



Delegated Report

Full Planning Application

Planning Application No:	20231079
Location:	Land North of Viewpoint Place, Rochester Road, Gravesend
Description:	Retention of an additional mobile home and traveller pitch.
Applicant:	Ms Linda Harber & Family
Site Visit Date:	Undertaken on previous application

Submitted Documents/Plans

Application form
Planning, Design and Access Statement (dated 21 January 2018)
Location Plan
Drawing no. 001 Rev. A (Location Plan, Existing Block Plan, Proposed Block Plan)
Drawing no. 002 Rev. A (Existing Floor Plan, Existing Elevations)

Relevant Planning History

Reference	Description	Decision	Decision Date
20230310	Retention of existing hay barn / food store and erection of an attached stable	Permitted	12.06.2023
20180142	Continued use of land as a Gypsy/Traveller caravan site for three pitches for stationing 3 mobile homes for occupation by the Harber family, the building of a replacement stable block, the retention of the kennel building on Plot 3 and its conversion to a dayroom, the retention of a day room and shed for plot 1 and a shed for plot 2 and the retention of associated works including the relocation of the internal access road, the retention of block paving within plot 2 and the erection of fencing to define the three plots.	Permitted	17.07.2020
20160368	Application for variation of condition 2 attached to planning permission reference number 20120911 for continued stationing of two residential caravans, one touring caravan and associated development for gypsy family to allow the family to reside there on a permanent basis; to allow the installation of an additional mobile home for occupation by the Harber family, in place of the existing touring caravan.	Withdrawn	20.03.2018
20120911	Application for removal of condition 3 attached to planning permission reference number 20090234 for continued stationing of two residential caravans, one touring caravan and associated development for gypsy family; to allow the family to reside there on a	Permitted	15.02.2013

	permanent basis.		
20111045	Application for approval of condition 3 attached to planning permission reference number 20110635 relating to the details of materials to be used on exterior elevations.	Approval	16.03.2012
20110635	Erection of a single storey detached building to provide a utility room.	Temporary	10.11.2011
20090234	Continued stationing of two residential caravans, one touring caravan and associated development for gypsy family.	Permitted	16.11.2009
20060491	Continued use of the land as a gypsy caravan site for a temporary period.	Refused Appeal dismissed	19.10.2006 16.10.2010
20030954	Stationing of four caravans with laying out of associated hardstanding and installation of a septic tank.	Refused Appeal dismissed	13.01.2004
19970773	Demolition of existing horse shelter and erection of single storey building on western side of field, comprising 3 no. stables and hay and tack store.	Permitted	31.12.1997

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS17 – Provision of Traveller Sites
- CS19 – Design and Development Principles

Gravesham Local Plan: First Review (1994)

- C17 – Use of Land for Horse-riding and the Erection of Stables
- T1 – Impact of Development on 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 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 (2023), the Council will also seek to replace these.

Given Gravesham'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 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
- 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.

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 181)
- Sites of Special Scientific Interest;
- Green Belt;
- Local Green Space;
- Areas of Outstanding Natural Beauty;
- Irreplaceable habitats;
- Designated heritage assets (and other heritage assets of archaeological interest, see NPPF 2023, footnote 68); 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 121(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.

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

Supplementary Planning Guidance

- SPG4 – KCC Parking Standards (2006)
- Gravesham Landscape Character Assessment (2009)
- Planning Policy for Traveller Sites August (2015)

Consultations, Publicity and Representations

External Consultees

KCC Biodiversity

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 the proposed development has limited potential to result in significant ecological impacts.

We have taken this view because aerial photography of the site shows it has previously been horse grazed and likely therefore to be of low ecological value. However, it appears to have become overgrown in the last 12 months, so it is possible that protected/notable species are present. We advise a precautionary approach to clear the vegetation is used. This includes hand searching the vegetation prior to clearance.

Breeding birds

It is possible that breeding birds may be using the vegetation on site. We advise that the following

informative is included should planning permission be granted.

Breeding bird informative – suggested wording

The applicant is reminded that, under the Wildlife and Countryside Act 1981 (as amended), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act.

Habitats are present on and around the site that provide opportunities for breeding birds. Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (1st March to 31st August inclusive) to avoid destroying or damaging bird nests in use or being built. If vegetation/structures need to be removed during the breeding season, mitigation measures need to be implemented. This includes examination by a suitably qualified and experienced ecologist immediately prior to starting work. If any nesting birds are found, works must cease until after the birds have finished nesting.

Designated Site

The development includes proposals for new dwellings within the zone of influence (6km) of the Thames Estuary and Marshes Special Protection Area and Wetland(s) of International Importance under the Ramsar Convention (Ramsar Site). Gravesham Borough Council will need to ensure that the proposals fully adhere to the agreed approach within the North Kent Strategic Access Management and Monitoring Strategy (SAMMS). This is to mitigate for additional recreational impacts on the designated sites and to ensure that adequate means are in place to secure the mitigation before first occupation.

A decision from the Court of Justice of the European Union has detailed that mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a full Appropriate Assessment is needed under the Habitats Directive. Therefore, we advise that due to the need for the application to contribute to the North Kent SAMMS, there is still a need for an appropriate assessment to be carried out as part of this application.

Biodiversity Net Gain and Ecological Enhancement

Under section 40 of the NERC Act (2006) and paragraph 174 of the NPPF (2023), biodiversity must be maintained and enhanced through the planning system. Additionally, in alignment with paragraph 180 of the NPPF (2023), the implementation of measurable net gains for biodiversity (integrated as part of design) should be encouraged.

Given the small size of the development, we are satisfied that no metric is required. We advise that a net gain can easily be achieved through the inclusion of native planting. A landscaping plan showing the planting of native species, plus details of how the planting would be established and managed, should be submitted if planning permission is granted.

To ensure that the measurable net gain can be achieved, we advise that the landscaping, establishment, and management plan(s) are secured with a condition if planning permission is granted and that other enhancements are also incorporated into an enhancement plan within the red line boundary, including bat and bird boxes, and log piles, in addition to the native planting.

Suggested condition wording

Within three months of works commencing, detailed plans showing how the development will enhance and maintain biodiversity, plus an establishment and management plan for native planting, will be submitted to, and approved in writing by, the local planning authority. This will include details of native and wildlife-friendly planting, durable bat and bird boxes, and log piles. The approved measures will be implemented and retained thereafter.

Internal Consultees

GBC Environmental Protection

No objection to this application or adverse comments to make. A drainage/sewerage informative is recommended.

GBC Highways

The application form gives the description of the proposal as the 'Stationing of an additional mobile home for the occupation by the sole family already on site by the creation of an additional traveller pitch'.

Description

Please describe details of the proposed development or works including any change of use

Stationing of an additional mobile home for occupation by the Harber family - creation of an additional traveller pitch

It does not mention the relocation/rebuilding of the existing stables within the paddock area, nor the retention of existing buildings built without planning permission that is mentioned in the Design and Access Statement

any more that a single family occupation. The application seeks to regularise the additional static caravan within the residential part of the site and the occupation as 3 pitches, to relocate/rebuild the existing stables within the paddock area and retain the buildings erected without the benefit of planning permission as utility rooms for the respective plots (Plots 1 & 3)

Reference is made to two parking spaces, but I cannot trace a plan demonstrating where these spaces will be or how they are accessed. In addition, as a dwelling I would suggest cycle parking should be provided at the rate of one space per bedroom, the same requirement as a house.

I note the reference is made to foul drainage being via a septic tank, but no details are provided. A tanker will visit such an installation to remove material, and this will need to be able to turn on site as the Rochester Road is an 'A' classified road. Also Building Regulation state under Paragraph 1.15:

Septic tanks

1.15 Septic tanks should only be used in conjunction with a form of secondary treatment (e.g. a drainage field, drainage mound or constructed wetland).

Siting

1.16 Septic tanks should be sited at least 7m from any habitable parts of buildings, and preferably downslope.

1.17 Where they are to be emptied using a tanker, the septic tank should be sited within 30m of a vehicle access provided that the invert level of the septic tank is no more than 3m below the level of the vehicle access. This distance may need to be reduced where the depth to the invert of the tank is more than 3m. There should also be a clear route for the hose such that the tank can be emptied and cleaned without hazard to the building occupants and without the contents being taken through a dwelling or place of work.

Building Regulations gives details regarding the provision of drainage fields and drainage mounds copied below. But no such details have been provided, so it is impossible to tell if a suitable foul drainage system is being provided.

Neighbouring properties

The application has been advertised by individual neighbour letters to 6 properties, and on site. The overall consultation period expired on 20 November 2023.

Five letters of representation have been received from neighbouring properties, objecting on the following grounds:

- This is a breach of planning control whereby further development is carried out and permission sought afterwards. The caravan is already there.
- This is an intensification and an overdevelopment of this plot in the Green Belt.
- The caravan should at least be put at the rear of the plot; it is within sight of and overlooking the property opposite.
- There are continuous breaches of entry undertaken into the site by turning right going across incoming traffic coming from Higham to Gravesend; this is dangerous and adversely impacts highway safety.
- Traffic movements into this site have increased substantially.
- Permission should be limited to the originally family granted permission only.#
- The objections to the original permission warned about an increase in caravans and the applicant implied this would not happen.

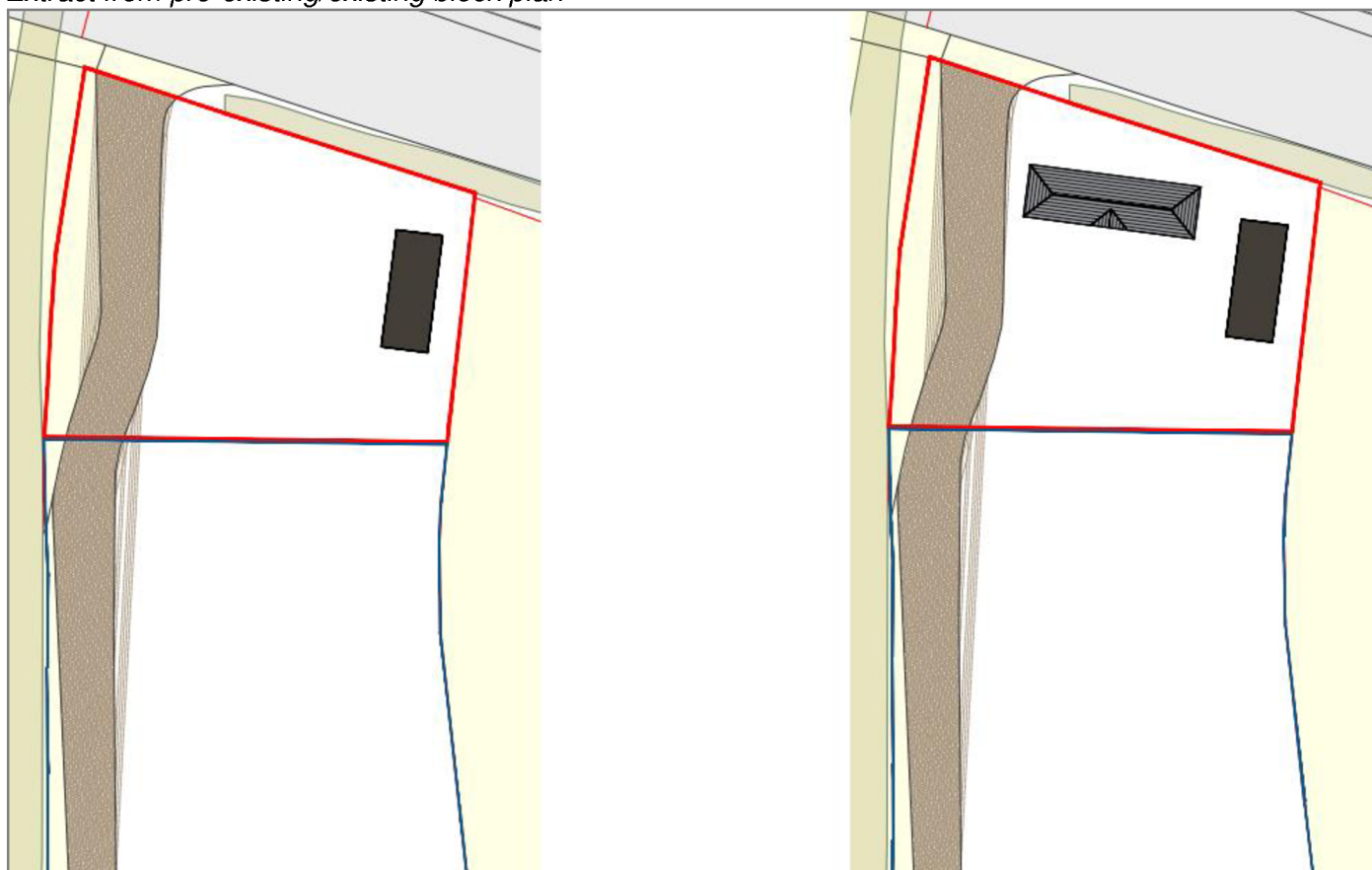
The Local Ward Councillors were also consulted and no responses were received.

Officer's Analysis

Proposal

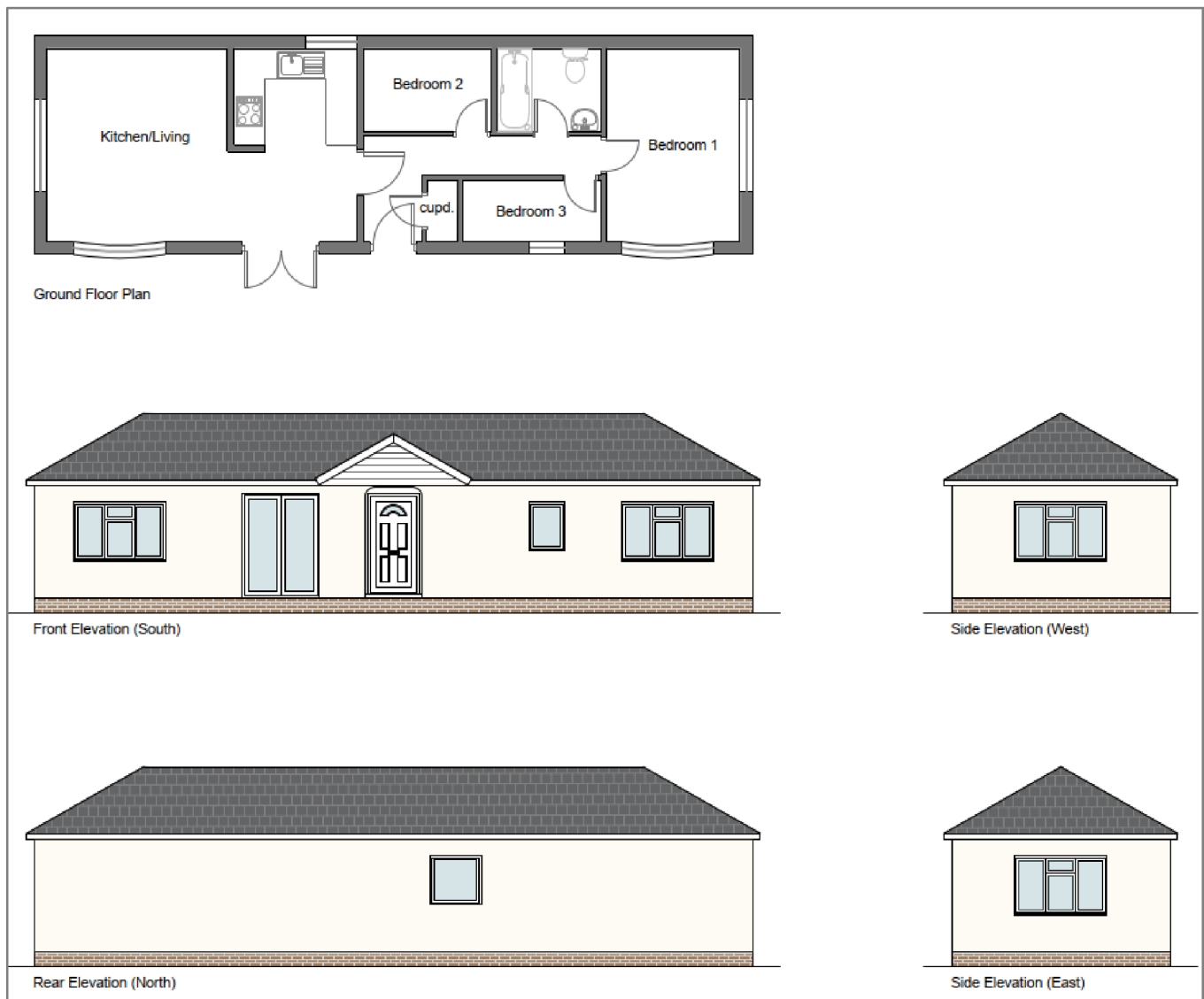
This application seeks full planning permission for the retention of an additional mobile home and traveller pitch.

Extract from pre-existing/existing block plan



The caravan has already been installed on the site; hence the description for the retention of a mobile home. The submitted application form states the work was started on 9 September 2023. The caravan measures 14m in width and is 4.3m deep, with a pitched roof up to 3.9m in height and 2.5m to eaves level.

Existing (caravan) floor plans and elevations:



The supporting statement for this application is the same Planning, Design and Access Statement submitted relating to previous application 20180142 and is dated 21 January 2018. There is no supporting information about the current proposal.

Site and Surroundings

The site is located in the countryside outside any settlement boundary, in the Green Belt.

Viewpoint Place is an established Gypsy and Traveller site, located to the south of Rochester Road. The northern part of the site, where the caravan is located, has been used as a paddock. The residential compound to the southern part of the site has planning permission for 3 pitches for the stationing of 3 mobile homes and associated development, as seen from the planning history above. Land levels slope upwards fairly steeply to the application site from Rochester Road and continue to rise gently to the south. The site is substantially enclosed by mature vegetation on all sides.

Current Google Earth Image of Application Site

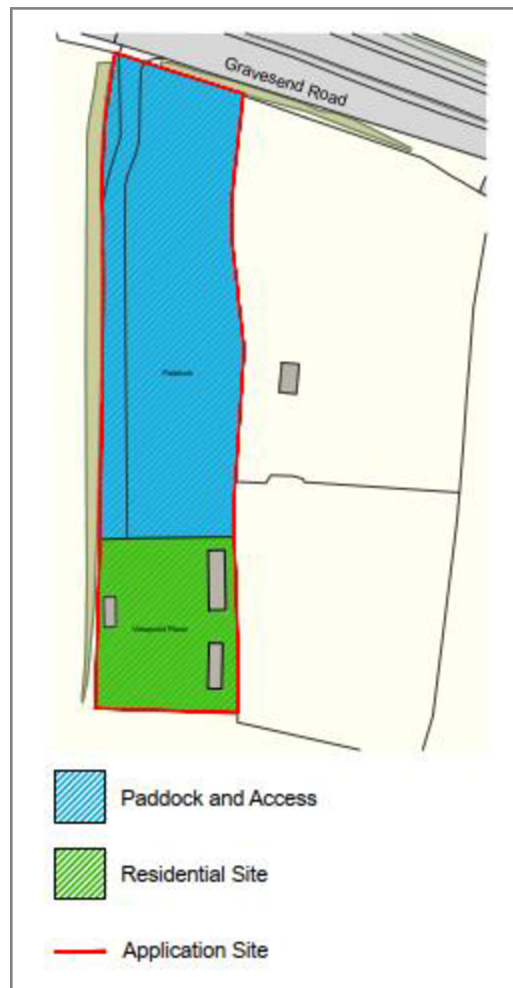
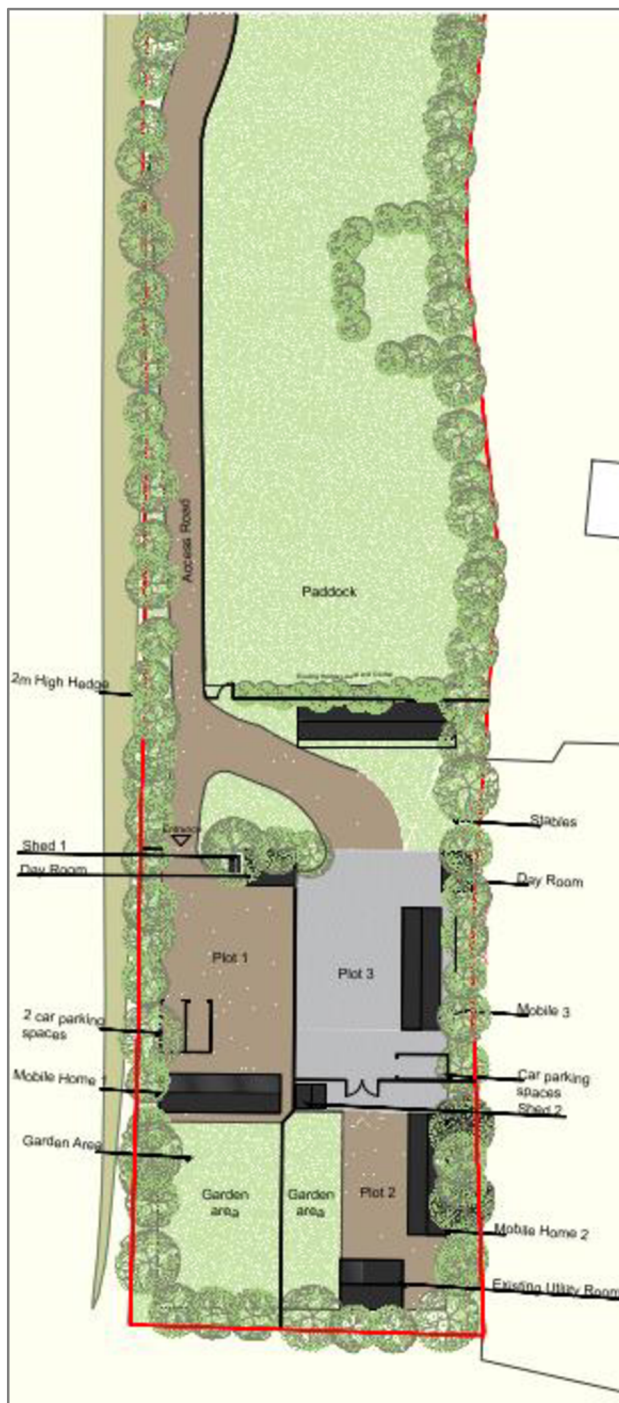


Site photos of pre-existing hay store and paddock



Background

Planning permission 20180142 granted the continued use of the land as a Gypsy/Traveller caravan site for three pitches for stationing 3 mobile homes for occupation by the Harber family. The planning permission restricted the number of pitches and caravans and conditioned the use by the applicant and her sibling group in order to prevent further encroachment into the undeveloped part of the site. The residential occupation was limited to the southern area of the site shown on the approved block plan:



Principle Issues

The main issues for consideration with this proposal are as follows:

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

Traveller status

As this is an application for a Traveller pitch, the first stage is to establish whether the proposed occupant(s) fall within the definition of a Gypsy and Traveller as set out in Annex 1 of the PPTS 2015. Under the 20180142 application, it was considered that the plots formed part of an established Gypsy and Traveller site, and the proposed pitches were to accommodate immediate family members of the established occupiers of the site, who were considered to meet the planning definition for gypsy/traveller status. It is noted that a condition was placed on the 2018 approval restricting the occupation of the site to Gypsies and Travellers who meet the planning definition.

The current applicant is stated on the application form to be 'Ms Linda Harber and Family'. Linda Harber was the applicant under the 20180142 application. However, contrary to the detail that was submitted previously about the occupants of the site, no specific information or evidence has been put forward to demonstrate who the additional caravan under the current application would be for, and whether the occupant(s) would fall under the gypsy and traveller definition. The supporting Planning, Design and Access Statement relates to the 20180142 application and provides no information about the status of the occupants of the additional mobile home that permission is being sought for. There is no family or work background provided, nor are there any personal circumstances put forward as part of the application to justify the creation of an additional pitch on this site.

Therefore, the gypsy/traveller status of the proposed occupant(s) cannot be ascertained, which initially casts into doubt the justification for the additional pitch.

Whether the proposal is inappropriate development in the Green Belt

As the site lies in the Green Belt there is a need to establish whether the proposal amounts to inappropriate development. Paragraph 137 of the NPPF 2023 highlights the importance of the Green Belt and its role in preventing urban sprawl and keeping land permanently open. Policy E paragraph 16 of the PPTS 2015 is clear that *"Traveller sites (temporary or permanent) in the Green Belt are inappropriate development"*.

The application does not offer any comment on whether the proposal amounts to inappropriate development or its impact on openness and the purposes of the Green Belt.

The current proposal should be considered against paragraph 150 (e) of the NPPF 2023, which states that material changes in the use of land are not inappropriate development in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.

This application is for an additional pitch that is outside of the area already established as residential. The northern part of the site is open paddock land (with the exception of a hay store), as the recognised in the supporting statement. The change of use of the land for a mobile home and traveller pitch here would clearly affect the openness of the site in this location and would also conflict with one of the purposes of the Green Belt, which seeks to safeguard the countryside from encroachment. The proposal therefore conflicts with the requirements of paragraph 150 (e) of the NPPF 2023, and it would amount to inappropriate development, which is by definition, harmful to the Green Belt.

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

As set out in paragraph 150(e) of the NPPF 2023, it is necessary to consider the level of harm to openness from the proposal that would result from the stationing of a caravan in this currently open paddock. It needs to be borne in mind that the Courts have held that the impact on openness has both a spatial and visual dimension and it is a matter of planning judgement as to whether the proposal will result in (any) harm to openness.

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

development, its duration and remediability, and the activity levels generated.

The site is part of an established traveller site with an existing permission for 3 pitches. The original use of the land granted the stationing of two caravans, with the latest permission intensifying the use of the site to three pitches, which extended into the paddock. It must therefore be recognised that there has already been a loss of openness at the site with the increase in the permitted number of caravans (and associated development). Part of the acceptance of this under the previous 2018 application was due to the fact that the additional caravan was closely associated with the existing approved mobile homes at the site, which was considered to help lessen the impact in terms of openness.

The site boundaries are enclosed by established vegetation with the existing approved residential caravans and associated structures set back into the site by approximately 115 metres. This was considered to help reduce the visual and spatial impact of the previous additional caravan pitch under the 2018 application.

The additional caravan under the current proposal has the appearance of a small bungalow. It is a large structure at the front of the site, and whilst it can be screened to a certain extent with the boundary vegetation, there are gaps in this and with seasonal changes and the elevated land level of the site, the presence of a caravan in this location will be visible from a public vantage point, and will have a detrimental spatial and visual impact on openness. If additional boundary planting were to be carried out, this in itself would have an impact on openness.

Additionally, whilst not specifically shown on the plans, there is likely to be development associated with the caravan, such as additional hardstanding, cars, and general domestic paraphernalia, all of which would further impact on the openness of the site in this location. In both spatial and visual terms, by reason of the apparent permanent nature of the mobile home, and the increase in the spread of development across the site, this proposal would clearly result in a loss of openness. The proposal would also result in a difference in activity levels related to the use of the site than previously existed.

Paragraph 148 of the NPPF 2023 states that substantial weight should be given to any harm to the Green Belt. There are no special circumstances in this case to outweigh such harm. The change in the use of the land to station an additional mobile home will intensify the use of the site and this fails to preserve the openness of the Green Belt and conflicts with the purpose of it. The proposal is therefore considered to be inappropriate development in the Green Belt.

Character and Appearance

Paragraph 130 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.

The area surrounding the site has a predominantly agricultural character, and the site itself is largely enclosed by mature vegetation, which does help screen it from the wider landscape. Glimpses of the main existing residential compound can be seen due to the higher land levels, but this is at a distance as the approved caravans are set back from the A226 (Rochester Road) by approximately 115 metres.

As stated above, the additional caravan is a large structure at the front of the site situated in an elevated position, and is therefore visible from a public vantage point. There is little development along the road frontage on this side of the road, where views are largely open and agricultural. The presence of a large mobile home in this location further intensifies the use of the site and urbanises the appearance of this undeveloped part of the site, which will have a detrimental visual impact on the street scene and rural character of the area. The proposal therefore fails to comply with Policy CS19 of the Local Plan Core Strategy 2014, which seeks to ensure development conserves and enhances the character and appearance of the built and natural environment.

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 130f). The impact on amenity is also considered with regard to the criteria within Policy CS19 of the Core Strategy 2014, which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those of neighbouring properties and land.

Future Occupiers

The proposed caravan has three bedrooms, a bathroom and a kitchen/living area, and would provide adequate living conditions. As such, it is considered that the proposed development would be in line with Policy CS19 of the Core Strategy 2014.

Neighbouring Properties

Although there are residential properties located opposite, due to their separation from the site across Rochester Road (the A226), it is considered that the proposed development would have no significant adverse impact on residential amenities in terms of loss of outlook, light, privacy or increased noise and disturbance. There are therefore no conflicts with the amenity requirements of Policy CS19 of the Core Strategy 2014 and paragraph 130 of the NPPF 2023.

Parking and Highways

No parking plans have been submitted for this proposal and it has not therefore been adequately demonstrated how or where the inevitable parking requirements for this proposal would be accommodated on the site. It is therefore unclear whether there would be any overspill parking, which would have the potential to be detrimental to highway safety, contrary to the requirements of Policy CS11 of the Core Strategy 2014, and Policies T1, T5 and P3 of the Local Plan 1994.

Any Other Material Planning Considerations

Need for Traveller Sites

Since the 2018 application the Gypsy and Traveller Accommodation Assessment has been updated. The latest publicly available GTAA was completed in 2018 and provides a sound estimate of future pitch needs over the Core Strategy plan period (2028) and the emerging Local Plan period (2037), broken down into 5 years periods is as follows:

Figure 1 – Additional need for Gypsy and Traveller households in Gravesham (2017-2028/37)

Status	Total 2017-28	Total 2028-37
Meet Planning Definition	24	7
Unknown	0-5	0-4
Do not meet Planning Definition	6	4

Figure 2 – Additional need for Gypsy and Traveller households in Gravesham that met the Planning Definition by year periods

Years	0-5	6-10	11	12-15	16-20	Total
	2017-22	2022-27	2028	2028-32	2032-37	
	19	4	1	3	4	31

This was updated in June 2023 as follows:

Table 1 – Gypsy and Traveller pitch needs 2017 – 2028 and 2028 - 2037

	Total 2017 - 2028	Total 2028 - 2037
Households that meet the planning definition	24	7

Table 2 - Gypsy and Traveller pitch needs 1 April 2017 – 31 March 2037

Period 1 April – 31 March	Pitch Need Met the Planning Definition
2017 - 22	19
2022 - 27	4
2028	1
2028 - 32	3
2032- 37	4
Total	31

Identified pitch need in the period April 2022 – March 2027 is for 4 additional pitches; this represents the provision of 0.8 pitches per year. As pitches cannot be delivered in part, a single pitch has been added to the pitch need for the period April 2017 – March 2022. There is therefore an identified need for 20 pitches over the period April 2017 – March 2023 to meet the needs of those Gypsies and Travellers who meet the planning definition set out in Annex A of the PPTS, over the Core Strategy plan period (2028), to which weight should be given in the final balance.

No health, education or personal circumstances have been presented as part of this application in order to justify the creation of an additional pitch on this land identified as Green Belt with regards to very special circumstances. It might be the case that the site is established as a traveller site, and there is a demonstrated outstanding Gypsy and Traveller need for pitches in the area, as the PPTS 2015 sets out, but regardless of this, personal circumstances and unmet need would not establish the very special circumstances necessary to outweigh the harm to the Green Belt.

Article 8 of the European Convention on Human Rights, as incorporated into UK law by the Human Rights Act 1998, protects the right of an individual to, amongst other things, a private and family life and home. Furthermore, the courts have held that the best interest of the children shall be a primary consideration in all decisions concerning children including planning decisions. However, no best interests argument has been put forward as part of the consideration of this application. Due regard has been had to the Public Sector Equality Duty (PSED) contained in the Equality Act 2010, where ethnic origins and way of life are to be accorded weight under the PSED.

Biodiversity

In considering biodiversity impacts, regard should be paid to conserving biodiversity in line with the Council's duty under Section 40 of the Natural Environment and Rural Communities Act 2006 and

paragraph 174(d) of the NPPF 2023, which seeks to ensure that decisions contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. It is noted that Policy CS12 of the Core Strategy 2014 (which seeks to secure no net loss of biodiversity) is out of step with the more recent policy approach in the NPPF, which makes specific reference to the need to provide net gains.

The NPPF 2023 in paragraph 180(a) states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or as a last resort compensated for, then planning permission should be refused.

No ecological information has been submitted with this application. However, as a result of reviewing the application, KCC's Biodiversity Officer has advised that the proposed development has limited potential to result in significant ecological impacts.

This view has been taken because aerial photography of the site shows it has previously been horse grazed and likely therefore to be of low ecological value. However, it appears to have become overgrown in the last 12 months, so it is possible that protected/notable species are present. It is therefore advised that a precautionary approach to clear the vegetation is used. This includes hand searching the vegetation prior to clearance; an informative could be added on this basis.

Given the small size of the development, KCC's Biodiversity Officer is also satisfied that no metric is required. A net gain can easily be achieved through the inclusion of native planting. Landscaping, establishment and management plans showing the planting of native species, plus details of how the planting would be established and managed, should be conditioned if planning permission is granted, and other enhancements should also be incorporated into an enhancement plan within the red line boundary, including bat and bird boxes, and log piles, in addition to the native planting.

On this basis, the application would be considered to adequately address biodiversity issues.

Thames Estuary and Marshes Ramsar / Special Protection Area (SPA) – SAMMS Tariff:

As the application site is within 6km of the Thames Estuary and Marshes SPA/Ramsar Sites and would provide additional residential accommodation, the proposed development is likely to have a significant effect, either alone or in-combination, on the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites from recreational disturbance on the over-wintering bird interest. On this basis a tariff of £314.05 is required (given there would be one additional pitch proposed on the site).

This tariff was not requested due to the recommendation for the application, and the applicant has therefore not paid this tariff. Without an agreement in place to secure this contribution or any evidence to inform an appropriate assessment, the Local Planning Authority cannot be satisfied that the proposal would put in place adequate measures to mitigate potential significant adverse effects on the Thames Estuary and Marshes SPA/Ramsar Sites, which is contrary paragraphs 174 and 180 of the NPPF 2023 and Policy CS12 of the 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 197 of the NPPF 2023.

Conclusion and Recommendation

Despite the provision of an additional traveller pitch where it is recognised there is an unmet need, the proposal results in significant harm to the openness of the Green Belt in this location. Substantial weight is given to such harm, and there are no special circumstances that would outweigh this harm. This renders the proposal inappropriate and unacceptable for the following reasons:

1. The change of use of this open paddock land for the creation of an additional traveller pitch including the stationing a mobile home would intensify and urbanise the use of the site, fail to preserve its openness and would encroach into the countryside, causing permanent detriment to the Green Belt. There are no special circumstances that exist that would outweigh this harm. As such, the proposal would fail to comply with the requirements of Policies CS02, CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraphs 137, 138, 147, 148 and 150 of the National Planning Policy Framework 2023.
2. The change of use of the site and the prominent location of a large mobile home would intensify and urbanise the appearance of this open site in the countryside, and would fail to conserve or enhance the rural character and appearance of the area. As such, the proposal would fail to comply with the requirements of Policies CS02, CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraphs 130 and 174 of the National Planning Policy Framework 2023.
3. In the absence of sufficient information about how parking would be accommodated on the site, it is unclear whether there would be any overspill parking, which would have the potential to be detrimental to highway safety, contrary to the requirements of Policy CS11 of the Gravesham Local Plan Core Strategy 2014, and Policies T1, T5 and P3 of the Gravesham Local Plan First Review 1994.
4. The proposal fails to secure a contribution towards strategic mitigation measures within the Thames Estuary and Marshes SPA/Ramsar Sites to resolve disturbance issues to wintering birds, and in the absence of this contribution or any evidence to inform an appropriate assessment, the development fails to comply with the requirements of the Habitat Regulations and paragraphs 174 and 180 of the National Planning Policy Framework 2023 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

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

Case Officer:	Mrs Katherine Parkin	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	14 December 2023	Dated:	15th December 2023