



Delegated Report

Full Planning Application

Application No:	20250483
Location:	1 Rose Cottages, Town Road, Cliffe Woods, Rochester, Medway, Kent, ME3 8EP
Description:	Construction of new self build chalet bungalow on land adjacent to 1 Rose Cottages, Town Road, Cliffe Woods.
Applicant:	Mr Mark Welford
Site Visit:	N/A Desktop Assessment

Submitted Documents/Plans

- Application Form – dated 14 May 2025;
- Supplementary Information – BNG Self Build Form;
- Drawing no. 025-007/001 – Rev. A – Site Location and Block Plans as Existing and Proposed;
- Drawing no. 025-007/003 – Rev. A – Proposed Street Elevation;
- Drawing no. 025-007/004 – Rev. A – Site Plans as Existing and Proposed;
- Drawing no. 025-007/005 – Rev. A – Elevations as Proposed;
- Drawing no. 025-007/006 – Rev. A – Ground Floor Plan as Proposed;
- Drawing no. 025-007/007 – Rev. A – First Floor Plan as Proposed;
- Drawing no 025-007-008 – Rev. A – Site Plans as Existing.

Relevant Planning History

No relevant planning history.

Development Plan

Gravesham Local Plan Core Strategy (LPCS) (September 2014):

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

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

- P3 - Vehicle Parking Standards
- C12 - New Dwelling in the Countryside
- C13 - Extensions to Dwellings in the Countryside

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

National Planning Policy Framework (NPPF) (2024)

- Section 2 - Achieving Sustainable Development
- Section 12 - Achieving Well-Designed Places
- Section 13 - Protecting Green Belt Land
- Section 15 - Conserving and Enhancing the Natural Environment
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment

Supplementary Planning Guidance

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 - amended June 2020
- Technical Housing Standards - Nationally Described Space Standard (2015)
- SPG 4 - KCC Parking Standards (2006)
- Gravesham Householder Extensions/Alterations Design Guidance (SPD) (2021)
- Design for Gravesham – Design Code (2024)
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Internal consultees

Local Ward Councillors – As Ward Councillor, I strongly object to this application. The suggested self-build bungalow would appear to be land-grabbing from the garden of the existing property which, in my opinion, would be too small an area to accommodate a separate dwelling. Any separate access way to the property would be on a dangerous junction. Amenity space for both properties would be compromised. Further, it would appear to be an unnecessary development in a green belt area which myself, my fellow Ward Councillors and the Parish Council work tirelessly to protect especially with the nearby mass developments proposed within Medway which are near to or border the boundary of Higham. Please consider my comments when making the decision to allow this application or not.

External consultees

Kent County Council 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.

Higham Parish Council – The Parish Council feel it is in the best interests of parishioners to provide comments to the above planning application for the ‘Construction of new self build chalet

bungalow on land adjacent to 1 Rose Cottages, Town Road, Cliffe Woods’.

We work tirelessly to protect our greenbelt land from future building proposals and this proposal would be a new property built within the green belt, which our councillors are opposed to.

Our councillors feel this is a particularly small plot for a bungalow with no outside space. They feel the location is not suitable because it would make a corner, bordered by roads, overdeveloped. Access to the proposal property could be difficult and restricted due to being on a busy main road, which could also make parking dangerous. There is only parking for 1 vehicle, which is close to the neighbour, with no amenity parking space.

Please consider our comments carefully when deciding on this application.

Neighbouring properties

A notice was displayed on site 11 June 2025.

In addition, one surrounding properties were consulted and one representation has been received, registering objection to the proposal. The objection raised the following material and non-material planning considerations:

Please note only the material planning considerations are relevant to this decision.

Material Planning Considerations:

- Overdevelopment
- Out of charter
- Impact on Amenity
- Highway Safety and Access
- Waste Drainage
- Rainwater Drainage / Flooding

Non-Material Planning Considerations:

- Precedent for other development

The consultation period expired

Analysis

Site Description

1 Rose Cottage is semi-detached property located on the western side of Town Road.



Proposed Development

This application seeks planning permission to construct a chalet bungalow on land adjacent to 1 Rose Cottages.

The site sits on the corner of Lower Rochester Road and Town Road, and is currently in use as the side garden for 1 Rose Cottages. The proposed bungalow would have the following dimensions:

- Depth – 9.9m
- Width – 6.3m
- Height (max) – 6.8m
- Height (eaves) – 2.6m



The existing garden would be subdivided and a vehicular access for the new dwelling would be located at the rear, onto Lower Rochester Road.

Principle of Development

The application site is located in the Green Belt and as such Policy CS02 (LPCS) is relevant.

Development in the urban area is prioritised as the sustainable location for development. In the rural area, Policy CS02 states that development will be supported within rural settlements that are inset from the Green Belt and defined on the policies map. Development outside those settlements, i.e. in the Green Belt, will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the LPCS.

The principle issues in determining this application;

- Green Belt;
- The effect on the character and appearance of the area and landscape;
- Residential Amenity;
- Parking and Highways; and
- Other matters.

Green Belt

1. Is the proposed development appropriate in the Green Belt?

Green Belts are of great importance. The fundamental aim of Green Belt policy is to prevent urban sprawl by preserving the open and permanent characteristics of Green Belts (paragraph 142 of the NPPF 2024), with the Green Belt serving five purposes (paragraph 143):

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

Paragraph 153 of the NPPF (2024) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. A Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt unless it falls within the specified exceptions of paragraphs 154 and 155 of the NPPF (2024).

The NPPF (2024) sets out a number of exceptions to certain types of development that are not 'inappropriate' under paragraph 154:

- (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.*

The applicant has not put forward any justification for the proposal, with regard to any relevant exception. Under paragraph 154, the only relevant exceptions to the new built dwelling within the Green Belt would be (e) or (g).

Exception 154 (e) would enable the development, but the proviso is that the site must be within a village and considered limited infilling. In this case, the site is not located within a village and is an isolated dwelling. Therefore, exception 154 (e) is not relevant.

Exception 154 (g) allows 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.

Is the site previously developed land?

The definition of 'previously developed land' is set out in the Glossary (Annexe 2) of the NPPF (2024), and is defined as:

Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

The Local Planning Authority acknowledges the lawful use of the land as within the residential curtilage of 1 Rose Cottages and would be considered previously developed land. Notwithstanding that the site is agreed to be previously developed land, exception 154(g) requires an assessment of the impact on the openness of the Green Belt which must be less than substantial.

Does the development cause substantial harm to the openness of the Green Belt?

Referring back to paragraph 154(g) of the NPPF, redevelopment of previously developed land which does not cause substantial harm to the openness of the Green Belt. As set out above, the site is previously development and therefore it is relevant to consider if the proposal meets the

stated fundamental aim of Green Belt policy that is to prevent urban sprawl by keeping land permanently open (paragraph 142). It also states that the essential characteristics of Green Belts are their openness and permanence.

The openness of the Green Belt has both spatial and visual aspects, and any new built form of development is harmful to its open character. The Courts have identified a number of factors to be taken into account when assessing the impact of a proposed development on the openness of the Green Belt (PPG Paragraph: 001 Reference ID: 64-001-20190722), which include both spatial and visual consideration, as well as duration and remediability of the development, and the degree of activity likely to be generated, such as traffic movement.

The proposal seeks to construct a new dwelling within the side garden of 1 Rose Cottages. As the site is within the residential curtilage of the application property, the impact of residential paraphernalia and hardstanding on the openness of the Green Belt would be limited. However, spatially and visually, the erection of a new dwelling on an open corner plot would have a harmful eroding impact on the openness of the Green Belt. Due to the lack of built form on the corner and long distance views to the east, the development would substantially impact the visual openness of the Green Belt (as shown in the Google Street View (May 2023) excerpt below):



Reference back to paragraphs 153 of the NPPF (2024) informs us that inappropriate development in the Green Belt should not be approved except in very special circumstances and that very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Whether the development causes any other harm and whether there are any other relevant considerations to balance the overall planning argument, should now be considered. No specific arguments have been put forward by the applicant in relation to the assessment of 'very special circumstances' and would not be considered to outweigh the harm established above.

Therefore, the proposed development does not meet any exceptions under paragraph 154 of the NPPF (2024).

Having considered all of the exceptions above, paragraph 155 of the NPPF (2024) needs to be considered and would be the most relevant for this application proposal. This paragraph sets out that development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate, subject to all of the following applying:

- (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.*

(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

The definition of 'grey belt land' is set out in the Glossary (Annexe 2) of the NPPF (2024) and is defined as:

Grey belt: For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development."

Footnote 7 states:

The policies referred to are those in this Framework (rather than those in development plans) relating to: 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.

The proposal will not affect areas or assets in foot note 7 of the NPPF (2024) and is within the residential curtilage of 1 Rose Cottages (previously developed land), therefore it would be considered to be Grey Belt land.

Paragraph 155 (a) has two parts. One is the assessment of the land as grey belt (above) and the second part is a determination of whether the development would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.

- *(a) Check the unrestricted sprawl of large built-up areas*
- *(b) Prevent neighbouring towns merging into one another*
- *(d) Preserve the setting and special character of historic towns*

The largest built-up area closest to the application site is the town of Strood, which is approximately 2.74km to the south. The site is therefore not contributing to the unrestricted sprawl of large built-up areas. In relation to (b) the land is not close to a town and therefore does not prevent neighbouring towns merging into one another. The area is not a historic town point (d) does not apply.

Therefore, the proposal will not fundamentally undermine the purposes of the remaining Green Belt across the area of the plan and is considered Grey Belt land, meeting the requirements of exception 155 (a).

(b) There is a demonstrable unmet need for the type of development proposed

In *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 that planning applications should be determined in accordance with the development plan. Paragraph 12 of the National Planning Policy Framework (NPPF) (2024) 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 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 Gravesham's Local Plan Core Strategy (LPCS) (2014) Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the National Planning Policy Framework (NPPF) (2024). This requires that in regard to housing development, planning permission should be granted unless:

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

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

- Habitats sites (and those sites listed in NPPF paragraph 194)
- Sites of Special Scientific Interest
- Green Belt
- Local Green Space
- (National Landscape) Areas of Outstanding Natural Beauty
- Irreplaceable habitats
- Designated heritage assets (& other heritage assets of archaeological interest, see NPPF footnote 75)
- Areas at risk of flooding or coastal change

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

The proposed development for a net increase of '1' residential units would offer a minimal contribution towards meeting this local need and, accordingly, officers considers that this should be accorded appropriate weight in support of the application. However, this has to be balanced

against other requirements of the Development Plan and NPPF (2024) which requires new development to contribute positively to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers.

In the dismissed appeal on this site (ref. APP/K2230/W/23/3336159) the Inspector considered that *“there would be a benefit arising from the delivery of an additional market dwelling. As the Council only demonstrates a 2.9 year supply of housing land”* and attached only *“moderate weight to the delivery of a single dwelling”*, acknowledging that *“there would be economic benefits arising during the construction and occupation stages of the development. Biodiversity net gain could be secured by condition. However as a scheme for a single dwelling, these benefits would be limited.”*

(c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework

The NPPF (2024), taken as a whole, represents the Government’s view of what constitutes sustainable development. Paragraph 84 of the NPPF (2024) provides specific advice on sustainable development in rural areas and seeks to avoid new isolated homes in the countryside unless there are special circumstances, which are listed as follows:

- a) *there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
- b) *the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
- c) *the development would re-use redundant or disused buildings and enhance its immediate setting;*
- d) *the development would involve the subdivision of an existing residential building; or*
- e) *the design is of exceptional quality, in that it:*
 - i. *is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
 - ii. *would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.*

This is continued in paragraphs 110 and 115 of the NPPF (2024) which seek to focus significant development in locations which are or can be made sustainable, through limiting need to travel/offer a genuine choice of transport modes, with safe and suitable access for all users. It should be acknowledged that paragraph 110 of the NPPF (2024) acknowledges that opportunities to maximise sustainable transport solutions vary between urban and rural areas.

Policy CS11 (Transport) sets out the importance of walking and cycling being the first choice of transport for people for short journeys as the most sustainable form of transport. This is echoed in paragraph 115 of the NPPF (2024) and the National Design Guide, where access to amenities should be safe and secure for all pedestrians and for persons with mobility needs. It is therefore considered that Policy CS11 (LPCS) is consistent with the aims of paragraph 115 (NPPF) and the National Design Guide (2021).

In this case, the proposed dwelling is in an isolated location on a busy arterial road from Strood/Wainscott. It is acknowledged that there is a footway opposite the site on Town Road (B2000), however the plans show no front pedestrian access onto Town Road and future occupiers would be required to walk on Lower Rochester Road before informally crossing the busy Town Road to utilise the footway. This is an unsafe route and serves as a significant barrier to vulnerable pedestrians, who might want to access the nearest bus stops to the proposed dwelling, which are approximately 322m to the south (near Dillywood Lane), providing a twice hourly service between Cliffe and Chatham.

The design of the proposed dwelling, lack of pedestrian access and informal crossing onto Town

Road would lead to a reliance on private motor vehicles contrary to the aims of paragraphs 110 and 115 of the NPPF (2024) and Policy CS11 (Transport).

A recent appeal decision was dismissed by the Inspectorate under similar circumstances (APP/Q4625/W/24/3352513). In the decision the Inspector acknowledged that paragraph 110 of the NPPF (2024) requires that opportunities to maximise sustainable transport between rural and urban areas must be recognised and taken into account in decision making, as well as the flexibility that this allows. However, concluded that there are no “links to a pedestrian, cycling or public transport network” and while there were dwellings nearby, that “the overall thrust of the Framework is to focus development on area where sustainable and safe transport choices can be made”. The Inspector therefore considered the location unsustainable due to a dependence of private vehicles with limited opportunities for alternative modes of transport.

Another appeal saw the Inspector dismiss a housing development on grey belt land due to limited service and facilities, and the access to the nearest settlement for shops, services and facilities would mean future occupier reliance on cars, with pedestrians being required to walk on a narrow rural road with no footways or streetlighting before crossing a bus category A road (APP/F2360/W/25/3359228). This is a similar situation to the application site, with the footway on Town Road accessed via an, unlit Lower Rochester Road, without footways, before crossing the busy A226 which serves as a significant barrier to vulnerable pedestrians as concluded by the Inspector.

Therefore, the sites rural location and taking into account the lack of choice in sustainable transport options the proposed development is not considered to meet the requirements of paragraph 110 and 115 of the NPPF (2024) and Policies CS01, CS02 and CS17 (LPCS). As such, the proposal would not be sustainable and not meet exception (d) of paragraph 155 of the NPPF (2024).

Final Balancing of Inappropriateness in the Green Belt

On balance the development as proposed is inappropriate development within the Green Belt that causes substantial harm to the openness, and is in conflict with Policy CS01 (Sustainable Development) and Policy CS02 (Scale and Distribution of Development) of the Gravesham Local Plan Core Strategy (2014) and Section 13 of the National Planning Policy Framework (2024) (Protecting Green Belt Land).

The Effect on the Character and Appearance of the Area and Landscape

In addition to being within the Green Belt, the application site falls within the Higham Arable Farmlands Landscape Character Area. Paragraph 189 of the NPPF (2024) states that great weight should be given to conserving and enhancing landscape and Policy CS12 (LPCS) seeks to protect the Green infrastructure within the Borough and states at 5.7.26 the overall landscape character and valued landscapes will be conserved, restored and enhanced.

Policy CS19 (Development and Design Principles) (LPCS) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area. Moreover, Section 12 (Achieving well-designed places) of the NPPF (2024) sets out that developments should function well and add to the overall quality of the area, be visually attractive and sympathetic to local character.

Gravesham’s Householder Extensions/Alterations Design Guidance SPD (2021) set out key principles for developments. Generally, the SPD highlights the importance of new development complimenting and corresponding to existing character and the wider context. In this case, the rural character of the area and other surrounding dwellings should be considered. This is

corroborated by the Borough's recently adopted design code; Design for Gravesham (2024), which expects new development to reflect the prevailing pattern of built form in rural villages, meet a minimum density of 30dph in rural areas and pay close attention to materiality amongst other key design concepts.

The application site forms the boundary of the urban area and the Higham Arable Farmlands and Green Belt to the west. It does not extend beyond the established edge of residential development and is therefore not considered to have any detrimental harm to the character of the landscape. As such, the proposal does not conflict with Policy CS12 (LPCS) or paragraph 189 of the NPPF (2024).

In design terms, the proposal would introduce a new residential dwelling at a density of approx. 41.3dph, which complies with the aim of Design for Gravesham (2024). However, the minimum density targets form only part of the aim of Policy CS15 (LPCS) and is subject to the overriding consideration that developments achieve good design and do not compromise the distinctive character of the area. In this case, the proposed dwelling has been designed as a chalet style property but would appear awkward when viewed against the adjacent pair of cottages. The Local Planning Authority acknowledge that this is due to the narrow constraints of the site, however, is a cramped form of development and poor design with a jarring height difference which would have a contrived appearance in the street scene as a result (see image below). As such, the proposal is considered to conflict with the design aims of Policy CS15 (LPCS).



The new dwelling, even if considered in isolation, is top-heavy and imbalanced with the roof the dominant feature. Nevertheless, in the proposed context, the proposal fails to correspond or complement the existing, adjoining chalets which have a proportionate scale and balanced appearance. Therefore, the new dwelling is overdevelopment and cramped onto the site, evidenced by the contrived appearance and to the detriment of design.

Overall, the proposal is poor design and overdevelopment, by virtue of an imbalanced elongated appearance that is at odds with the adjacent dwellings and harmful to the character of the street scene, contrary to Design for Gravesham (2024), Gravesham's Householder Design Guidance SPD (2021) as well as Policies CS15 and CS19 (LPCS) and Section 12 of the NPPF (2024).

Residential Amenity

The NPPF (2024) states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 135f). Paragraph 198 of the NPPF (2024) seeks to ensure that new development takes into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. The impact on amenity is also considered with regard to the criteria within Policy CS19 (LPCS), 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 and avoid adverse impacts from pollution.

Amenity of Future Occupiers

Policy CS19 (LPCS) requires that all development should be ‘fit for purpose’ and be ‘adaptable to allow changes to meet the need of users’ and that ‘the design and layout of new residential development, including conversion, will accord with the adopted Residential Layout Guidelines’ (RLG) (2020). Moreover, on 25 March 2015 the Government issued a written ministerial statement, which introduced new technical housing standards in England and set out how these would be applied through planning policy. These standards came into effect on 1 October 2015.

The proposed dwelling has a gross internal floor area of 121m², which complies with the nationally described space standard minimum for a three bedroom, two storey property (93m²). Notwithstanding the National Space Standards, Gravesham’s RLG breaks down the Council’s individual requirements for certain rooms, these have been formulated into a table to compare with the floor area of rooms within the proposed dwelling:

	Gravesham RLG (2020)	Proposed Dwelling
Kitchen/Living/ Diner	25.2m ²	42.6m ²
w.c.	1.3m ²	2.2m ²
Bedroom (double)	11.5m ²	18.4m ²
		13.5 m ²
Bathroom & w.c.	3.5m ²	4.5m ²

Table 2 has been colour coded (green complies, red fails) to show which rooms within each flat meet the guidance within the RLG. The table demonstrates that all rooms within the dwelling comply with Gravesham’s RLG and that the dwelling would provide a good quality living environment for future occupiers.

In terms of garden space, the dwelling would have rear private amenity space of 34m² and a depth of 6m. This falls below the minimum the minimum recommended garden size for a two bedroom property set out in Gravesham’s RLG (37.2m² and 7.6m). While it is noted that the front of the property appears to be enclosed, the undersized garden consolidates the overdevelopment of the site to the detriment of amenity.

Overall, the development is considered to be overdevelopment to the detriment of future occupier amenity contrary to Policy CS19 (LPCS) and Section 12 of the NPPF (2024).

Impact on Amenity of Surrounding Properties

The proposed development is not considered to impact the amenity of the adjoining cottages through overlooking, light, outlook or sense of enclosure. The new dwelling does not project beyond the flank wall of the neighbouring property to the north and would have no impact on amenity.

The adjoining property (1 Rose Cottages) would retain a generous garden that accords with Gravesham’s RLG.

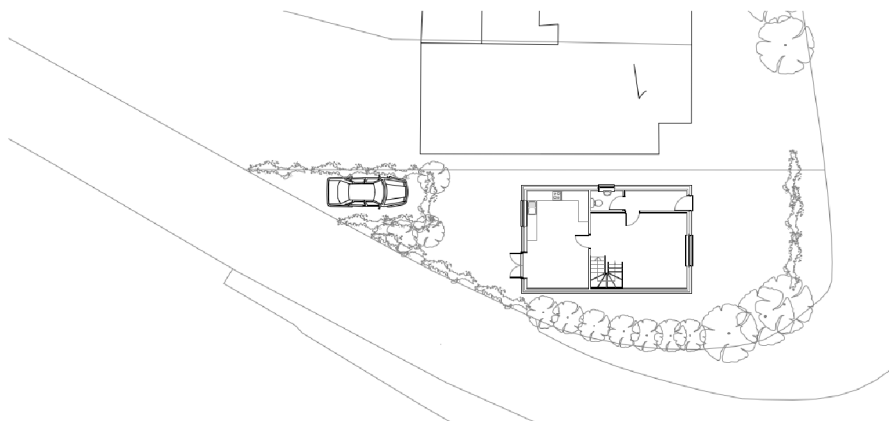
Therefore, the proposal is considered to safeguard the amenity of neighbouring properties in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2024)

Parking and Highways

The proposed development needs to be considered against Policy CS11 (LPCS) which states that new development should mitigate their impact on the public highway and that transport assessments should be provided and implemented to ensure delivery of travel choice and sustainable opportunities for travel. Furthermore, it states that sufficient car parking in new developments will be provided in accordance with adopted standards which will reflect the availability of alternative means of transport accessibility to services and facilities. This is also reflected by Saved Policy T1 (LPFR) which requires proposed development to be adequately served by the highway network and Saved Policy P3 (LPFR) which sets out highways parking standards for development.

At a national level the NPPF (2024) states at paragraph 110, significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. The NPPF (2024) goes on to state development should only be prevented or refused on transport grounds where the cumulative impact of development is severe.

The proposed dwelling would be served by a single car driveway located to the rear, and accessed from Lower Rochester Road (see below).



Lower Rochester Road is a classified Class B (Schedule 2 highway*), a narrow country lane with a national speed limit adjacent to the proposed access (* which is upgraded to a Class A< Schedule

1 highway when speeds exceed 40mph).

The Council's former vehicle access guidance note (PGN6) set out a number of criteria for new accesses onto Class A classified highways, which included the following:

- there should be a minimum depth of 5metres - to ensure a car can be parked wholly off the road;
- visibility splays should be provided appropriate to the class of road and the speed of passing traffic;
- excessive gradients should be avoided;
- the access should not create a hazard by virtue of its close proximity to other entrances, road junctions, pedestrian crossings and traffic islands;
- in conservation areas and in the grounds of listed buildings, there will be a presumption against paving over the entire forecourt for the benefit of parking. New proposals should seek to retain at least half of the garden as soft landscaping;
- where an alternative means of vehicle access can be provided which does not affect the main road, a new access to the classified road will normally be refused;
- all applications will be expected to show on-site turning space - typically, this will require a minimum forecourt area of 7.5 metres width and 8 metres depth;
- exceptional circumstances will be needed to justify the creation of more than one means of access to a single residential property;
- all new entrances will have to have full sight-lines appropriate to the speed of passing traffic and all reasonable steps should be taken to design out any hazards arising from this access. This may entail further work in the highway.

As PGN6 is now superseded only limited weight can be attached to the criteria, however the requirements should be considered as guidelines for safe accesses onto 60mph Class A highways. Notwithstanding PGN6, Manual for Streets 2 (2007) and Kent County Council's (KCC) Dropped Kerb Guidance and Self-Assessment (DKG) (2023) set out requirements of and carriageway/vehicular visibility of 2.4m x 203m.

Due to the width of the access, it would not be possible to manoeuvre a vehicle on site and exit in a forward gear. Therefore, vehicles would have to reverse to park on or egress from the driveway, where visibility would be obscured by soft landscaping on both sides. The visibility splays required in KCC's DKG (2.4m x 203m visibility splay) cannot be achieved in either direction. Therefore, the proposal would present a risk to highway safety and increase the risk of collision. The risk of collision is exacerbated by the proximity of the access to the junction with Town Road (B2000), which is approx. 30m to the east and is a high-speed corner by virtue of its width.

Overall, the proposed driveway represents a risk to highway safety by virtue of substandard and unenforceable visibility splays and a lack of on-site turning on a Class A, Schedule 1 highway. Therefore, the proposed driveway is contrary to Manual for Streets (2007) and Kent County Council's Dropped Kerb Guidance and Self-Assessment (2023), as well as Policy CS11 of Gravesham's Local Plan Core Strategy (2014), saved policies T1 and T5 of Gravesham's Local Plan First Review (1994), and paragraph 116 of the National Planning Policy Framework (2024).

Other matters

Refuse Arrangements

Policy CS19 (LPCS) requires new development to incorporate appropriate facilities for the storage and recycling of waste. The plans show refuse/recycling storage areas to the side of each property with sufficient space for bin storage. The new occupiers would be required to drag the bins to the footway on collection days and return these to their properties on collection day, which is a similar

arrangement to other properties in the area. Therefore, the refuse arrangements are acceptable and in accordance with Policy CS19 (LPCS).

Archaeology

Policy CS20 (LPCS) gives a high priority towards the preservation, protection and enhancement of its heritage and historic environment as a non-renewable resource, central to the regeneration of the area and the reinforcement of sense of place. Particular attention in this regard will be focused on those heritage assets most at risk. When considering the impact of a proposed development on a designated heritage asset, the weight that will be given to the asset's conservation value will be commensurate with the importance and significance of the asset. For non-designated assets, decisions will have regard to the scale of any harm or loss and the significance of the heritage asset.

The proposal has been reviewed by Kent County Council Heritage who do not recommend any further archaeological work on the site, due to the relatively low potential of the area and the minor scale of the development proposed. Therefore, the proposed development is in accordance with local and national planning policy.

Recreational Pressures on the Thames Estuary and Marshes Special Protection Area (SPA) and SAMMS

The Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) are internationally important for nature conservation as the area is a wetland and supports important numbers of wintering water birds and migrating birds. There has been a decline in the number of birds using these sites in recent years. Studies show that this could be due to people using the estuary and marshes for recreation purposes. The North Kent Bird Disturbance Report concludes that all new housing development within 6km of the North Kent Ramsar Sites or Special Protection Areas (including the Thames Estuary and Marshes) and larger housing development beyond 6km from the sites could have an adverse impact on them. This is because new housing development is likely to lead to further increases in recreational use of the sites, which means that further declines in the bird population cannot be ruled out. Possible mitigation measures are set out in the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy. Having considered a number of options, the Council have decided to impose a tariff on new housing development. Developers will need to pay £337.49 for every new dwelling provided within 6km of the Ramsar site and SPA and for larger housing developments beyond 6km from them. The money raised will be used to pay for schemes to avoid the adverse impacts of new housing development on the birds.

In this instance, the proposed development would result in the creation of an additional residential properties and as such, additional recreational activity would result. Therefore, it is considered that there would be an adverse impact to the Thames Estuary and Marshes Ramsar Buffer Zone, which should be mitigated in line with Policy CS12 (LPCS). In such cases the Borough Council has adopted a tariff that is payable for each new dwelling unit within 6km of the SPA/Ramsar site of £337.49 per new dwelling unit.

The applicant has not paid the SAMMS Mitigation Contribution Agreement for the new residential property and therefore has not met the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 192 and 193) of the NPPF (2024) and Policy CS12 (LPCS) (2014).

Biodiversity Net Gain

Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

The application is for a custom self-build housing development and has been supported by a self-build statement. As such, the self-build BNG exemption has been met and the 10% net gain is not relevant.

Conclusion:

The application has been fully considered and is contrary to local and national planning policy. The application will be refused on the following grounds:

1. *The site lies within the Metropolitan Green Belt where the construction of new buildings is inappropriate development unless it is for one of the excepted forms of development set out in paragraph 154 or 155 of the National Planning Policy Framework (2024). The proposal is for a separate dwelling and not as an annexe and results in the splitting of the residential curtilage. The building of a dwelling, whether as conversion or otherwise would still by definition result in a form of encroachment in the countryside by reason of the nature of the development and the paraphernalia and associated development that goes with what will be a separate dwelling from the existing dwelling on the site. The development does not, in the opinion of the Local Planning Authority, fall within the exceptions to inappropriate development in the Green Belt in the National Planning Policy Framework (2024) and results in substantial harm to the openness. No very special circumstances have been put forward to outweigh the harm to the Green Belt or any other identified harm and therefore the proposal is contrary to Policy CS01 (Sustainable Development) and Policy CS02 (Scale and Distribution of Development) of the Gravesham Local Plan Core Strategy (2014) and Section 13 of the National Planning Policy Framework (2024) (Protecting Green Belt Land).*
2. *The proposed dwelling is poor design, overdevelopment and cramped onto the site, resulting in an imbalanced, elongated and contrived appearance that is at odds with the adjacent dwellings and harmful to the character of the street scene, contrary to Design for Gravesham: Design Code (2024), Gravesham's Householder Design Guidance SPD (2021) as well as Policies CS15 and CS19 of the Gravesham Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2024).*
3. *The proposal fails to safeguard the amenity of future occupiers, through undersized private amenity space contrary to the minimum requirement set out in Gravesham's Residential Layout Guidelines (SPG 2) (2020). Therefore, the proposed dwelling is contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2024).*
4. *The proposed driveway represents a risk to highway safety by virtue of substandard and visibility splays and a lack of on-site turning. Therefore, the proposed driveway is contrary to Manual for Streets (2007) and Kent County Council's Dropped Kerb Guidance and Self-Assessment (2023), as well as Policy CS11 of Gravesham's Local Plan Core Strategy (2014),*

saved policies T1 and T5 of Gravesham's Local Plan First Review (1994), and paragraph 116 of the National Planning Policy Framework (2024).

5. *The applicant has failed to provide any ecological evidence to inform a habitat regulations assessment to address the impact of the proposed development on the Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) or offered a financial contribution towards the identified mitigation measures to address the impact of the development on the SPA/Ramsar site. The proposal is therefore contrary to Policy CS12 (Green Infrastructure) of the Gravesham Local Plan Core Strategy (2014) which seeks to ensure that detrimental effects on the integrity of SPA/Ramsar sites are avoided, and also contrary to Paragraphs 192 and 193 of the NPPF (2024), and the requirements of the Conservation of Habitats and Species Regulations 2017.*

As such, it is recommended that planning permission is refused.

Recommendation:

Refusal

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

Case Officer:	Mr Ethan Bonthron	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	27 August 2025	Dated:	17 th September 2025