

- a) **DOV/21/01354 – Siting of 4 seasonal workers’ caravans for over-winter storage, siting of a caravan for associated kitchen use and erection of associated shower units (part retrospective) - Land Forming Part of Stonehall Farm, The Street, Stourmouth**

Reason for report: Number of contrary views

- b) **Summary of Recommendation**

Planning permission be granted.

- c) **Planning Policies and Guidance**

Core Strategy (CS) Policies

DM1, DM15

National Planning Policy Framework 2021 (NPPF)

- Paragraphs 84 & 85 seek to support a prosperous rural economy.
- Section 12 seeks to achieve well-designed places
- Section 15 & paragraph 174, seek to conserve and enhance the natural environment
- Section 16 Conserving the historic environment

The Kent Design Guide (KDG) (2005)

National Design Guide (2019)

Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990

Regulation 18 Consultation on the Draft Local Plan

The Consultation Draft Dover District Local Plan is a material planning consideration in the determination of his planning application. At this stage in the plan making process however the policies of the draft Plan have little weight and are not considered to materially affect the assessment of this application and the recommendation as set out.

- d) **Relevant Planning History**

There is no relevant planning history

- e) **Consultee and Third-Party Representations**

The proposal has been amended from its initial submission and two rounds of consultations have taken place.

Stourmouth Parish Council: The initial response was to raise a number of comments for consideration with regard to the arrangements for waste and

recycling, whether the wastewater to septic tank meets current standards, whether the increase in workers would raise an issue of noise/disturbance, whether the proposal would lead to all year-round use, and with reference to the visual impact whether the caravans could be grouped in twos. The second response did not raise any new matters.

KCC PROW: Did not wish to make comments.

Environment Agency: No comments.

Public Representations: There have been 16 representations received from the public consultation, which raise objections to the application. These objections can be summarised as follows:

- The impact from farm workers on the environment, highway safety and local community
- The caravans would impact the open countryside, rural character and local landscape
- The existing caravans on site are not in seasonal use
- Impact upon habitats, ecology and wildlife
- The existing shower block is causing pollution
- The hedgerow along the boundary of Stone Hall and the farm does not provide adequate screening
- Harm to the setting of the nearby Listed Building
- Increased levels of noise and light pollution
- The proposal involves the loss of fruit trees
- The proposal is not justified by need or demand
- The shower block and kitchen were installed in June 2020
- The siting of the caravans would block a private right of way
- The application would affect the enjoyment of adjacent residential properties
- The proposal is contrary to the Development Plan and NPPF

f)

1. **The Site and the Proposal**

1.1 The application site is a fruit farm divided into working parcels of land, covered mostly in cherry trees and plum trees. In the south-eastern corner of the farm are two farm buildings and 5 (caravans) mobile buildings which face toward a central yard area. The yard area appeared in farming use at the time of the Officer's site visit and the caravans were arranged on the edges of the yard.

1.2 One of the caravans in this area is in use as a kitchen. A small shower/toilet block is located outside, but in front of, this 'working' yard area. At the time of the Officer's visit there were also two 'portaloo's' next to them. The shower block is drained to a septic tank beneath it.

1.3 The main access to the farm is from The Street. This access runs in a straight line and turns into a small working area that also accommodates vehicle parking. It is understood that land to the north of this area falls outside the farm site. At the time of the Officer's visit, this area had been left in an overgrown condition with some open storage on the land – it was not being farmed.

- 1.4 The hamlet of Stourmouth is located to the south and east of the application site. A public right of way (EE134) is located to the north of the 'working' yard area, beyond the first parcels of land accommodating the fruit trees. This runs in an approximate south-west to north-east direction. Stonehall Farm is a Grade II listed building and is located to the south-east of the existing 'working' yard area and buildings, on a separate parcel of land.
- 1.5 Planning permission is only being sought for storing 4 caravans out of season, from 1 November to 31 May in any year on the site, as well as retrospective planning permission for the erection of a shower/toilet block (made up of 5 cubicles) and stationing of a caravan already on the site, in use as a kitchen.
- 1.6 The location of the 4 caravans will be adjacent to the existing shower block building. These would be laid out in tandem with a 6m separation between them. The caravans will measure 9m by 3.2m. The 4 caravans will not be connected to the septic tank or water as the kitchen block and shower block will be used by the workers to wash and make meals. The caravans will only be connected to electricity.
- 1.7 The caravans would be stored during the winter months (in the location as shown on the submitted block plan) but only used by workers during the working season. The working season is stated by the applicant as being 1 May until 30 November.
- 1.8 The intention of the applicant is to attract workers with accommodation during the season (for which planning permission is not ordinarily required) and to reduce the levels of inconvenience and costs of removing the caravans from the farm or locating them in a different location on the farm, out of season.

2. Main Issues

- 2.1 The main issues are:
 - The principle of the development
 - The impact on the character and appearance of the area
 - Impact on the setting of the designated heritage asset
 - The impact on residential amenity
 - Other material considerations
 - Planning Balance

Assessment

Principle of Development

- 2.2 The application site falls within the countryside, close to the built envelope of the hamlet of Stourmouth. The proposal is required as being ancillary to the function of the farming use of the site and is therefore considered to be acceptable in principle in accordance with policy DM1.
- 2.3 The relevant 'catchment area' for the Stodmarsh Lakes Designated Sites does not cross the application site and therefore the installation of the

shower block/toilets and permitted development rights for seasonal workers' overnight accommodation on the site are not affected.

Impact on Character and Appearance

- 2.4 The application site is within the countryside, but is not otherwise designated or identified for its landscape value or ecological/habitats importance. It falls relatively close to the Stodmarsh Lakes Designated Sites and the water courses that feed into or from the Stour River (the catchment) but is outside of the catchment.
- 2.5 The location of the proposed caravans will in part replace two rows of cherry trees, that form part of a larger parcel of farmed land. For the most part, the cherry trees are covered in netting/part-open polytunnels. The overall height of the trees and netting/tunnels would prevent views of the caravans from public vantage points – in particular, from the PROW to the north that crosses the site. For similar reasons, the shower block and the mobile home used as a kitchen which forms part of the courtyard of the farm buildings, would also be screened or would not be distinguishable.
- 2.6 The caravans are proposed to be located within close proximity to other buildings and the working area of the farmyard and its buildings. They would not be isolated from the general activities and operations of the farm and their location would help contain the overall spread of buildings and ancillary development/uses on the land.
- 2.7 The location of the caravans and shower block building would not have a material impact upon the open countryside or rural character and appearance of the area. It is considered therefore that the level of conflict with policy DM15 and Paragraph 174 of the NPPF is slight to moderate.

Impact Upon the Setting of the Designated Heritage Asset

- 2.8 Stonehall Farm is the closest listed building, located to the south-east of the application site, within its own grounds. It is listed by Historic England as follows:

“House. C15 and clad C18. Flint and rubble ground floor and timber framed upper floor clad with red brick. Plain tiled roof. Two storeys with stone quoins on ground floor, with hipped roof and stacks projecting at end left and projecting and offset 3 times to right on the front elevation. Three wooden casements on first floor, and 1 on ground floor to left. Four-centred stone doorway to centre with rib and stud door. Right return jettied. Catslide outshot to rear (close-studding was previously visible on rear elevation)”.

- 2.9 Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 requires that a decision maker shall have special regard to the desirability of preserving a listed building or its setting, or any features of special architectural or historic interest it possesses. The proximity of the listed building to the proposed location of the caravans and shower block building requires an assessment to be

made on the impact of the proposal and considerable importance and weight must be given to any predicated harm.

- 2.10 The setting of a listed building is not in itself designated. The setting is often defined or identified by the surroundings in which the listed building is experienced.
- 2.11 Stonehall Farm has a generous sized garden area beyond its northern and western (side and rear) elevations which extends to the boundary with the farm. A beech hedge some 3-4m in height is located within the garden and along most of this boundary. Behind a section of the boundary are the existing caravans and working yard of the farm. These provide screening between the garden of Stonehall Farm and the location of the shower block, the kitchen, and one of the locations of a proposed caravan.
- 2.12 The 4 caravans are proposed outside the functional and physical boundary of the garden of the listed building, on the farmland. Due to the separation, the boundary screening and other planting within the garden of the listed house, there is no or little intervisibility between the listed building and the location of the caravans. As a matter of judgement, whilst the caravans might be visible from within parts of the garden of Stonehall Farm during the autumn/winter storage (out of season period) and at a distance from the rear elevation of the main building, the caravans and their location would not contribute to the significance or appreciation of the listed building.
- 2.13 As such, it is considered that the impact from the proposal on the setting of the designated heritage asset would be neutral.

Impact on Residential Amenity

- 2.14 The caravans and shower block building would be visible, in part, from the gardens of those residential properties located to the south. The location of the 4 caravans is to the north of a private right of way and north of the beech hedge that runs along and within the boundary of Stonehall Farm (the dwellinghouse). This hedge is tall and acts as a good screen along the boundary during the summer months. During winter, this screen will be less effective and would allow views of the stored caravans from some gardens.
- 2.15 As the caravans would generally not exceed the height of the surrounding rows of cherry trees and the netting/polytunnels over them, their location set back from the boundaries would not affect views of the open countryside from nearby gardens.
- 2.16 It is considered that the caravans and shower block would not be overbearing, would not cause overshadowing and otherwise would not be visually intrusive, to the extent that this would cause undue harm to residential amenity.

Other Material Considerations

- 2.17 Part 5 of the Town and Country Planning (General Permitted Development) (England) Order 2015 in conjunction with the Caravan Act

1960 (Schedule 1), grants agricultural businesses the right to retain a caravan site whilst the caravans are occupied by seasonal workers. It is only the winter storage of the vacant caravans, shower block and kitchen facilities that require planning permission. This is why permission is only sought for the caravans for those times that are out of season when the farm workers are not required.

- 2.18 The wording of the relevant legislation states that a site licence shall not be required for the use as a caravan site on agricultural land for the accommodation during a particular season of a person or persons employed in farming operations on land in the same occupation. As such, during the season (in this case May to end November) there is a right to station caravans on the land to accommodate workers in farming operations on it.
- 2.19 Most of the responses received to the application object to the occupancy of the caravans, and the impact from this. To a large extent, whilst there are obvious and legitimate concerns that have been raised, these should be considered in the context of a largely uncontrolled right for the workers and caravans to be allowed on the land during the farming season. The focus in the determination of this application should therefore be on what has been applied for – primarily, the storage of the caravans and the shower block.
- 2.20 The shower block building appears to have been erected (in June 2020) to serve the seasonal workers in the existing caravans and will be used to serve the future seasonal occupiers of the proposed caravans. Retrospective permission is sought for this building. The building drains to a septic tank and the response from the Environment Agency is that they have no comments, but other consents from the EA may be required.
- 2.21 Other matters raised as a result of the consultation of the application relate to the need to consider investigating the use of the existing caravans. This matter does not have a direct bearing on the determination of the current application, but will be subject to future consideration by officers.

Planning Balance

- 2.22 The proposed location for the storage of the caravans is considered to have a slight to moderate adverse impact upon the open countryside. The proposal would preserve the setting of the listed building. The proposal is also considered to be able to be viewed from within the gardens of the closest neighbouring properties, mostly during the winter months, when vegetation is not in leaf. However, this visual impact is not considered to be unduly harmful.
- 2.23 In support of the application, is the need for the business to locate caravans on the land for seasonal use by workers and to reduce the cost and inconvenience of moving the caravans off site outside the main farming period. The shower block is also an important ancillary component for the workers.

2.24 On balance, it is considered that as many of the objections raised against the proposal are not under consideration with this application, and in view of the limited harm arising from the storage of the caravans etc, the balance is in favour of granting permission.

3. Conclusion

3.1 The proposal is for the storage of 4 caravans on the site and for retrospective planning permission for a shower/toilet block and the stationing of a mobile building in use as a kitchen. Although the occupation of the caravans would normally be paramount in the mind of the decision maker, for the purposes of this application, the focus of the decision should be on their visual impact and impact upon the setting of the designated heritage asset.

3.2 As such, it is considered that the caravans and shower block building do not cause harm to the countryside designation, or the living conditions of the occupiers of the nearest residential properties. It is also considered that the impact of the development on the setting of the listed building would be neutral.

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Recommendation

I Planning permission be GRANTED with the imposition of the following conditions:

1. In respect of the proposed caravans, a 3-year period for implementation is required
2. Development should be in accordance with the layout plan and photographs
3. Only 4 caravans to be stored on site
4. Outside the periods of – 1 May to 30 November, in any year, the caravans shall not be occupied/used for residential purposes
5. Outside the periods of – 1 May to 30 November, in any year, the caravan accommodating the existing kitchen shall not be used

II Powers be delegated to the Head of Planning and Development to settle any necessary wording in line with the recommendations and as resolved by the Planning Committee.

Case Officer

Vic Hester