gates.

Image of the existing flint and brick wall fronting the Wrotham Road:



Given the location of site in the rural area, it would be preferable to retain the existing open fencing. The proposed flint wall would be solid as opposed to the openness of the existing fencing but this matter is not considered to be sufficiently harmful to justify a refusal. North Lodge first appears on the 1897 – 1900 historic map and flint walls are typical of a front boundary treatment for that age of property. The front boundary along Wrotham Road is a flint wall with two bands of red brick and a brick coping and further along at the main set of dwellings at Meopham Court the first building you come to on the left (now 3 dwellings) is flint faced. In terms of boundary treatments in this area of Meopham Court whilst the existing fencing to North Lodge is open post and rail fencing, as is the fencing on the opposite side adjacent to the field there are a variety of other boundary treatments including historic brick walls, modern brick piers and close boarded fences. It is said that the proposed wall would replicate traditional construction techniques, incorporating flintwork with horizontal bands of red brick and a brick coping to ensure it matches in with the

surrounding boundary treatments. It is a timber gate proposed which is a sympathetic material.

The proposed flint wall is considered to be of high quality design and would match in well with the age and character of the host building and the other historic dwellings in Meopham Court and the front boundary treatment facing Wrotham Road. Whilst it would be preferable to keep the existing open post and rail given the rural location of the site, a flint wall is also not unacceptable and is considered a sympathetic boundary treatment in a rural location. The double gates would be higher than the existing gates and more prominent but they of unsympathetic design and material. By extension it is therefore also considered that the proposal would preserve the character and appearance of The Street Meopham Conservation Area. In respect of design, character and appearance including heritage the proposal is compliant with Policies CS19 and CS20 (LPCS), saved Policy TC3 (LPFR) and sections 12 and 16 of the NPPF (2024).

In terms of conditions, should permission be forthcoming, it is recommended that it should be stated that the flint, brick, mortar mix and finish for the wall shall match as closely as possible the flint, brick, mortar mix and finish in the existing flint and brick wall fronting Wrotham Road to the south. The gate will be timber which is sufficient and no further details required in that regard.

Landscape Character

The site is located in the Meopham Downs Landscape Character Area. Due to the proposal being a wall and gates in place of existing fencing which would be acceptable in respect of scale and materials, it is considered that the proposal would have no adverse impact on landscape character. In respect of landscape character the proposal is therefore considered compliant with Policies CS12 and CS19 (LPCS).

Neighbouring Amenity

Due to the distance of any neighbouring properties from the proposed replacement wall, there would be no impact on neighbouring amenity and as such in respect of this matter the proposal is compliant with Policy CS19 (LPCS). No neighbouring representations have been received.

Parking and Highways

The proposal would result in the replacement of an existing open post and rail fence and gate with a solid wall and gate with the upper part of the gate partly open, with the wall and gates being on the same alignment as the existing fencing and gate. Whilst there might normally be issues regarding visibility splays when going from an open to a solid boundary treatment, in this case there is the area of hardstanding in front of the fence and gates before the back edge of the private road of Meopham Court is reached. As such, when a car exits through the gates the car would be fully positioned on that hardstanding area before a driver reaches the back edge of Meopham Court private road and have to give way looking left and right to see if there are any approaching vehicles or pedestrians. As such the change from open fencing to solid wall which would be behind the driver would not impact on their visibility. The proposal would not affect existing parking provision at the property which is set further back within the site. As such in respect of parking and highways the proposal is compliant with Policy CS11 (LPCS) and saved Policy P3 (LPFR).

Any Other Material Planning Considerations

None.

Conclusion

The proposal would not be inappropriate development in the Green Belt, would not impact on openness, would be acceptable in respect of design, character and appearance and would preserve the character and appearance of The Street Conservation Area and would not impact on parking or highways. As such the proposal is compliant with local and national planning policy.

Recommendation

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ms Rebecca Harrison	Team Leader:	Mrs Faye Walsh
Signed:	<i>Rebecca Harrison</i>	Signed:	<i>F Walsh</i>
Dated:	15th July 2026	Dated:	16 July 2026