

- a) **DOV/21/00626 - Change of use of land to an airfield to include a runway, helipad, erection of 2 aircraft hangers, flight office and toilets, workshop/plant storage, glamping for 10 pitches, associated parking and a vehicular access track - Manor Farm, Willow Woods Road, Little Mongeham**

Reason for report: Number of contrary views (668)

- b) **Summary of Recommendation**

That planning permission be refused.

- c) **Planning Policy and Guidance**

Development Plan

The statutory development plan comprises:

- Core Strategy (2010) (“**the Core Strategy**”)
- Land Allocations Local Plan (2015)
- Saved Polices of the Local Plan (2002) (“**the Local Plan**”)

Relevant polices of the Core Strategy include:

- CP1: Settlement Hierarchy
- CP5: Sustainable Construction Standards
- DM1: Settlement Boundaries
- DM3: Commercial Buildings in the Rural Area
- DM11: Location of Development and Managing Travel Demand
- DM12: Road Hierarchy and Development
- DM13: Parking Provision
- DM15: Protection of the Countryside
- DM16: Landscape Character
- DM17: Groundwater Source Protection
- DM19: Historic Parks and Gardens

Relevant saved polices of the Local Plan include:

- CO8: Development Affecting Hedgerows
- ER6: Light Pollution
- OS7: Proposals for Outdoor Sports and Recreation Facilities

As is the case with the development plan, where existing policies were adopted prior to the publication of the National Planning Policy Framework (July 2021) (“**the Framework**”), the weight to be given to them depends on their degree of consistency with the policies of the Framework (paragraph 219).

Other Material Considerations

Other information material to the consideration of the planning application includes:

National Planning Policy Framework

The Framework sets out the government's planning policies for England and how these are expected to be applied. It is therefore a material consideration, to which significant weight should be attached in determining the application.

The Framework provides a definition of general aviation airfields: licenced or unlicensed aerodromes with hard or grass runways, often with extensive areas of open land related to aviation activity.

Specific reference is made to general aviation airfield at Framework paragraph 106: planning policies should recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency service needs, and the government's General Aviation Strategy.

Other sections of the Framework are referred to, as relevant, in the assessment section of this report below.

Planning Practice Guidance

The Planning Practice Guidance ("**the PPG**") is a live document containing more detailed advice on how policies on the Framework should be interpreted and applied. It was first published in 2014 and is subject to frequent updates and revision.

In respect of development of airport or airfield facilities, the PPG states (ID: 54-012-20150313):

Aviation makes a significant contribution to economic growth across the country, including in relation to small and medium sized airports and airfields (aerodromes). An aerodrome will form part of a larger network. Local planning authorities should have regard to the extent to which an aerodrome contributes to connectivity outside the authority's own boundaries, working together with other authorities and Local Enterprise Partnerships as required by the National Planning Policy Framework. As well as the National Planning Policy Framework, local planning authorities should have regard to the Aviation Policy Framework, which sets out government policy to allow aviation to continue making a significant contribution.

Draft Dover District Local Plan

The draft Dover District Local Plan ("**the draft LP**") sets out planning policies and proposals for new development in the District over the period from 2020 to 2040 and when adopted will replace the existing development plan. The draft LP is still at an early stage in its preparation. The Regulation 18 consultation closed in March 2021. While the Regulation 19 consultation is due to be published shortly, at the time of the consideration of this application, the Regulation 18 version remains the most recently published draft. As such, and in accordance with paragraph 48 of the Framework therefore, whilst the draft

Dover District Local Plan is a material consideration, only limited weight should be afforded to it at this time.

Relevant draft policies of the draft LP include:

- SP1: Planning for Climate Change
- DM1: Reducing Carbon Emissions
- DM2: Sustainable Design and Construction
- DM4: Sustainable Travel
- DM7: Surface Water Management
- DM9: Tree Planting and Protection
- SP8: Economic Growth
- DM24: Tourism and Tourist / Visitor Accommodation
- DM29: Highway Network and Highway Safety
- DM30: Parking Provision
- SP15: Place Making
- DM36: Achieving High Quality Design
- SP16: Protecting Designated Environment Sites
- SP17: Green Infrastructure and Biodiversity
- DM38: Biodiversity Net Gain
- DM39: Landscape Character
- DM40: Thanet Coast and Sandwich Bay SPA Mitigation Strategy
- DM41: Air Quality
- DM42: Water Supply and Quality
- SP18: Protecting the Historic Environment
- DM44: Designated and Non-Designated Heritage Assets
- DM45: Conservation Areas
- DM46: Archaeology
- DM48: Historic Parks and Gardens

Aviation Policy Framework (2013), Secretary of State for Transport

The Aviation Policy Framework generally has a wider focus on the commercial aviation industry and airports, but does make some reference to general aviation in respect of its value / benefits, relevance of maintain a network of aerodromes of varying sizes, as well as matters of 'noise and other local environmental impacts'.

General Aviation Strategy (2015), Department for Transport

The government's General Aviation Strategy presents its aims for general aviation, with work across four areas:

- *“thorough deregulation for general aviation (GA) so that it is policed only to the extent needed to comply with international obligations and to provide appropriate safety and security;*
- *meaningful engagement with GA by all Government departments on relevant future policies;*

- *stimulating employment in GA in terms of how many people are involved and how much they participate;*
- *supporting infrastructure that is appropriate in its extent, capability and location to deliver a mixed, modern fleet of aircraft flying between appropriately equipped aerodromes across well-defined airspace.”*

Aviation 2050: The Future of UK Aviation – A Consultation (2018), Secretary of State for Transport

This publication includes a section on supporting general aviation:

The government aims to ensure that there are appropriate and proportionate policies in place to protect and support General Aviation (GA) and its contribution to GDP and jobs. The government recognises that the needs of GA have to be seen in the wider context of civil and military aviation. In areas such as the use of airspace and the allocation of slots it is important to balance the needs of private flying, commercial GA and scheduled aviation, so that all classes of aviation are properly and proportionately considered and the benefits GA can be supported.

(Forward to chapter 7)

There is reference to some of the environment impacts of general aviation: that it can have adverse noise and other environmental effects:

This is particularly the case where arrivals, departures and circular flights can lead to periods of intense or consistent activity at aerodromes, including at weekends, that can be disturbing for some local residents. Helicopter activity can also be particularly intrusive due to the fact that helicopters tend to fly at low altitudes and can hover for some time at a single location.

(Paragraph 7.49)

General Aviation Roadmap (2021), Department for Transport

This presents a vision by the Department for Transport for GA:

“We want the UK to be seen as the best place in the world for aviation and this starts at the grassroots. It provides the entry point for careers in aviation, as pilots, engineers, scientists and other highly skilled professions; includes a number of vital businesses and services that are vital to the aviation sector; and is an enabler of innovation. We want GA to be a flourishing, wealth generating and job producing sector of the economy.”

The General Aviation Roadmap considers a network of airfields is a national asset, providing crucial connectivity both for business and emergency services, but also for leisure and sporting flying. It considers airfields offer potential for highly skilled, dynamic and innovative businesses to grow and flourish – be it for manufacturing and maintenance of aircraft, aviation services, flight training, and for research and innovation.

Legislation

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, where regard is to be had to the statutory development plan in determining an application for planning permission, the determination shall be made in accordance with the development plan unless material considerations indicate otherwise.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the planning authority should pay special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest it possesses.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

d) **Relevant Planning History**

Relevant planning history for the application site comprises:

12/00353 Installation of 140 ground mounted solar panels and associated apparatus. Approved 27/06/12.

19/00468 Change of use of agricultural building to three dwellings. Prior approval refused 03/06/19 – that extent of building operations would be beyond scope of Permitted Development; and poor amenity of dwellings due to proximity to working agricultural buildings in respect of noise, flies, odour and general disturbance.

20/00331 Change of use of agricultural building to three dwellings. Prior approval refused 18/05/20 – area of curtilage and extent of building operations would be beyond scope of Permitted Development; and poor amenity of dwellings due to proximity to working agricultural buildings in respect of noise, flies, odour and general disturbance.

21/00340 Environmental Impact Assessment screening opinion in respect of creation of airfield, ancillary buildings and glamping pods. Screened negatively (16/04/21) that an Environment Statement (in accordance with Town and Country Planning (Environment Impact Assessment) Regulations 2017) is not required in relation to the development screened.

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

Consultation responses in full can be found on the online planning file. A summary has been provided below:

Great Mongeham Parish Council

Response 04/06/21 and 07/03/22. Objection:

- electric aircraft technology is not available

- use of leaded petrol is unsafe
- the use of helipad would also cause noise disruption
- little benefit to the community or employment opportunities
- noise most concentrated on pleasant summer days when residents are likely to be enjoying their gardens. Will ruin the rural tranquillity
- any flight training would radically increase movements
- considerable noise nuisance and loss of privacy to residents
- runway hazardous to walkers on public right of way
- question need for airfield
- contrary to local and national planning policy

Northbourne Parish Council

Response 17/05/21 and 10/03/22. Objection:

- little economic benefit demonstrated
- not provide a useful service to local residents or to the majority of residents in the district
- destroy a greenfield site by destroying habitats, more noise and diminishing the attractive vista
- residents' rural peace shattered by regular aircraft movements
- the application sets great store on the use of the site for electric planes, of which there are only three electric fixed wing planes registered in the whole of the UK
- no explanation for the redirection of footpath
- take-off or landing may not include trial landings
- impact on the bird life needs to be evaluated

Sutton Parish Council

Two responses, undated. Objection:

- lack of demonstrated economic benefit
- akin to allowing a light industrial unit to open in the middle of a greenfield site from both a noise and visibility perspective
- hangers visible from the road and footpath – harm to the landscape
- noise impact across the area. Detailed noise assessment needed
- question use of electric planes
- runway hazardous to walkers on public right of way
- take-off or landing may not include trial landings
- impacts on bird life
- risk to groundwater through storage of aviation fuel with an aquifer close to the surface
- area's tranquillity would be harmed
- lead pollution risks from aviation fuel
- roads not suitable for extra traffic

Sholden Parish Council

Two responses, undated. Objection:

- supports the objection made by East Kent Climate Action, with regards to carbon emissions, the dangers of aviation fuel and noise pollution
- support the objections made by Sutton Parish Council
- concerns regarding climate change, wildlife and the environment

Ripple Parish Council

Objection:

- impact on native birds and wildlife
- more detail needed on number of aircraft and movements
- more information needed on vehicle movements and car parking
- no evidence of significant consultation with local residents
- flight movements likely to be compressed into shorter windows of time
- lack of clarity of the method of operation and control of the airfield
- suggestion of electric aircraft operation is disingenuous
- more information needed regarding the storage of fuel and the necessary safety measures for emergency services

UK Civil Aviation Authority

Consultation response 12/04/21

- Encouraged by this proposal which aims to displace a high proportion of the Maypole airfield traffic. Encouraging to see long term viability of the scheme with the mixture of aviation and tourism use within the proposal and the inclusion of green aviation as a high priority.

Consultation response 24/09/21

- Regarding a public right of way located close to the proposed airstrip, refer to the CAA regulation document CAP168 (Licensing of Aerodromes) which concerns licensed aerodromes in the first instance. This offers best practice that could assist in decision making:

“Any public right of way crossing or bordering the landing area shall be adequately sign-posted with notices warning the public of danger from aircraft.”
(Appendix 1A of CAP168)

National Air Traffic Service

- No safeguarding objection to the proposal.

Environment Agency

In consultation responses dated 24/05/21 and 18/08/21 the Environment Agency raised objection that the application did not demonstrate the risks of pollution to controlled waters are acceptable. Controlled waters are particularly sensitive in this location because the site is located on a principal aquifer and in close proximity to an SPZ3 for drinking water protection.

Further response from the Environment Agency (14/03/22) has advised, on the basis of there being no refuelling activity or maintenance of aircraft at the site, that its previous concerns have been addressed.

Officer comment: *what may comprise 'maintenance' of aircraft that could result in pollution risk to groundwater, opposed to pre-flight checks or other non-risk activities, are considered capable of being established through further information that could be submitted and secured by condition.*

Natural England

Consultation response 28/05/21

Further information is required to determine the impacts of development on the 'Thanet Coast and Sandwich Bay Special Protection Area & Ramsar', 'Sandwich Bay to Hacklinge Marshes SSSI', and 'Dover to Kingsdown SSSI & Special Area of Conservation':

- data needed in the shadow Habitat Regulations Assessment (sHRA) to demonstrate the majority of flights from the airfield will take place during summer months;
- surveys should be conducted to confirm what species could be impacted through collisions, including the trajectory taken by aircrafts gaining altitude;
- Dover to Kingsdown SSSI and SAC should be considered in the sHRA;
- noise resulting from aircrafts should be considered as a possible impact pathway in the sHRA;
- as the site could be regularly used by protected bird species, such that it could be considered 'functionally linked land' (FLL) for the non-breeding/wintering birds which are interest features for the Thanet Coast and Sandwich Bay SPA and Ramsar, a 'habitat suitability assessment' should be undertaken to determine the suitability of the proposal's location and surrounding area in respect of FLL;
- any recreational disturbance from visitors of the proposed glamping pods should be considered in the sHRA, including on FFL;
- given proximity of the site to Sandwich Bay to Hacklinge Marshes SSSI, development proposals must demonstrate how negative impacts to water quality and water levels are to be avoided and / or minimised.

Consultation response 22/10/21

- Additional information sought to determine the impacts of development on designated sites, including on: timing of flights; bird surveys or evidence that surrounding land is unsuitable to provide functional habitat for golden plover birds; aircraft trajectories; noise impacts; and FFL habitat suitability.

Consultation response 03/03/22

- Additional information sought to determine the impacts of development on: seasonality / timing of flights; bird surveys or evidence that surrounding land is unsuitable to provide functional habitat for golden plover birds; noise impacts (subject to assessment of the value of surrounding habitats); and FFL habitat suitability.
- Note the latest sHRA concludes that the fields surrounding the proposal are unsuitable to provide FLL for golden plover, but seeks further relevant information on the timing of sowing and harvesting of crops.
- A 'habitat suitability assessment' is still required to quantify the suitability of the surrounding habitat, as to whether or not it is FFL.
- For recreational disturbance: advise Dover District Council to consider this impact pathway through their strategic solution if appropriate.
- As the site is in proximity to Sandwich Bay to Hacklinge Marshes SSSI, which is designated predominantly for wetland features reliant on a high quality and stable water levels, development proposals must demonstrate how negative impacts to water quality and water levels are avoided and / or minimised.

Consultation response 20/06/22

- No objection, subject to appropriate mitigation being secured:
 - aircrafts to avoid flying over the designated sites and avoid flying at altitudes which have been evidenced to cause disturbance;
 - use of the airfield by helicopters to be for emergency vehicles only;
 - strategic mitigation to mitigate recreational disturbance.
- The sHRA provides detail on the crop rotations of the surrounding fields and it is demonstrated that suitable habitat has not been available to provide FLL to the species of the designated sites. The absence of FLL supports the conclusion that the proposed airfield will not impact species protected by the designated sites using land outside of their boundary.
- Information is provided by the applicant which suggests that aircrafts will fly at altitudes which will not disturb species protected by the designated sites and that aircrafts will avoid flying over the designated sites.
- It is confirmed by the applicant that the proposal will only be used by emergency helicopters.
- For recreational disturbance: advise Dover District Council to consider this impact pathway through their strategic solution if appropriate.
- In respect of Sandwich Bay to Hacklinge Marshes SSSI: advise that there are no hydrological connections near the proposal and therefore this impact pathway is redundant.

KCC Ecology

For matters relating to designated habitat sites, refer to consultation with Natural England reported above.

Consultation response 01/10/21

- Protected species: satisfied with the assessment of ecological baseline and proposed mitigation.
- Reptiles have been recorded on site, with proposals for avoidance and a supervised sensitive vegetation removal exercise to a suitable receptor site. Satisfied these measures are sufficient and can be secured via planning condition.
- Any work to vegetation that may provide suitable nesting habitats should be carried out outside of the bird breeding season (March to August) to avoid destroying or damaging bird nests in use or being built. If vegetation needs to be removed during the breeding season, then mitigation measures need to be implemented during construction in order to protect breeding birds.
- Impacts of lighting to bats should be considered. Any lighting scheme to be controlled via condition.
- Measures to enhance biodiversity should be secured as a condition.

KCC Flood and Water Management

Consultation response 01/10/21

- Recommend the application is not determined until a complete surface water drainage strategy has been provided for review.

Consultation response 18/08/21

- The proposals seek to utilise natural infiltration from the impermeable roof areas with no further drainage details mentioned.
- The existing area including Willow Woods Road currently experiences surface water flooding and we would expect the development of the site to reduce the potential for uncontrolled run-off off-site due to the introduction of drainage systems and controls.
- We would require details of the proposed features or a form of mitigation to be utilised as we are concerned the roof run off will likely increase the rate at which the surface water will reach Willow Woods Road if left to flow naturally.
- Although this development has a relatively small roof area we would expect all measures to be taken so as not to exacerbate the existing flooding situation with control measures where possible.
- Information sought to support the proposed drainage strategy.

KCC Highways

Consultation response 21/05/21

- Further information sought in relation to the number of vehicle trips, vehicle speeds along Willow Woods Road and visibility splays.

Consultation response 09/08/21

- The proposed airfield could generate an increase in use of the existing access onto Willow Woods Road and visibility at the same needs to be appropriate.
- Whilst Willow Woods Road is subject to the national speed limit the nature of the section near the access is such that vehicles are unlikely to be travelling at such speed, and therefore surveys are required to determine speeds and the subsequent visibility requirements.
- With regard to the proposed permissive path, visibility splays are required at the connection point to Deal Road.

Consultation response 18/11/21

- Splays have been indicated to the left measuring 2.4 metres x 49 metres (34mph speeds) and to the right measuring 2.4 metres x 93 metres (38mph speeds). The splays are measured to the nearside kerb edge and are considered acceptable.
- The splays do not pass over land not within the control of the applicant or KCC Highways. Therefore, satisfied that the conditions outlined can be secured by a suitable condition.

KCC Public Rights of Way

The proposed development directly affects Public Right of Way EE420. The application does not identify or mitigate impacts the runway and intensification of the access would have on the public footpath.

The applicant should identify any serious safety implications would be addressed.

The proposed development would result in a significant loss of public enjoyment with effect to public safety, air quality and visual impact.

Where the vehicular access route crosses the footpath, a suitable crossing should be provided for users of all mobility unless the path is proposed for diversion as above.

The application highlights a permissive right of way, but this does not extinguish the definitive public right of way and should not be assumed an alternative route. Equally, the route proposed would still present public safety concerns being so close to the runway.

DDC Environmental Protection (EP)

Noise

The matter of noise from the operation of the proposed aviation use is relevant to the consideration of the planning application.

The applicant has submitted a Noise Assessment dated June 2021, an addendum to that report dated September 2021, and a second Noise Assessment dated May 2022. Other correspondence from the applicant's agent referring to noise matters has been received by the Council.

Given the nature of the application EP has obtained advice from external qualified consultants.

Schofield Lothian provided advice on the first Noise Assessment and its addendum, which sought further information.

The second Noise Assessment was reviewed by Mott MacDonald (as the lead consultant had moved from Schofield Lothian to Mott MacDonald in the time between the two reports).

EP has reviewed the Mott Macdonald report (August 2022) and endorse its conclusions that the proposed airfield development is "*likely to cause a loss of amenity for local residents and adverse effects on health and quality of life.*"

The NPPF at paragraph 174(e) states:

Planning policies and decisions should contribute to and enhance the natural and local environment by:

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...

Based on this, EP raises objection to the application as the development would adversely affect existing residents by subjecting them to unacceptable levels of noise pollution.

Air Quality

Third party representations concerning air quality and health impacts of the proposed development are noted, but matters relating to composition of aviation fuel are beyond the remit of EP. In this, paragraph 188 of the NPPF is referred to:

The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.

The site, nor the surrounding locality, is within a designated Air Quality Management Area or Clean Air Zone.

DDC Heritage

Reference to heritage is made within the submitted Landscape and Visual Impact Assessment (LVIA), which covers the potential visual impact of the proposed development.

Taking into account the scale and massing of the buildings, their location within the site, the general topography of the land, and vegetation cover, the impact this built form is considered to have on built heritage is less than stated: in my view there will be no harm to the significance of these heritage assets.

There could however be a potential impact in relation to noise on the setting of listed buildings in the vicinity of the site, Northbourne Court (a Grade II* Registered Park) and the character of nearby conservation areas.

Regard is had to Historic England GPA3: The Setting of Heritage Assets. This publication notes that ambience can contribute to the setting of heritage assets and consequently changes to the existing situation can potentially be harmful. However, it is important to note that a rural environment does not necessarily equate to tranquillity, or that changes to tranquillity necessarily would affect the setting of historic assets.

It has been raised by objectors that increased noise levels would impact on the tranquillity of the environment, harming the setting of historic buildings, sites and areas. These objectors consider that the increase of aviation traffic during the summer months, when people might be taking advantage of good weather to visit such places, would be significantly harmful and consequently have a negative impact on how those places / buildings were appreciated and experienced.

Due to the number of movements a day (even taking into account the seasonality of the function) and wider ranging flightpaths of the aircraft, I consider it unlikely that the development would cause harm to the experience of the historic environment. It is relevant the number of flights from the proposed runway can be controlled.

Recommend that conditions be used to restrict number of aircraft using the facility and number of aircraft movements to those set out in the application.

DDC Agricultural Consultant

The proposals are located within Grade 2 agricultural land.

Most of the site area comprises the airstrip itself, a helipad, and the aircraft tie-down / parking area; these areas would be grassed, and would not be irreversibly lost to agriculture, were a return to agriculture occur in the future.

The permanent development of buildings would be limited, being in a linear orientation located along the field edge near the south-western corner of the field. The remainder of the field would continue under arable cultivation.

The glamping site (0.79 ha) would be located within an adjoining grassed area which appears to have been uncultivated for many years.

Consequently, the proposed development would not involve a significant loss of agricultural land.

Southern Water

The proposed development would lie in very close proximity to a Source Protection Zone around one of Southern Water's public water supply sources as defined under the Environment Agency's Groundwater Protection Policy. The Environment Agency should be consulted on this matter.

Kent Wildlife Trust

More detailed assessment work is needed in respect of the suitability of site and surrounding land for golden plover birds. This will inform potential impacts of the development on the Thanet Coast and Sandwich Bay SPA and Ramsar and any functionally linked land.

Due to the clear pathways of impact to the designated sites, these impacts should be assessed via an appropriate assessment, in consultation with Natural England.

Any potential ecological impacts across an area greater than 1km from the site should be considered.

Mitigation and enhancement should be suitable for the proposed use of the site, and mitigation and enhancement which cannot be completed on site should be delivered off site in suitable locations.

Biodiversity net gain should be secured.

Officer comment: *since the response of the Kent Wildlife Trust, the applicant has engaged with Natural England and provided additional information on impacts to designated habitat sites.*

RSPB

Concerns about the effects of aircraft (including helicopters) on wintering and breeding birds.

Thanet Coast and Sandwich Bay SPA and Ramsar Site is designated for its nationally important breeding population of little terns, nationally important wintering population of golden plovers and internationally important population of turnstones. The site also supports nationally important wintering populations of ringed plovers, sanderlings and grey plovers.

Sandwich Bay to Hacking Marshes Site of Special Scientific Interest (SSSI) underpins the SPA / Ramsar site and recognises the wintering and breeding interest. The presence of dark-bellied brent geese and shelducks in winter are notable features.

RSPB Lydden Valley reserve: the management of this 245-hectare reserve, much of which forms part of the designated site network, has a significant focus on breeding waders (including lapwings and redshanks) and wintering waterfowl, year-round.

The sHRA omits any mention of the proposed helipad.

Not acceptable to introduce bird-scaring or other management methods should this application be approved given the adverse effect on site integrity that this would pose to features of the Thanet Coast and Sandwich Bay SPA.

More information needed to understand disturbance of flights to the SPA / Ramsar.

Up to date information needed regarding golden plovers and functionally linked land.

The RSPB considers that this application should be refused due to a lack of information provided to the Council in relation to use of helicopters; the lack of any impact assessment of the breeding features of the SSSI over which the ascent / descent flight path is shown; insufficient detail in relation to the distribution of golden plovers and a failure to consider alternative options in the .HRA.

Officer comment: since the response of the RSPB, the applicant has engaged with Natural England and provided additional information on impacts to designated habitat sites.

Designing Out Crime Officer

Would require a condition to address designing out crime matters, including:

- secure gates and boundary treatment (could include densely planted native hedging);
- natural surveillance over parking areas;
- any shutters used on the hangars (should be as close to the building line as possible, to avoid the creation of a recess);
- space on the outside of the entrance of the glamping pods and hangars (should be well illuminated during dark hours);
- external lighting (should be approved by a professional lighting engineer);
- CCTV (should be installed);
- bin stores and cycle stores (to be secure and well lit); and
- a security management plan.

Consultee and Third-Party Representations

Representations received can be found in full on the online planning file. A summary has been provided below:

Representations of Objection

860 letters of objection to the proposed development have been received, raising matters including:

- harm to local wildlife and natural habitats that surround the site;
- detriment to the natural beauty of the surrounding area;
- impacts upon climate change against a climate emergency;
- noise pollution effects to neighbouring properties and more generally;
- amenity impacts would diminish quality of life;
- increased traffic and congestion caused by the proposals;
- loss of privacy and residential amenity from overhead flights;
- impacts to horses and equestrian activity;
- not an inclusive use of the site;
- an alternative location should be found;
- safety and amenity impacts on the public footpath running through the site;
- wider safety fears with to the surrounding vicinity;
- electric aircraft are not advanced enough to make a positive impact;
- economic effect will not be great enough to justify proposals.

Chocks-Go-Away

Multiple letters and representations have been received from 'Chocks-Go-Away', a community group and organisation formed to oppose the proposed airfield on the site at Little Mongeham.

A detailed submission from Chocks-Go-Away (dated 08/07/21) provides wide ranging comments including that:

- there is no need for additional airfield in Kent;
- there is no in principle policy basis to approved the application;
- other airfield applications have been refused due to impacts on amenity and the character of the area;
- there is risk of accidents, including impacts to equestrian activities, users of the highway and public right of way, bird strike risks;
- there is increased risk of crime;
- airfield would be used by an array of aircraft, including older/more noise ones;
- greater aircraft movements and noise disturbance would be on days of good weather, thus having a greater impact on surrounding residents;
- lead emitting fuel would have a detrimental health and environmental effect;
- impact on the rural tranquillity of the area;
- inaccuracies in the submitted Noise Assessment report
- a significant increase to noise and disturbance at the site, largely different its current farm uses;
- noise harm to residential amenity and the recreational enjoyment of the landscape by visitors;
- Northbourne Estate will be directly overflown on the approach for landing, affected by noise and impacting its amenity and heritage value;
- refuelling could impact the groundwater source protection zone located at the boundary of the site;

- impact of noise on roosting habitat for a number of protected bat species;
- glamping pods will introduce built form, human activity, light pollution and noise that will disturb habitat;
- there may be a presence of dormouse on the site, requiring surveys;
- the proposal offer no biodiversity gain;
- submitted visual study materially under-represents the harm resulting from the proposal;
- the hangars and its materials used will not be in keeping with the character of the area;
- low flying aircraft will materially impact heritage assets, as the noise and visual intrusion is not in keeping with or appropriate to the setting;
- there would be loss of Grade 1 agricultural land, not lower Grade 2 as the applicant and DDC's consultant considers;
- no meaningful job creation or economic contribution by the proposed scheme;
- aero-camping inaccessible and an exclusive tourism model;
- aero-campers would not access local services/facilities;
- noise impacts will harm the amenity of the area and surrounding businesses;
- a loss of privacy for local residents, be both intrusive and unwelcome;
- there has been a lack of community involvement in the formation of the scheme.

Other letters by/on behalf of Chocks-Go-Away amplify or raise further objections including that:

- the visual impact of development is materially underrepresented;
- leaded fuel from planes presents a risk to children;
- development does not comply with Core Strategy policies CP1, CP6, DM1, DM3, DM11, DM13, DM15, DM16, DM17 and DM19, as well as saved Local Plan policy OS7;
- development is contrary to paragraphs 8 and 11 of the Framework and does not comprising sustainable development, as well as contrary to other paragraphs in sections relating to the economy, healthy and safe communities, sustainable transport, the natural environment, and heritage;
- the Noise Assessment report does not provide sufficient information to be able to accurately determine the impacts of the development;
- overhead aircraft will be dangerous to users of the highway including motorists and horses;
- harm to safety and amenity of public footpath;
- unacceptable risk to groundwater – a condition restricting all maintenance is unreasonable;
- refuelling may still take place by portable containers;
- an appropriate assessment of the impacts of the development on designated habitat sites cannot rule out disturbance on those sites;
- the development is unsustainable on heritage grounds;
- the development plan is not out of date in relation to the proposed development;
- paragraph 106f of the Framework relates only to policy making and then to 'maintaining' general aviation airfields, not provision of new airfields;
- the applicant's LVIA does not properly consider the impacts of development;
- harmful to Local Character Area (LCA) F2 Northbourne and LCA F3 Ripple;
- harm to tranquillity; and

- the applicant's Noise Assessment indicates potential for significant increases in maximum and average ambient sound levels, and decrease in levels of tranquillity. In addition to its other representations, Chocks-Go-Away has submitted a petition with 455 signatures objecting to the application on the basis that:

“developers propose to build an airfield at Little Mongeham, with an estimated 7500 take offs & landings per year from dawn to dusk, concentrated in good weather, with low flying planes bringing noise & air pollution to the surrounding area”

Representations of Support

668 letters of support have been received, which include the following comments:

- the aviation industry is under threat – more airfields are greatly required,
- the recent closure of Manston airport and Maypole airfield has led to a lack of general aviation facilities in Kent;
- would increase tourism in the local area;
- increased employment opportunities;
- the lack of pesticides used, compared to farming, will lead to increased diversity within habitats and species;
- general aviation is an important resource, affirmed by the Department for Transport;
- noise and environmental impact will be far less that envisaged by many;
- will support education opportunities for younger people.

1. The Site and the Proposal

The Site

- 1.1 The site comprises part of an existing farm and agricultural land to the north of Willow Woods Road, Little Mongeham (“**the Site**”).
- 1.2 The Site can be considered as:
 - the existing access from Willow Woods Road up to and past a group of farm buildings;
 - an enclosed grassed field measuring some 225m by 60m; and
 - a larger area of farmland to the north and north west of that.
- 1.3 Levels of the Site rise from south east to north west, with the open farmland higher than the grassed field and access.
- 1.4 The Site is approximately 1.5km from Great Mongeham to the east, with the western extent of Sholden beyond that; approximately 1.6km from East Suddal to the south west; and approximately 0.7km from Northbourne to the north. There are other more dispersed properties (many residential) along Willow Woods Road and other rural lanes in the vicinity of the Site.
- 1.5 A public right of way / footpath (part of the White Cliffs Country Trail) runs north-south from the main access through the open farmland to the east of the Site.

- 1.6 The Site is considered to be grade 2 best and most versatile agricultural land.
- 1.7 The Site is not within a conservation area or contains any designated heritage asset. It is located within flood zone 1.

The Proposal

- 1.8 Planning permission is sought for change of use of the Site to a general aviation airfield, including two aircraft hangars, and camping facility with 10 glamping pods and service / storage building (“**the Proposed Development**”).
- 1.9 Built elements of the Proposed Development are described in more detail:
- hangar 1 would measure some 83m by 15m, rising to a height of 4m through a range of shallow pitched roofs. It would accommodate up to 10 aircraft across five bays, plus a small office and equipment store;
 - hangar 2 would measure some 75m by 15m, again rising to a height of 4m through a range of shallow pitched roofs. It would accommodate up to 10 aircraft across five bays;
 - the two hangars would be positioned together, adjacent to the hedgerow along the south eastern edge of the Site or that separates the aviation activities from the camping field;
 - each hanger would be finished in green metal cladding, with a green steel sheeting roof, and green metal concertina doors along its north western façade;
 - to the north east of the hangars, adjacent to the hedge boundary is an area shown for parking of 12 vehicles that would be constructed of rolled aggregate;
 - the camping field would accommodate 10 glamping pods, each a triangular prism shape, measuring 6m by 5.5m, to an apex / ridge height of 4m. Each pod would contain a sleeping / living area, shower and toilet facilities, and a small kitchen. The glamping pods would be finished in green metal sheeting and composite cladding;
 - within the camping field would also be a service / storage building, measuring 3.5m by 5m, single storey with a pitched roof over, and similarly clad to the glamping pods;
 - a new vehicular track, constructed from rolled aggregate, would be created from the group of existing farm buildings, through the camping field, to the aviation facilities. This access track would necessitate the loss of two sections of hedgerow;
 - a low post and wire fence around the runway and operational part of the airfield would be erected.

- 1.10 The proposed runway would measure 750m in length and be mown grass, not requiring any engineering works. The south western end of the runway would require the removal of a number of trees along a field boundary.
- 1.11 In front of the hangar buildings is proposed an area for aircraft parking / tie-down.
- 1.12 A helipad is shown on the proposed layout, which would require lighting as / when a helicopter may wish to land on the Site.
- 1.13 The applicant's Planning Statement and Noise Assessment report presents matters relating to the operation of the airfield, including:
- there would be an average of 20 aircraft movements per day (take-off or landing), with a maximum of 7,500 movements a year;
 - activity would be greater in summer months, with up to 40 aircraft movements per day;
 - as the number of take-offs and landings may not be equal on a particular day, accounting for pilots wishing to stay overnight, there would be up to 30 departures on a particular day;
 - there would be no departures before 07.30 or 08.00 on Sundays, with flying able to continue until sunset; and
 - no 'private' or 'commercial' helicopters would operate from the airfield.
- 1.14 The Noise Assessment explains that should the proposed airfield wish to accommodate events with a larger number of aircraft movements (providing the Council has been notified at least one month in advance), departures may exceed 30 in a day.
- 1.15 The airfield noise management plan in the Noise Assessment includes reference to maximum aircraft take-off weight of 2,500kg; that there would be no commercial use or formal training or repetitive circuit flying; that there would be no powered paragliders; and that aerobatics would not be undertaken in the vicinity of the airfield.

2. Main Issues

- 2.1 The main issues of this planning application, for the Proposed Development on the Site, are:
- Principle of Development
 - Landscape Character and Visual Amenities
 - Heritage
 - Noise Impacts
 - Habitats and Biodiversity
 - Ground Conditions
 - Transport & Highways
 - Climate Change and Sustainable Design
 - Other Matters
 - Benefits of Development

- Planning Balance

Assessment

Principle of Development

- 2.2 The Proposed Development is considered to be an outdoor recreation facility, for which there is provision under saved Local Plan Policy OS7.
- 2.3 Policy OS7 seeks to locate development for outdoor recreation within or on the edge of the largest towns in the District; or where facilities are proposed in a more rural area (such as the Site) development should satisfy only an identified local need. The Framework too seeks to plan positively for new recreation facilities (paragraphs 93 and 98), but differs from Policy OS7 in referring only to an assessment of need for policy-making rather than the consideration of planning applications.
- 2.4 In this context regard is had to the wider policy position relating to general aviation. The PPG identifies government policy to allow aviation to continue, to maintain a network of aerodromes of varying sizes (with weight to be given to any benefits they may provide); and the Framework (paragraph 106f) recognises that airfields will need to change and adapt over time. Reference is also had to the application submission that the Proposed Development is not speculative, rather the Site has been selected in respect of the sought requirements of a group of local pilots seeking to replace a recently closed facility at between Canterbury and Herne Bay (Maypole).
- 2.5 Whilst the airfield, with aero camping provision, would offer facilities for perhaps more than just local use, this in principle is considered consistent with the Framework and the government's general aviation guidance. Thus it is the more detailed impacts of the airfield (as to its overall acceptability) that should be considered, rather than raising any in principle objection to the Proposed Development.
- 2.6 The proposed glamping pods and camping field are described by the applicant as offering accommodation principally for the aircraft owners and visiting pilots, but would be available to walkers, cyclists and aviation enthusiasts too. If ancillary to the airfield, the principle of that development would be accepted in the same policy context as the aviation facilities.
- 2.7 But if considered on its own merits, the glamping pods and campsite (in principle) would benefit from Framework paragraph 84c, which encourages tourism and leisure development in rural areas (where they respect the character of the countryside), as well as draft LP Policy 24 (Tourism and Tourist / Visitor Accommodation) that supports appropriately located camping / glamping schemes.
- 2.8 The Site is located in the countryside, outside of any defined settlement defined by Core Strategy Policy CP1. Little Mongeham is at most a hamlet in the rural area and unsuitable for development unless that development functionally requires a rural location.
- 2.9 Core Strategy Policies DM1 (Settlement Boundaries) and DM15 (Protection of the Countryside) apply the sustainable objectives of Policy CP1, restricting development outside settlement boundaries / within the countryside, subject to specific exceptions. Such exceptions include (consistent with Policy CP1) where development functionally requires such a location – that it cannot be located within existing settlement boundaries.

- 2.10 Given the size and nature of the airfield and campsite, a suitable site within settlement confines is extremely unlikely to be available. Thus the Proposed Development, as well as deriving in principle support from saved Local Plan Policy OS7 and the Framework, is compliant with Policies DM1 and DM15.

Landscape Character and Visual Amenities

- 2.11 Core Strategy Policy DM16 seeks to protect the District's landscape character. It does not preclude development where some landscape impact might occur, but requires its location, design and any mitigation be appropriate to its surroundings.
- 2.12 The physical aspects of the Proposed Development are described above, noting the runway itself would simply be mown grass. In addition, the Proposed Development would result in the loss of existing vegetation – 20m stretch of trees to accommodate the south western end of the runway; and sections of hedges to allow for the new access track.
- 2.13 Impact of noise from aircraft on the area's landscape character is considered relevant.

Landscape

- 2.14 The applicant's Landscape and Visual Impact Assessment (LVIA) describes the Site and surrounding area, with reference to the Dover District Landscape Character Assessment (2020). The Site is located with LCA F2 Northbourne, to the north of Willow Woods Road, whilst to the south is LCA F3 Ripple.
- 2.15 The LVIA presents the key characteristics of the two LCAs, considering the Site and its immediate surroundings to reflect:
- re LCA F2 a generally rolling topography; with small blocks of woodland that break up larger arable fields which are intensively farmed for mixed crops; providing some exposed or expansive views in places, whilst others are enclosed by woodland and the rolling topography; having a strong public footpath network; and presenting a rural and tranquil landscape with narrow lanes beyond the major road network; and
 - re LCA F3 extensive and panoramic views; a large-scale arable landscape; and a network of narrow rural lanes with grassy verges.
- 2.16 The LVIA refers to landscape management objectives including to conserve the traditional landscape pattern through maintenance of hedgerows; and to conserve and enhance areas of woodland. For LCA F2, objectives also seek to protect the recreational use of the landscape and conserve elements of tranquillity associated with its isolated rural character.
- 2.17 The LVIA considers the magnitude of change on the landscape (including the loss of some trees and hedgerow) to be low or at worst medium in respect of the area's recognised tranquillity, and that the significance of impact is no more than minor.
- 2.18 In respect of (i) the single storey height and positioning of the hangar buildings and aircraft tie down area, screened on two sides by trees / hedges and at a lower level than open

farmland to the north and (ii) the enclosure of the camping field and glamping pods by strong field boundaries, the applicant's LVIA conclusions of a minor impact (even with regard to the loss of some vegetation) are considered reasonable.

- 2.19 However the applicant's assessment of a minor impact on the value of the public footpath that crosses the Site and sense of tranquillity is considered understated.
- 2.20 Comments from KCC Public Rights of Way Officer identifies the relationship between the runway and alignment of the public footpath would result in a significant loss of enjoyment or amenity for its users. This impact is considered greater than of 'low magnitude' and 'minor significance' asserted by the LVIA.
- 2.21 The LVIA sets out that as the area's tranquillity is already disturbed / diminished by existing light aircraft any impact of the Proposed Development would not be significant. This assertion is not consistent with the baseline noise surveys carried out by the applicant and Chocks-Go-Away. These surveys include observations of existing general aviation in the area, but found such aircraft be at higher altitudes and quieter than those that would be associated with the Proposed Development. A review of the applicant's Noise Assessment considers the sound characteristics of departing aircraft, the change in noise levels, and increased frequency lower altitudes of aircraft movements are likely to be clearly distinguishable from the current baseline.
- 2.22 The Proposed Development would therefore have greater impact on the landscape's acoustic character.

Visual Impact

- 2.23 The LVIA identifies a zone of theoretical visual influence, which has informed the selection of two viewpoints: one from the public footpath to the east / crossing the north eastern end of the runway (VP1); the other from the north west at the Northbourne Lane / Mill Lane junction (VP2).
- 2.24 From VP1 the built development would be obscured by the Site's topography and that of the surrounding land, such that the hangars would not be seen. The camping field / glamping pods would be hidden by existing hedges.
- 2.25 From VP2 the long stretch of hangers would be visible; but seen against a continuous backdrop of trees, with green metal cladding and at a distance of some 700m, it is considered the buildings would have no more than a minor visual impact.

Tranquillity

- 2.26 The acoustic change to the area surrounding the Site would negatively affect its recognised landscape character.
- 2.27 Further to this, regard is had to Framework paragraph 185, which requires development to be appropriate for its location, including to protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

- 2.28 The Dover District Landscape Assessment recognises the rural and tranquil qualities of the area, but for that to be specifically protected (beyond landscape character) the area must also be prized for its recreational and amenity for this reason.
- 2.29 The area of noise influence surrounding the Site, as set out in the applicant's Noise Assessment, includes a number of connected public rights of way. Whilst these offer some recreation and amenity they are considered (recognising that such a network of footpaths is widely spread across other parts of the District) to not establish an area that meets the threshold of being 'prized' for recreation and amenity due to its tranquillity.
- 2.30 Within the same area is open space / playing fields associated with Northbourne Park School and Northbourne Park registered park and garden. These again provide amenity and recreation benefits for their users, but recognising that both are privately owned without (or with limited) public access, and are not wider visitor attractions, they again fall short of a threshold where the area could be considered 'prized' for its tranquillity (unlike say a country park open to the public).
- 2.31 Similarly, whilst local residents certainly cherish the amenity their properties provide, which may include value attached to the tranquillity of the area, such amenity is not unique to the area surrounding the Site and also falls short of the 'prized' threshold in the context of the Framework.

Heritage

- 2.32 The LVIA submitted with the application considers impacts of the Proposed Development upon the setting of Northbourne Court Grade II* park & garden, Northbourne Conservation Area, and listed buildings of heritage importance.
- 2.33 Advice from DDC heritage officers, taking into account the low height / massing of the buildings and their screened location within the Site, and the general topography of the land and vegetation cover, is that there would be no harm from the built form to the significance of these heritage assets.
- 2.34 In respect of noise from aircraft movements, whilst there would be some impact upon the acoustic character of the area, heritage officers consider (with the ability to control the number of flights from the runway) that this would not be so great as to harm the wider experience of the historic environment.
- 2.35 In these circumstances a position of no heritage harm is reached, and provisions of the Framework relating to where development would lead to substantial (paragraph 201) or less than substantial harm (paragraph 202) are not engaged.

Noise Impacts

- 2.36 The applicant has submitted a revised Noise Assessment (May 2022), which has been considered by external consultants ("**the Noise Review**") on behalf of Environmental Protection officers.
- 2.37 In its summary, the Noise Assessment considers, using noise data for examples of the likely range of aircraft expected to use the airfield, along with background survey work,

that no impact is likely occur if noise levels are averaged out across the daily operational period.

- 2.38 For individual flights, the applicant's Noise Assessment recognises they will be louder than existing GA movements at the closest receptor locations, sporadically punctuating the rural soundscape, such that some impact will occur. But through measures of mitigation, (including optimal flight routing, operational limitations and management measures) the Proposed Development is appropriate (as considered by the Noise Assessment) in noise terms.
- 2.39 The Noise Review considers otherwise. The Proposed Development would result in an increase in noise, measured either as the equivalent continuous level or as louder and more frequent maximum levels. This impact would fall in the range described in national noise policy (including the Noise Policy Statement for England) as between the lowest and the significant observed adverse effect levels (LOAEL and SOAEL) where noise policy says effects should be mitigated and minimised.
- 2.40 The Noise Review takes account of the mitigation measures proposed by the Noise Assessment, but considers that the proposed aviation activity would still be distinguishable from the current (baseline) sound environment to such an extent as to cause a loss of amenity for local residents and some adverse effects on health and quality of life.
- 2.41 The Proposed Development is therefore considered contrary to paragraph 185 of the Framework that requires development to be appropriate for its location, taking into account likely effects of pollution on health and living conditions – avoiding noise giving rise to significant adverse impacts on health and quality of life.
- 2.42 The Proposed Development is also contrary to the final part of Local Plan Policy OS7, requiring facilities for outdoor recreation to not cause harm to residential amenity through noise or other impacts.
- 2.43 The applicant has provided details of other airfield operations in Dover District where it considers there is no objection to flights or even support. But the Proposed Development here is being considered on its merits, against current planning policy, in the specific context of the Site.

Habitats and Biodiversity

Designated Sites

- 2.44 The planning application is accompanied by a shadow Habitat Regulations Assessment ("**the sHRA**"), which has been revised in response to consultation advice and engagement with Natural England.
- 2.45 The latest sHRA (May 2022) identifies designated sites of Thanet Coast & Sandwich Bay SPA and Ramsar, protected under the Conservation of Habitats and Species Regulations 2017, for which assessment is required as to whether or not the impacts of the Proposed Development are likely to have significant harmful effects on their conservation objectives. These objectives relate to the favourable conservation / protection of specific species of birds - little terns, turnstones and golden plovers.

- 2.46 The sHRA considers the impact of the Proposed Development on these sites in respect of four potential pathways: (i) loss of habitat or disturbance to birds utilising habitats outside the SPA / Ramsar; (ii) non-recreational disturbance to birds using the SPA / Ramsar; (iii) recreational disturbance to birds using the SPA / Ramsar; and (iv) reduced water quality.
- 2.47 The sHRA considers the Site and its immediate surrounds to be of negligible value for little terns and turnstones. For golden plovers, the sHRA provides further assessment: it considers current early season growth of oil seed rape creates sub-optimal habitat for golden plover; and records of crop rotation on relevant fields show this unsuitability of habitat has been the case over a sustained period of time.
- 2.48 For the camping field, the sHRA considers the grassland cover is also unsuitable golden plover habitat.
- 2.49 In terms disturbance to the SPA and Ramsar sites from aircraft, the sHRA presents that the majority of flights will occur in summer months, whilst greater populations of turnstones and golden plovers are found in the winter; that flight height of little terns is generally much lower than that of aircraft; and operational procedures for the Proposed Development would direct pilots away from flying over the SPA and Ramsar sites or aircraft heights would be at least 1,500ft.
- 2.50 In respect of bird strike potential for planes taking off and landing on the Site, the sHRA considers, with regard to commitments to future flight paths and the general behaviour of bird species, this likelihood to be extremely unlikely. The sHRA also considers this context would make it extremely unlikely that bird species (as important to the SPA and Ramsar sites) would be subject to significant noise disturbance from aircraft.
- 2.51 In terms of helicopter flights, the sHRA considers these would be limited to emergency helicopters on an 'as needed' basis only, as well as there being a likely absence of bird species (for which the SPA and Ramsar sites are designated) within the range over which disturbance might occur.
- 2.52 For recreational disturbance to the SPA and Ramsar sites from glamping pod visitors, the Council's established mitigation framework (Thanet Coast and Sandwich Bay SPA Mitigation Strategy, as agreed with Natural England in 2012) is relevant. In particular that a contribution towards mitigation is only required for residential development of more than 10 dwellings.
- 2.53 In line with this document, given the limited scale of the overnight / glamping development, a contribution towards the 'Thanet Coast and Sandwich Bay SPA Mitigation Strategy' is not considered necessary as the costs of administration would negate the benefit of collecting a contribution. However, the Proposed Development would still be mitigated as the Council would draw on existing resources to fully implement the agreed strategy.
- 2.54 With regard to water quality, the sHRA confirms there are no surface water pathways between the Site and the SPA and Ramsar sites; other measures are in place to protect groundwater; and suitable foul water drainage can be provided through bio tank facilities as secured through condition.

- 2.55 In its final consultation response (20/06/22), Natural England considers the assessment and mitigation measures presented by the sHRA to be appropriate to avoid impacts to the SPA and Ramsar sites, as well as with regard to 'Sandwich Bay to Hacklinge Marshes SSSI' and 'Dover to Kingsdown SAC and SSSI'.
- 2.56 Natural England advises that these mitigation measures (for aircraft to be directed to avoid flying over the designated sites and / or to fly at appropriate altitudes; and for the use of helicopters to be limited) must be secured through any planning permission.
- 2.57 Such detailed information as to how these measures would work in practice and be fully effective has not been seen, but is considered necessary at this stage rather than to be submitted later as required by condition or legal agreement. Such information would then allow a formal assessment under the Conservation of Habitats and Species Regulations 2017 to be carried out by a competent authority.
- 2.58 However, in the absence of that most detailed information, the Proposed Development is considered contrary to the Conservation of Habitats and Species Regulations 2017 and the Framework and objection is raised.

Other Ecological Matters

- 2.59 An Ecological Impact Assessment relating to other wildlife matters has been submitted by the applicant. This identifies impacts of the Proposed Development including a loss of approximately 20m of tree line and 5m of hedgerow; potential impact on a population of common lizard; loss of bird habitat from removal of vegetation; potential lighting impact on foraging/commuting bats; and possible disturbance to hedgehogs, brown hare or harvest mouse.
- 2.60 To provide avoidance or mitigation, the Ecological Impact Assessment provides a number of measures including replacement planting with native species; supervised habitat clearance in the camping field to avoid harm to reptiles; creation of new suitable reptile habitat (two hibernacula); avoidance of vegetation clearance in bird nesting season; controls to ensure sensitive lighting; covering of any construction trenches / holes overnight to prevent animals falling in; and final checks for harvest mouse nests.
- 2.61 These prevention/mitigation measures along with new landscape planting around the east/west boundaries of the camping field can be secured by condition.
- 2.62 KCC Ecology agrees with the findings of the Ecological Impact Assessment.
- 2.63 Overall the Proposed Development, in this regard, is considered compliant with Framework paragraphs 174 and 176.

Ground Conditions

- 2.64 The Environment Agency (EA) identifies the Site to be adjacent to an area of groundwater source protection and above a principal aquifer. Initial objections of the EA relating to a lack of information and risk assessment have been addressed by the applicant with agreement reached that there would be no refuelling or maintenance of aircraft on the Site.

- 2.65 In term of refuelling, this is considered to comprise larger tanks and associated filling facilities (noting that objectors raise issue that hand carried vessels could still be brought onto the Site).
- 2.66 In respect of maintenance, there is a wide range of different activities / actions that can be undertaken to aircraft, from essential pre-flight checks to more extensive servicing / repairs. Should planning be granted it would be recommended that a clear and enforceable schedule of what can and cannot be carried out to aircraft on the Site be submitted by the applicant and approved in consultation with the EA.
- 2.67 With regard to foul drainage, the application shows a foul bio-tank to serve the glamping pods and similar would be required for the WC facilities in the hangar 1. It is reasonable to secure final and suitable details of this through condition.

Transport and Highways

- 2.68 Core Strategy Policy DM11 seeks to restrict development outside of defined settlements in order to help manage travel demand. Whilst Policy DM11 is not wholly consistent with the Framework that places a greater emphasis on promoting sustainable modes of travel in all locations and recognises that such solutions will vary between urban and rural area, it still makes provision to allow proposals in the countryside where justified by other development plan policies. In the case of the Proposed Development, as its principle is accepted against Local Plan Policy OS7, it is also considered compliant with Policy DM11.
- 2.69 Policy DM11 further restricts development that would generate high levels of travel to be located only in areas well served by a range of transport modes. In response, the applicant has provided details of vehicle movements of an airfield in Sussex (Deanland Airfield), recording an average of 38 weekday vehicle movements and 68 weekend movements, noting that that is a larger facility than the Proposed Development. Whilst not verified these figures provide useful reference that the Proposed Development is not considered a major trip generator.
- 2.70 The applicant has undertaken speed surveys along Willow Woods Road and has shown how adequate visibility splays for the existing access are / can be provided (to the satisfaction of KCC Highways).
- 2.71 For where the proposed permissive footpath would join Deal Road, suitable pedestrian visibility splays (1m back from the edge of the carriageway and to the Deal Road / Lane junction the north and a distance of 30m to the south) are required, as can be secured through condition.

Public Right of Way

- 2.72 The eastern corner tip of the runway would cross public right of way EE420 (forming part of the White Cliffs Country Trail). This footpath runs generally north-south to the east of the Site through land owned by the applicant.
- 2.73 It is noted that the public right of way is a footpath for walkers only and not equestrian or cycle use.

- 2.74 In terms of any safety implications, the Civil Aviation Authority (CAA) does not raise this as an overriding matter of objection or concern. Instead, the CAA has specific relevant guidance – that “*any public right of way crossing or bordering the landing area shall be adequately sign-posted with notices warning the public of danger from aircraft.*” Such signage can be secured via condition.
- 2.75 The applicant’s Planning Statement identifies numerous other airfields where there is such a similar situation.
- 2.76 Nevertheless, the relationship between the runway and alignment of the public footpath would result in the loss of enjoyment or amenity for users of the footpath. Whilst this impact is mitigated to an extent by the Proposed Development including an alternative, permissive footpath around the end of the runway, there remains an overall impact to the footpath’s amenity.

Climate Change and Sustainable Design

- 2.77 In relation to the challenge of climate change, the Framework presents that development should seek to avoid vulnerability to the range of associated impacts arising; and through design considerations minimise energy consumption.
- 2.78 Development management policies of the draft LP are more detailed, seeking a BREEAM rating of ‘Very Good’ for all non-domestic buildings (DM Policy 1); use of low embodied carbon and energy efficient building materials (DM Policy 2); minimisation of waste and promotion of recycling during construction and operation (DM Policy 2); use of sustainable modes of travel (DM Policy 4) and water efficiency measures (DM Policy 5); and provision of a sustainable drainage system (DM Policy 7) and tree planting (DM Policy 9).
- 2.79 Against this, it is considered that:
- a BREEAM rating of ‘Very Good’ is achievable for aircraft hangars, which can be secured by condition;
 - any condition requiring details of materials can take account of their embodied energy;
 - a waste and recycling plan for the Proposed Development (with camping and aviation elements) can be secured;
 - electric vehicle charging infrastructure can be installed for the car parking spaces close to the hangars (the hangars themselves will have electric power);
 - water efficiency would be considered as part of the BREEAM rating;
 - new tree planting, to replace those to be lost by the Proposed Development and then to secure an overall net increase, can be secured through landscaping conditions; and
 - sustainable surface water drainage measures can be secured.

Other Matters

- 2.80 Comments from KCC Flood and Water Management officers (August 2021) sought further details of the surface water drainage measures outlined by the applicant, so to be satisfied that roof runoff from the hangars and other buildings will sufficiently infiltrate to not cause or exacerbate any flood risk.
- 2.81 The applicant has provided some information that the underlying geology is appropriate for soakaway measures for rainwater management. It is considered reasonable in the context of the Proposed Development on the Site to secure final surface water drainage details by planning condition.
- 2.82 With regard to objections to the Proposed Development received that the composition of aviation fuel is harmful to human health, Environmental Protection officers advise that such a matter is beyond the scope of this application, with reference to Framework paragraph 188:

The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.

- 2.83 It is noted that neither the Site, nor the surrounding locality, is within a designated Air Quality Management Area or Clean Air Zone.
- 2.84 Aircraft that would utilise the airfield would have an elevated view of the landscape, including over private residential gardens. However, given any views would be dynamic, not fixed, and generally at greater distances of separation than minimum back to back distances between new houses, any aspect afforded would not result in a significant loss of privacy or amenity. Relevant too is the variability in flying patterns / routing.
- 2.85 The Council's agriculture consultant advises the Site to comprise grade 2 agricultural land. Whilst objections received include that the Site is actually grade 1, such difference is not significant as in either circumstance the Site remains 'best and most versatile agricultural land'.
- 2.86 In this context, consultation advice is that there would not be a significant loss of such land and the Proposed Development is consistent with Framework paragraph 174b in this regard.

Benefits of Development

- 2.87 With regard to Framework paragraph 106f, the benefits of maintaining a national network of general aviation airfield in respect of "*their economic value in serving businesses, leisure, training and emergency service needs*" is recognised. Some more detail is provided in the Department for Transport's General Aviation Roadmap (2021) that general aviation can provide an entry point to careers in aviation; can sustain businesses in the aviation sector; and can be an enabler of innovation.

- 2.88 However, against this broader position, the planning application provides few commitments of how any tangible benefits of the Proposed Development would be secured.
- 2.89 The Planning Statement refers to a facility the Proposed Development hopes to offer to 'emergency' helicopters, to provide flexibility, resilience and a speedier response to incidents. But no details of interest from any emergency service have been provided.
- 2.90 If an emergency helicopter needed to land on the Site to attend to an emergency, it is assumed it would do so as it would in any other suitable field.
- 2.91 Support of the application from 'Air Search London and South East' is noted, but whilst this organisation may seek to offer assistance to public authorities from time to time, it generally carries out a wider range of activities and is not an emergency service in its own right.
- 2.92 It is unclear whether or not 'Air Search London and South East' flights would include helicopters. If helicopter flight is sought, it is noted that such noise is not considered in the Noise Assessment.
- 2.93 Other purported benefits presented by the Planning Statement include intentions to hold open days for local people to find out more about agriculture and aviation; to work with local schools to bring students to the Site to learn more about aircraft and flight (as part of curricular subjects); to reach out to young people to promote to them a career in aviation; and to provide opportunities to an air scout group and combined cadet force.
- 2.94 Such intentions could provide some benefit for people wishing / able to engage with the Proposed Development in these ways, but how this would be funded and resourced and ultimately secured / delivered by any planning permission is not clear. In these circumstances limited weight is placed those offerings.
- 2.95 The glamping element of the Proposed Development may generate some income and economic benefit, but this is considered to be no more than minor, noting that a sustainable business plan has not been seen / provided by the applicant. The application form states there would be no increase in employment as a result of the Proposed Development.

3. **Conclusion/Planning Balance**

- 3.1.1 Whilst the Core Strategy and Local Plan were adopted prior to the publication of the Framework they retain relevant policies most important for determining the application, including relating to noise and landscape character. Therefore, with regard to the degree of consistency of those relevant policies to the Framework, the development plan is not considered out-of-date and the tilted planning balance is not engaged.
- 3.2 Clear harmful noise impacts from the Proposed Development to the amenity, health and quality of life of nearby residents are identified, which should carry very significant weight as well as being contrary to local and national planning policy. There would be other harm to the visual and acoustic character of the landscape and amenity of the White Cliffs Country Trail, along with a minor loss of agricultural land.
- 3.3 Whilst the applicant has reached in principle agreement with Natural England in respect

of mitigation to avoid harm to the bird species for which the Thanet Coast and Sandwich Bay SPA and Ramsar sites are designated, without seeing final details of that mitigation and how it would work in practice, a positive assessment under the Conservation of Habitats and Species Regulations 2017 cannot be concluded.

- 3.5 Against this harm, the applicant has presented a range of measures to seek to reflect government guidance relating to the benefits that general aviation can deliver, but without any firm commitment and mechanism to secure them, they carry only limited weight. Any economic benefits have not been presented in detail by the applicant, but are considered to be no more than minor.
- 3.6 Therefore the overall balance is that planning permission for the Proposed Development should be refused for reasons relating to the impacts of noise and uncertainties surrounding mitigation measures to address effects on nearby designated habitat sites.

g) Recommendation

I That planning permission be REFUSED for the following reasons:

1. The operation of the proposed airfield would lead to a level of noise and disturbance to nearby residents that would be materially harmful to their amenity, health and quality of life. Development is therefore contrary to saved Local Plan Policy OS7 and paragraphs 174 and 185 of the National Planning Policy Framework.
2. Without more detailed information of how mitigation measures required to avoid likely significant effects from aircraft on the Thanet Coast & Sandwich Bay SPA and Ramsar sites would be effective, the local planning authority cannot positively conclude (through an appropriate assessment under the Conservation of Habitats and Species Regulations 2017) that development would not be harmful to the conservation objectives of the Thanet Coast & Sandwich Bay SPA and Ramsar sites. Development is therefore contrary to the Conservation of Habitats and Species Regulations 2017 and paragraph 180 of the National Planning Policy Framework.

II Powers be delegated to the Head of Planning and Development to settle any outstanding issues in line with the matters set out in the recommendation and as resolved by the Planning Committee

Case Officer

Andrew Somerville