



Delegated Report

Full Planning Application

Application No:	20241160
Location:	Land At The Rear Of Flint Cottage, Northfleet Green, Northfleet, Gravesend, Kent, DA13 9PN
Description:	Demolition of an existing commercial building (and retention of rear wall), demolition of remnants of barn and conversion of roundel to create a 4-bedroom dwelling with associated parking, amenity space, landscaping and access.
Applicant:	Mr Robert Shotton
Site Visit:	07 December 2023 & Desktop Satellite Assessment

Submitted Documents/Plans

- Application Form (19 December 2024);
- Planning Statement by DHA Planning (ref. DHA/33114) (December 2024);
- Supplementary Information – Preliminary Ecological Appraisal by KB Ecology (13 May 2024);
- Supplementary Information – Biodiversity Gain Statement;
- Supplementary Information – Biodiversity Net Gain Metric;
- Supplementary Information – Preliminary Investigation Report by Soils Ltd. (ref. 21397/PIR – Rev. 1) (April 2024);
- Supplementary Information – Structural Assessment Letter by MdP Design (11 February 2025);
- Drawing no. DHA/31937/01 – Site Location Plan (scale – 1:1250);
- Drawing no. DHA/31937/02 – Existing Site Layout Plan (scale – 1:250);
- Drawing no. DHA/31937/03 – Existing Plans;
- Drawing no. DHA/31937/04 – Existing Elevations;
- Drawing no. DHA/31937/05 – Existing Plans and Elevations (Roundel);
- Drawing no. DHA/31937/06 – Proposed Site Layout Plan (scale – 1:250);
- Drawing no. DHA/31937/07 – Proposed Floor Plans;
- Drawing no. DHA/31937/08 – Proposed Elevations.

Relevant Planning History

Reference	Description	Decision	Decision Date
20110903	Change of use of residential garden to additional land for the storage of motor vehicles.	REFUSED	19.12.2011
20100859	Continued use of the agricultural building as a storage unit and to allow the hardstanding opposite to be used in conjunction with building.	PERMITTED	12.11.2010

19880399	Alterations to re-erected barn in connection with its conversion to residential use	REFUSED	01.08.1988
19880398	Re-erection and conversion of derelict barn to a building	REFUSED	01.08.1988
19850804	Conversion of barn to residential dwelling	REFUSED	19.12.1985
APP/K223 0/A/86/047 054/P2		APPEAL DISMISSED	22.10.1986

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS10 – Physical and Social Infrastructure
- CS11 – Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- C11 – Change of Use of Redundant Buildings in the Countryside
- C13 – Extensions to Dwellings in the Countryside
- P3 – Vehicle Parking Standards
- T1 – Impact of Development on the Highway Network
- T4 – Development Outside the Built-up Area

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.

National Planning Policy Framework (2024)

- 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
- Section 16 – Conserving and Enhancing the Historic 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 Guide (2021)
- Design for Gravesham – Design Code (2024)
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

External Consultees

KCC Biodiversity – We advise that insufficient information has been provided to determine the planning application with regard to reptiles and the BNG assessment.

- *Protected/Notable Species* - The submitted ecological reports has detailed that there are at least four species of bats are foraging/commuting within the site and there is suitable habitat for breeding birds, reptiles, badgers and hedgehogs. No bats were recorded roosting within the buildings.

We advise that we have concerns with the conclusion that there is no requirement for a reptile survey to be carried out. The photos provided by the planning officer and from reviewing satellite photos it appears there is suitable habitat within the site and it has not clearly demonstrate where reptiles will be relocated to if found during the precautionary mitigation.

Therefore we advise that additional information is provided clarifying why a reptile survey is not required as part of this application.

- *Biodiversity Net Gain* - Under the Environment Act 2021, all planning applications for major development (unless exempt) submitted on or after 12th February 2024 in England, will have to deliver at least a 10% biodiversity net gain. It is a requirement for minor applications, unless exempt, submitted on or after the 2nd April 2024.

Having reviewed submitted information, we consider this application to fall under mandatory biodiversity net gain so that mandatory biodiversity net gain of 10% will apply.

Any application which is required to achieve a 10% BNG must submit the following information as a minimum:

- confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition;
- the pre-development biodiversity value(s), either on the date of application or earlier proposed date (as appropriate);
- where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date;
- the completed metric calculation tool showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value;
- a statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value ('degradation'), and where they have:

- a statement to the effect that these activities have been carried out;
 - the date immediately before these activities were carried out;
 - the pre-development biodiversity value of the onsite habitat on this date;
 - the completed metric calculation tool showing the calculations, and
 - any available supporting evidence of this;
- a description of any irreplaceable habitat (as set out in column 1 of the Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) on the land to which the application relates, that exists on the date of application, (or an earlier date); and
 - plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).

We advise that insufficient information has been provided with regard to mandated BNG. The report has detailed that the only habitat on site are tall ruderals but a review of the photos within the metric suggest that grassland and scrub are present within the site.

We advise that an updated metric and a habitat plan of the site including all habitats within the site. The metric has detailed that currently the proposal will result in a loss of 51% BNG and the information details that the proposal will result in a deficit of less than 1 unit due to the loss of tall ruderals within the site. However as we are of the opinion that the habitats have been unrecorded within the site it is likely that the deficit will increase.

- *Ecological Enhancements* - Under section 40 of the NERC Act 2006 and paragraphs 187 and 193 of the NPPF 2024 biodiversity should be maintained and enhanced through the planning system. In addition to BNG we advise that ecological enhancement features must also be incorporated into the site. We recommend that an ecological enhancement plan is submitted.
- *Lighting* - Four species of bats have been recorded within the site and lighting can have a negative impact on bats (and other nocturnal species) and therefore any lighting must be designed to minimise light spill.

We are satisfied that details of the lighting can be submitted via a condition. We can provide suggested wording once the additional information has been provided.

KCC Heritage – The application site lies within an area of multi-period archaeological potential and is the site of an historic farmstead, formerly known as Upper Hazells. The application has been made without an archaeological desk-based assessment or heritage statement.

The Tithe map of c.1832 records a rectangular building on the site of the proposed dwelling, with a pond to the west and another building to the north. It is likely that both buildings were agricultural buildings. The 1st Ed. OS map of c.1862 records the addition of a second building to the north whilst the 2nd Ed. OS map of c.1897 records the loss of one building to the north, but the addition of the roundel to the original building and a building on the location of the barn (proposed for partial demolition) to the south.

The proposed development would expose and potentially impact elements of the former 19th century farmstead, and whilst I do not think this would be a reason to object to development, I recommend that if planning permission is granted the following condition is applied to any forthcoming consent:

To ensure that features of archaeological interest are properly examined, recorded and conserved, before and during development works:

- A) *Prior to any development works (including demolition) the applicant (or their agents or successors in title) shall secure a programme of archaeological work comprising of an archaeological watching brief (including historic building recording) so that structural building works and groundworks are*

observed, significant elements of historic fabric are conserved, and archaeological information is recorded. The archaeological work shall be undertaken by an archaeologist approved by the Local Planning Authority and in accordance with a Written Specification, which has been submitted to and approved in writing by the Local Planning Authority.

- B) The archaeological watching brief and historic building recording, post excavation assessment, analysis and reporting shall be carried out in accordance with the agreed Specification.*
- C) Within 6 months of the completion of the programme of archaeological works a Report shall be submitted to and approved in writing by the Local Planning Authority.*

REASON: *To ensure that the archaeological interest of the site that would be affected by the development is properly examined, conserved and recorded in accordance with local and national planning policy.*

Internal Consultees

Local Ward Councillors – No comment received.

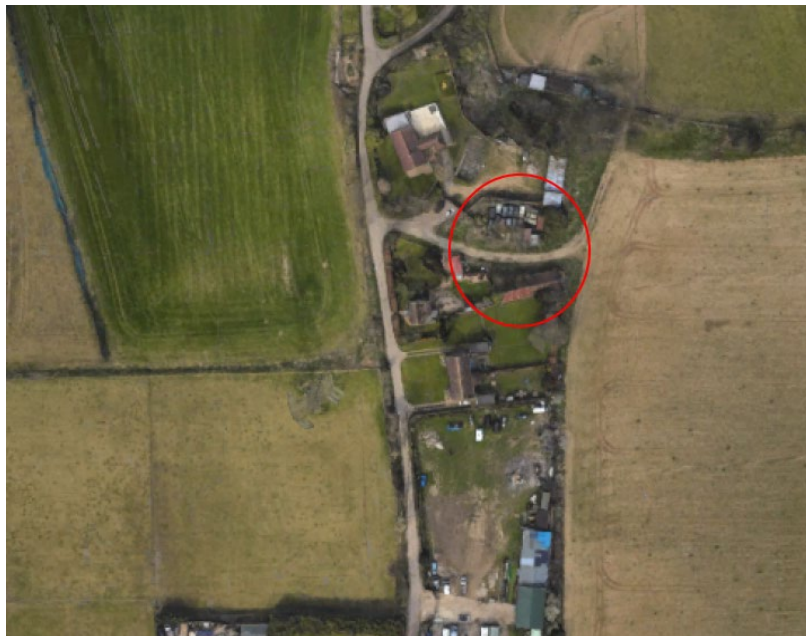
Neighbouring properties

A notice was displayed on site 17 January 2025.

In addition, four surrounding properties were consulted and no representations were received. The consultation period expired 21 February 2025.

Officer's Analysis

The site is located within Northfleet Green, which is a rural location within the borough approx. 3.4 miles to the south-west of Gravesend town centre/railway station and 1.7 miles from Istead Rise parade. The site is within the Metropolitan Green Belt and is surrounded by agricultural land to the north, east and west.

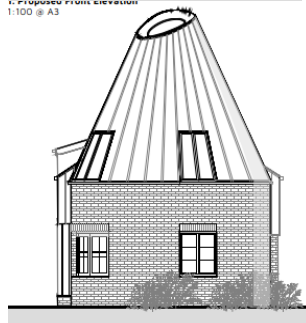
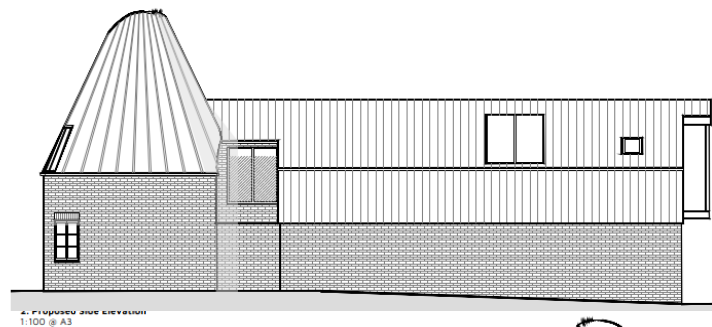
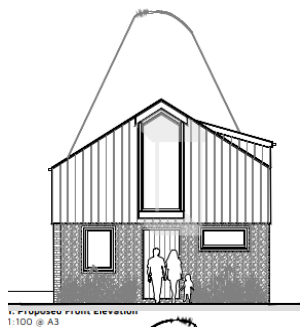


The existing site is an approved B8 storage use, which appears to be redundant and not utilised due to its overgrown nature and the abandoned vehicles. On the site remain a redundant barn and damaged oasthouse roundel, which are both in poor condition and partially or wholly reclaimed by nature. The site also contains areas of hardstanding, a storage container and a number of old motor vehicles.



Proposed Development

This application proposes the demolition of the barns (one referred to as commercial building in the description) and conversion of the existing oasthouse roundel and erection of a 1.5storey extension to create a 4-bedroom dwelling, with associate parking, amenity space, landscaping and access.





As demonstrated in the proposed layout plan above, the footprint of the existing barn to the south of the site will be demolished and relocated to the north to adjoin the existing oast roundel. It should be noted that the existing period wall on the southern boundary will be retained and repaired.

Principle of the 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;

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

Housing Need

In *Hopkins Homes Ltd v Secretary of State for Communities and Local Government* [2017] 1 W.L.R. 1865, Lord Carnwath emphasised that the National Planning Policy Framework is only a material consideration in planning decisions and that planning applications should be determined in accordance with the development plan. Paragraph 12 of the 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:

- i. 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 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
- 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.

Green Belt

Policy CS02 of the Local Plan Core Strategy (LPCS) (2014) prioritises development in the urban area as a sustainable location for development. In the rural area it states that development will be supported within rural settlements that are inset from the Green Belt and defined on the Policies Map. Development outside those settlements (which is the case here), will only be supported where it is compatible with national policies for protecting the Green Belt and local policies (LPCS).

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supported within rural settlements that are inset from the Green Belt and defined on the Policies Map. Development outside those settlements (which is the case here), will only be supported where it is compatible with national policies for protecting the Green Belt and policies in the LPCS.

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).

In the case of this proposal, the following paragraphs 154 exception (g) and (h) have been emphasised by the applicant in the planning statement. To ensure that the assessment follows a coherent structure, the assessment of para. 154 exceptions will begin with consideration of (h), which the planning statement highlights as meeting (iv) the re-use of buildings:

- 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. the re-use of buildings provided that the buildings are of permanent and substantial construction;*

The former oasthouse is in a state of disrepair, with the roof completely removed and the remaining structure covered by a sheet roof and overgrown with vegetation. The applicant has provided a structural assessment (by MdP Design), which concludes that minimal intervention/repair work is required to incorporate the oast roundel into the development but does state that 'the only other structural work required to the Oasthouse is to confirm the foundation and make sure they comply with current building regulations' and 'insert some remedial ties to hold the two [brick] skins together'. Notwithstanding the structural report, the Local Planning Authority would question if the structural work and remedial ties referenced in the MdP report, and the reinstatement of a roof being required to constitute a substantial construction. It is also material to reference the previous report and dismissed appeal for the Oasthouse (ref. 1985084), where it was concluded that the building 'would require substantial works to restore'. Notwithstanding the disagreement between the applicant and Local Planning Authority on exception (h), the consideration of exception (g) also requires an assessment of openness and is considered to a more suitable exception for the proposed development.

- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
 - not have a greater impact on the openness of the Green Belt than the existing development; or*
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

The supporting documents present that the development should be considered under paragraph 154 (g) of the NPPF (2024), which, as set out above, is the redevelopment of previously developed land that does not have a greater impact on the openness of the Green Belt than the existing development. Since the scheme would not provide affordable housing need, the second point in paragraph 154(g) is not relevant.

The definition of previously developed land within the NPPF (2024) refers to land which is occupied by a permanent structure, including the curtilage of the developed land. The Local Planning Authority agree that the site meets the definition of previously developed land based on the lawful use as Class B8 storage and the presence of permanent structures. Therefore, there is no dispute that the site meets the grey belt definition as outlined in the annex of the NPPF (2024) and that the land does not strongly contribute to the purposes (a) sprawl of large built-up areas, (b) towns merging or (d) setting and character of historic towns, of paragraph 143. Therefore, consideration of the exceptions given in paragraph 155 are relevant, of which all must apply to the development for it be deemed inappropriate:

- 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.*

The development is considered to fit within (a) and (b), with (d) not relevant to the scale of the proposal, but the Local Planning Authority disagree with the sustainable location of the site (c).

Sustainability

The NPPF (2024), taken as a whole, represent 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 or offer a genuine choice of transport modes, with safe and suitable access for all users.

In this case, the closest settlements to the site are Istead Rise (approx. 1.7 miles) and Northfleet/Springhead (approx. 1.6 miles), a small village of Southfleet (approx. 0.7 miles) with a small farmshop or Gravesend Town Centre (approx. 3.4 miles). These settlements offer varied services and amenities, which are more limited in Istead Rise to a small parade of shops, with a greater density and variety of choices in Northfleet/Springhead including a Sainsbury's superstore. All of these settlements are served by bus. However, there are no public transport connections directly linking the site to these or other settlements, with the exception of the bus stops on New Barn Road which are approx. 0.7 miles from the site and have limited service, with a maximum of 2 no. buses per hour in either direction. The roads connecting the site to nearby settlements are narrow, winding, undulating, unlit and lack footpaths. While walking or cycling to access public transport is technically possible, the routes are either along the aforementioned roads or via unpaved and unlit footpaths.

As such, it is considered that reliance of private vehicles would be likely for future occupiers of the dwelling to access services and amenities, and that the development is not in a sustainable location. Therefore, the proposal would not meet the exception of paragraph 155 of the NPPF (2024).

The effect of the proposal on 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 developed 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.

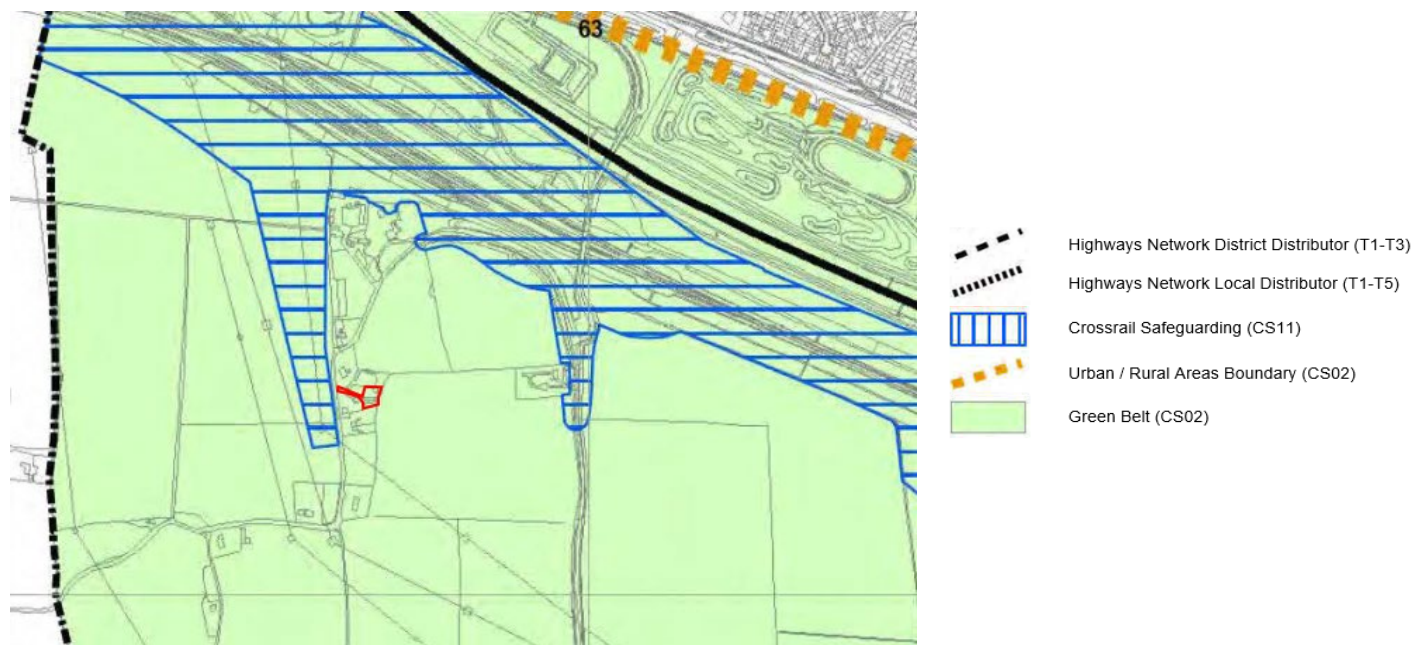
The openness of the Green Belt has both spatial and visual aspects, and any new built form of development is harmful to its open character. The Courts have identified a number of factors to be taken into account when assessing the impact of a proposed development on the openness of the Green Belt (PPG 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 would restore a former oasthouse and create a single dwelling on the northern side of the site, removing the dilapidated existing barns from the land. It is noted that the applicant has presented figures to demonstrate that the extent of gross external area and volume of structures would be reduced, which could be considered to benefit the spatial openness of the Green Belt in quantitative terms. However, the Local Planning Authority would contest that the existing permanent structures on the site have any substantial impact on the spatial openness by virtue of their agricultural characteristics and appearance, in keeping and appropriate within the Green Belt, and have been reclaimed by nature and therefore do not erode the openness to the same extent as the proposed residential dwelling. Similarly the storage of motor vehicles are not permanent structures and while their removal would benefit the spatial openness of the Green Belt, they do not impact on the permanent openness to the same extent as a dwelling.

In visual terms, the development would increase the height of built form on the site through the reinstatement of the oasthouse and the attached 1.5 storey dwelling. The site as present is relatively open, with the permanent structures occupying the northern and southern sides, with views through to the fields beyond. This would not be the case for the proposed development, albeit with the dwelling positioned towards the northern boundary, the associated boundary treatments and paraphernalia would enclose the site and therefore erode existing visual openness. Furthermore, as referenced above, the existing permanent structures on the site have been reclaimed by nature, are discrete and blend into the rural landscape, and their removal would not, visually enhance openness, and the associated activity, visual clutter and domestic paraphernalia would exacerbate the adverse impact on visual openness.

The encroachment of the countryside is a stated national purpose of the Green Belt, as set out in paragraph 143 of the NPPF (2024). The construction of a new dwelling on the site would introduce urbanising features (additional car parking, light pollution, hard landscaping and residential paraphernalia)

that would adversely affect the character of the landscape a point of transition from the ribbon of development on Northfleet Green to the open landscape to the east (as shown in the map extract).



Therefore, the development would represent the encroachment of built, residential development which would result in a reduction in openness.

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.

Consideration of Very Special Circumstances

The supporting planning statement provides context to the very special circumstances (vsc) that should be applied to the development, being:

- Removal of old, inefficient and decaying buildings/commercial development and replace with modern, energy efficient dwelling;
- Net reduction in footprint and volume (benefitting openness)
- Delivery of a new home to meet unmet need
- Introduction of ecological enhancements and measures

Only minimal weight can be attached to the provision of a single dwelling to the Councils unmet housing need and the effect on the openness has been summarised as harmful above. The Local Planning Authority consider the existing buildings on the site to be reclaimed by nature, of rural character and blend into the landscape, with the new dwelling not achieving this. Lastly, the ecological enhancements are acknowledged later in this report, but are not considered to add sufficient weight to the planning balance to mitigate the harm to the Green Belt.

It is acknowledged that reference is made to the nearby development at Hazells Farm, which created a total of 11no. dwellings. Although this development is argued as a precedent, there are a number of factors that make this proposal materially different, such as the barns becoming listed during the course of the application, the permitted development fallback position for conversion of the potato stores and a number of applications being determined on the Local Plan First Review (1994). As such, the Local Planning Authority would afford minimal weight to the argument that Hazells Farm approval make the location sustainable for new residential development.

Final Balancing of Inappropriateness in the Green Belt

The proposal would constitute inappropriate and harmful development in the Green Belt and paragraph 153 of the NPPF (2024) states that substantial weight should be given to this. The weight afforded to the delivery of a single dwelling and the benefits from economic activity arising from the development are minimal and the other VSC's presented do not outweigh the harms identified and therefore do not provide necessary justification for the development.

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 Istead 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 surrounding properties on Northfleet Green Road are relatively large two storey detached dwellings on generous plots. Although the proposed dwelling smaller at 1.5-storey, it is not considered to be out of character by utilising appropriate materials to tie in with the surrounding buildings within the vicinity.

There is no general objection to a modern, contemporary extension/adaptions to a period feature, however it is considered important in both local and national planning policy for new development to compliment and correspond to locally distinctive features. The proposed 1.5-storey extension is not a subservient or subordinate addition, undermining and dominating the oast roundel, which should be the focal point of the development as a feature of the Kent rural landscape. It is at a lower height than the conical roof, but has eaves that project above the oast eaves and extends beyond both forward and rear projections of the roundel. This lack of subordination and subservience detracts from and overwhelms the key feature of rural quality and characteristic of the development and is considered to be poor design.

Overall, the proposed development visually undermines the curved oast roundel, by virtue of the poor design, bulk and lack of subservience from the resultant cumulative relocated footprint of the various buildings on site, which is the key feature that should form the focal point of the development by virtue of its rural characteristics and value within the Kent countryside and landscape. The development is therefore contrary to Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014), Gravesham's design code: Design for Gravesham (2024) and Gravesham's Householder Design Guidance SPD (2021), as well as Sections 12 and 15 of the National Planning Policy Framework (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.

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 gross internal area and rooms in the proposed dwelling are in accordance with the Nationally Described Space Standards (2015) and Gravesham's Residential Layout Guidelines (2020). It is considered that all habitable rooms will receive sufficient natural light by virtue of the southern orientation. The garden size is also generous and exceeds the requirement set out in the RLG. Therefore, the development is considered to safeguard the amenity of future occupiers in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2024).

Impact on Amenity of Surrounding Properties

The proposed dwelling will be approx. 35m from Flint Cottage and approx. 31m from Elm Cottage, both of which are residential properties. The proposed family dwelling would therefore not result in any impacts in terms of loss of light, outlook, noise or sense of enclosure impacts for the existing neighbouring properties. Although introducing a west facing window at first floor level, this is sufficient distance from the neighbours and at an obscure angle to private amenity space to safeguard privacy. As such, the proposal is considered to safeguard the amenity of surrounding properties in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2024).

Parking and Highways

The development should provide an acceptable amount of parking, not be detrimental to the highway network and promote sustainable transport methods, to accord with saved policy T1 and P3 of Gravesham Local Plan First Review (1994) and Policy CS11 (LPCS) and Section 9 of the NPPF (2024).

The new dwelling would be accessed using the existing vehicle access from Northfleet Green Road, which has been in situ for a number of years and used by Elm Cottage. The shared access point is formed of hardcore material and is sufficient to accommodate traffic associated with the 4-bedroom dwelling, which would provide 2no. parking spaces within the site. As such, there are no objections to the proposed development on highways grounds.

Other Matters

Heritage and 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.

Saved Policy TC7 (LPFR) 1994 indicates that planning permission may be refused without adequate assessment of the archaeological implications in areas of archaeological potential.

At a national level paragraph 214 of the NPPF (2024) advises that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest (evidence of past human activity), local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

The application lies within an area of multi-period archaeological potential and has been reviewed by KCC Heritage who have recommended an archaeological planning condition be attached, should permission be forthcoming. Therefore, subject to the inclusion of the relevant archaeological condition, it is considered that the proposal complies with Policy CS20 (LPCS), Saved Policy TC7 (LPFR) and paragraph 214 of the NPPF (2024).

Contamination

Policy CS19 (LPCS) indicates that new development will be located, designed and constructed to avoid adverse environmental impacts from pollution, including noise, air, odour and light pollution, and land contamination.

Paragraph 187 of the NPPF (2024) indicates that planning decisions should contribute to and enhance the natural and local environment by, amongst other things:

- e) *preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability; and*
- f) *remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*

The application has been supported by a Preliminary Contamination Investigation Report by Soils Ltd., which identifies a potential for low to moderate/low risk of contamination on the site and a high risk of unexploded ordnance. These matters can be sufficiently covered by planning conditions to secure full investigation prior to the commencement of development, should permission be forthcoming.

Therefore, subject to planning conditions, the proposal complies with Policy CS19 (LPCS) and paragraph 187 of the NPPF (2024).

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 £328.27 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 £328.27 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 proposed development has been supported by a Preliminary Ecological Appraisal, BNG Statement and BNG Metric, which have been reviewed by KCC Biodiversity, who conclude that insufficient information has been provided in relation to protected/notable species (reptiles) or BNG. Firstly, the supporting information does not include a reptile survey and based on photographic evidence from the pre-application site visit and satellite imagery, officers consider the site to contain suitable habitats and require a survey, or additional information to clarify why it is not required. Secondly, the BNG Metric is considered to have insufficient information based on the types of habitat present within the site and KCC officers have concluded that the 51% deficit is undervalued and unrecorded habitats are likely to increase this figure.

If the application were to be supported, the Local Planning Authority would seek the additional details requested by KCC Biodiversity.

Planning Balance and Conclusions

The Council cannot demonstrate a deliverable supply of five year housing land, with the evidence before me indicating a supply of 3 years and as such paragraph 11d of the National Planning Policy Framework (2024) is relevant. The established impacts on the Green Belt, unsustainable location, lack of very special circumstances and harm to landscape character means that local and national planning policy provide a clear reason for refusing the development proposed. Therefore, under Paragraph 11d)i of the National Planning Policy Framework (2024), the proposal does not benefit from the presumption in favour of sustainable development, as reflected in Policy CS01 of the Gravesham Local Plan Core Strategy (2014).

The proposed development is contrary to local and national planning policy, and should 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 exempted forms of development set out in paragraph 154 or 155 of the National Planning Policy Framework (2024). The proposal is for a new dwelling in an unsustainable location and the building of a dwelling, whether as conversion or otherwise would still by definition result in a form of encroachment in the countryside and harmful to the openness by reason of the nature of the*

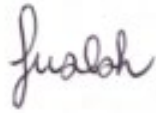
development and the paraphernalia and associated development that goes with what will be a separate dwelling. The development does not, in the opinion of the Local Planning Authority, fall within the exceptions to inappropriate development in the Green Belt in the National Planning Policy Framework (2024). 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 development visually undermines the curved oast roundel, by virtue of the poor design, bulk and lack of subservience from the resultant cumulative relocated footprint of the various buildings on site, which is the key feature that should form the focal point of the development by virtue of its rural characteristics and value within the Kent countryside and landscape. The development is therefore contrary to Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014), Gravesham's design code: Design for Gravesham (2024) and Gravesham's Householder Design Guidance SPD (2021), as well as Sections 12 and 15 of the National Planning Policy Framework (2024).
3. The applicant has failed to provide any ecological evidence to confirm protection of notable species or 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 National Planning Policy Framework (2024), and the requirements of the Conservation of Habitats and Species Regulations 2017.

Recommendation

Refusal

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

Case Officer:	Mr Ethan Bonthron	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	26 th February 2025	Dated:	27 February 2025