

- a) **DOV/22/00537- Change of use of agricultural land for the siting of two glamping pitches for holiday lets, one converted horse box for use as WC/washing facilities, cycle/bin storage and associated parking - 2 Cornerways, Watercress Lane, Wingham Well**

Reason for report – Number of contrary views (11)

- b) **Summary of Recommendation**

Planning permission be granted.

- c) **Planning Policy and Guidance**

Core Strategy Policies (2010): CP1, DM1, DM3, DM13, DM15.

Regulation 19 Submission Dover District Local Plan (2022):

The Draft Dover District Local Plan is a material planning consideration in the determination of this planning application. The Regulation 19 draft Local Plan is currently out at public consultation. The policies considered relevant to this proposal are: SP14, PM1, PM2, T13 and NE3. The policies are not considered to materially affect the assessment of this application.

National Planning Policy Framework (NPPF) (2021): paragraphs 7,8,11,84,111,174

- d) **Relevant Planning History** (most relevant)

22/00012 Change of use of agricultural land for the siting of 7 glamping pitches for holiday lets, bin storage and associated parking - Withdrawn

21/01720 Certificate of Lawfulness (proposed) for the erection of a single storey rear extension - Refused (not PD)

10/00994 Certificate of Lawfulness (existing) for use as residential dwelling without compliance with agricultural occupancy condition (condition 5) of DOV/76/457 - Granted

10/00660 Removal of agricultural occupancy condition (V) of planning permission DO/76/457 - Refused

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

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

Wingham Parish Council – no comments received

Natural England – initially sought additional information due to the nutrient neutrality issue. Also advised that DDC should undertake a Habitat Regulation Assessment.

DDC Ecologist – advised that there was limited potential for the grazed field to be of ecological value.

DDC Environmental Protection Officer: Suggests the EA have input to the method of disposal to foul water.

Environment Agency: No response

Southern Water: would require a formal application to be made to connect to the public sewer

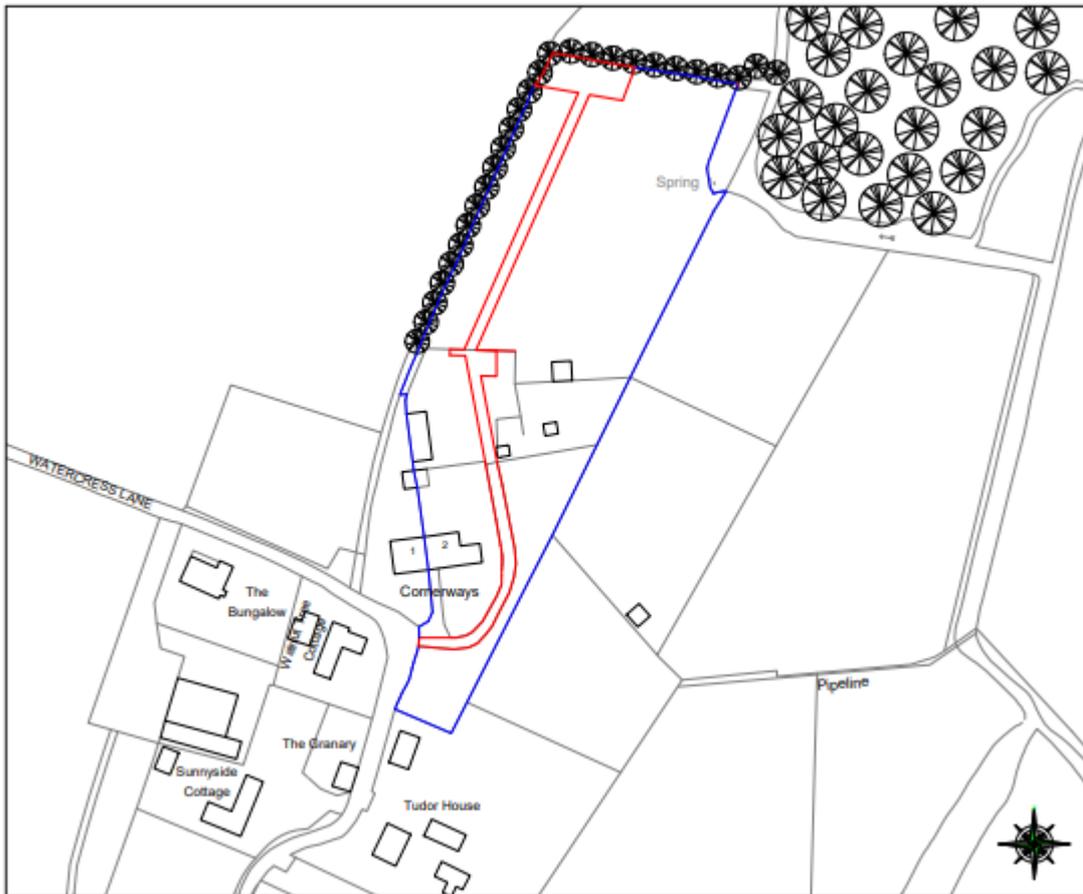
Third party Representations: 11 letters of objection have been received, these are summarised below:

Objections:

- Disturbance from general noise by holiday makers, music, smoke from bbqs
- Additional traffic on a narrow country lane unsafe for pedestrians
- No passing bays and limited footpath
- Loss of agricultural land
- Should be sited in a rural area not residential
- Loss of privacy
- Impact on wildlife

f) **1. The Site and Proposal**

- 1.1 The site is located within Wingham Well outside settlement confines and to the south-east of Wingham village.
- 1.2 The application site is a section of field that is situated behind the residential curtilage of no.2 Cornerways, Watercress Lane. The site shares the same vehicular access as the dwellinghouse. There is generous parking and turning space off the public highway.
- 1.3 The field is accessed to the rear of the property and is used to graze a small number of sheep throughout the year. The field boundaries are aligned by trees and hedges. Views to the site are restricted.
- 1.4 Planning permission is sought for the siting of 2 glamping pitches (shepherd huts) at the northernmost end of the application site, together with a converted horse box that would provide washing facilities.
- 1.5 The site is approximately 3.4 miles from Adisham train station and 1.2 miles to Wingham village. The village is a local centre that is served by two pubs, a general store, newsagent, a bakery, hairdresser, a café, an Indian restaurant, a wildlife park, a Church, a post office and one or two small independent shops such as The Chalk House. The village has a primary school and GP surgery.



**Figure 1: Site Location Plan**

## **2. Main Issues**

The main issues for consideration are:

- The principle of the development
- Impact on the character and appearance of the area
- Impact on residential amenity
- Impact on highway safety
- Other matters

### **Assessment**

#### **Principle of Development**

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. The application site lies outside Wingham settlement confines (around 410m away as the crow flies) and therefore in open countryside in policy terms.

2.2 Policy DM1 can permit development outside of settlement boundaries where it functionally requires such a location. *Development will not be permitted on land outside the urban boundaries and rural settlement confines shown on the proposals map unless specifically justified by other development plan policies, or*

*it functionally requires such a location, or it is ancillary to existing development or uses.*

- 2.3 The nature of the application being for a tourism glamping use is such that it would reasonably be expected to be found in the countryside.
- 2.4 Policy DM3 of the DDC Local Plan restricts new commercial development in rural areas unless it complies with specific policy criteria. Whilst the proposal does not lie within a village settlement, the proposed development contains no permanent new building works and will not restrict the existing agricultural use of the site. The proposed glamping units are of a built form that would be expected to be seen in the countryside and are very mobile structures. It is therefore considered that there is flexibility in applying this policy.
- 2.5 The NPPF provides support for a prosperous rural economy. In paragraph 84 (c) it states that 'Planning policies and decisions should enable: sustainable rural tourism and leisure developments which respect the character of the countryside.'
- 2.6 Consequently, the principle of the development is considered to be positively supported by the NPPF

#### Impact on Character and Appearance of the Area

- 2.7 Policy DM15 seeks to protect the countryside. Development will only be permitted if it is in accordance with allocations made in the development plan, is justified by the needs of agriculture, or justified by a need to sustain the rural economy or a rural community. In addition it must be shown that development cannot be accommodated elsewhere and does not result in the loss of ecological habitats. The proposal will contribute to the local rural economy – albeit on a small scale. It can reasonably be expected that glampers would make use of the facilities in the village of Wingham.
- 2.8 Policy DM16 states that development that would harm the character of the landscape will only be permitted if it is in accordance with allocations made in the development plan, incorporating any necessary mitigation; or it can be sited to avoid or reduce the harm and/or incorporate design measures to mitigate impacts to an acceptable level.
- 2.9 The landscape character assessment for this area recognises the loose knit character of the dwellings and the spaces between them. The proposed siting of the glamping units is tucked away to the rear of the field surrounded by indigenous species. The units will not be readily visible from Watercress Lane or the wider countryside. One of the core planning principles contained within the NPPF is that planning should 'take account of the different roles and character of different areas' and recognise 'the intrinsic character and beauty of the countryside' (para 174). It is not considered that this proposal will give rise to conflict with this core planning principle, nor will it fail to respect the character of this hamlet or cause harm to the intrinsic character and beauty of the countryside.
- 2.10 Chapter 6 of the NPPF is particularly relevant as this supports a prosperous rural economy. It is considered that the provision of two mobile glamping units will contribute to rural tourism. Accordingly, the development is considered to be acceptable in terms of its impact and its effect on the countryside. It falls within Core Strategy policies and the guidance contained in the NPPF.

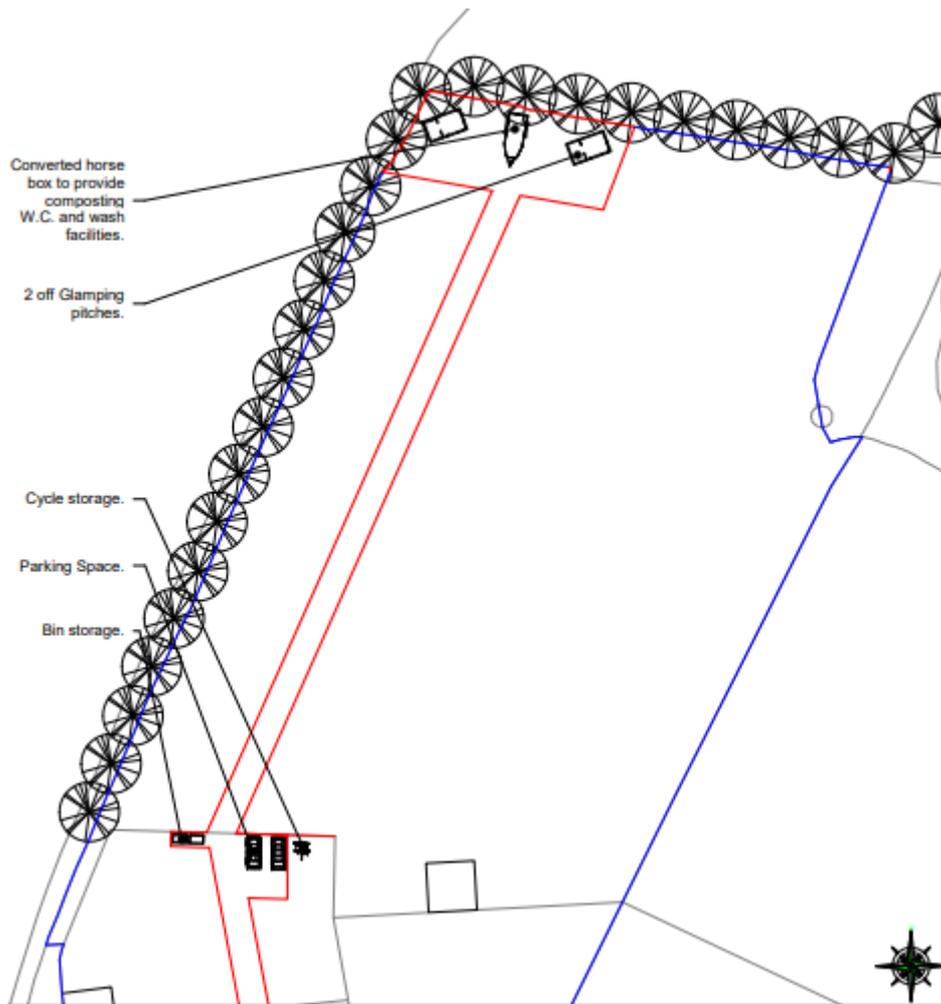


Figure 2 Block Plan

2.11 Policy DM15, relating to the protection of the countryside specifies that development which would result in the loss of, or adversely affect the character or appearance, of the countryside will only be permitted on certain circumstances.

2.12 It is considered the proposed structures would not result in the loss of, or adversely affect the character or appearance of the open countryside to such a harmful level as to justify withholding consent.

#### Impact on Residential Amenity

2.13 The closest dwelling to the proposal is no. 1 Cornerways Glampers would use the existing track which serves no.2 Cornerways which is separate from the access to no.1. The glamping vans are shown to occupy an area to the far north of the site.

2.14 Due to the limited additional vehicle movements to those that already occur in conjunction with the use of the land, it is not considered that there would be any undue harm to residential amenity, albeit there may be a minor amount of activity at night time if visitors are returning from eating out that would not normally occur from this site.

2.15 Objections have been received with regard to noise and disturbance from the

proposal. However, the proposed area for glamping is in excess of 132m from the nearest residential curtilage on Watercress Lane, together with the likely intermittent occupancy rate of the vans throughout the year, noise is not considered to be a ground for refusal.

#### Highway Considerations

- 2.16 The main issues for consideration in relation to highways are whether the increase in activity generated from the site would give rise to highway safety concerns; whether the proposed car parking arrangements are adequate and the site access suitable for purpose.
- 2.17 The proposed glamping facilities would be accessed via the existing access that serves no.2 Cornerways which is already used in conjunction with the use of the agricultural land.
- 2.18 Core Strategy policy DM11 directs that development which would generate travel will not be permitted outside of the rural settlement confines unless justified by development plan policies. In this instance there is an existing site which generates vehicle movements to and from the site and the limited no. of movements on a less frequent or predicatbale pattern from two glamping pitches is not felt to give rise to any highway/sustainability objection.
- 2.19 It is noted that concerns have been raised with regard to adequacy of the rural network of roads and their ability to support both existing and potential increased vehicle movements; in particular the use of Watercress Lane itself. This proposal does not comprise any alterations to the current access which is prominent and wide at its connection with Watercress Lane. Whilst the access is on a bend, it is on a quiet country lane that does not serve as a 'rat run' between main roads and the curvature of the road serves as a means of slowing vehicles down. Visibility in either direction is not negatively impacted by the bend, with reasonable visibility being achievable. It is concluded that this proposal is acceptable and would not cause severe harm to the highway network to warrant a refusal.

#### Other Issues

- 2.20 The comments of the DDC Ecologist were sought on the proposal. Due to the land being used for grazing, and having had regard for Natural England's Standing Advice, it is not deemed of significant ecological value. Accordingly no surveys have been sought. Reference has been made by objectors to wildlife in the locality, however as no excavating, construction or demolition of existing buildings is proposed, it is considered that this proposal will have limited impact on ecological interests.
- 2.21 Paragraph 177 of the NPPF states that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site, unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.
- 2.22 The initial representation submitted from Natural England raised concerns regarding the impact on the Stodmarsh Nutrient issue. However, it has recently been determined that any such impact is negligible from development in the district and accordingly such concerns are no longer valid. The impact of the proposed 2 Shepherd Huts is unlikely to have a significant effect on the site's conservation objectives. Occupation will vary throughout the year and the use will be less

intensive than permanent dwellings. As such it is not considered more detailed assessment is necessary in this instance or that the derogation requires consideration. In conclusion, no financial contributions or other mitigation measures are required from the proposal.

- 2.23 The applicant has submitted details of means to dispose of foul water. It has not been possible to secure a response on the methodology from the EA due to the protocol of consultation. Southern Water has advised permission would be required to connect to the mains drainage, but as set out in the documents alternative provision has been put forward. An informative would be imposed for the applicant to ensure any appropriate EA licence is obtained prior to the implementation of the means of waste disposal.

### **3. Conclusion**

- 3.1 The proposed mixed use of part of the site to accommodate two glamping vans, alongside the agricultural use of the land, is not considered to conflict with the policies in place to protect the countryside and restrict development.
- 3.2 The NPPF supports tourism and acknowledges the role that it plays in the rural economy. The proposal will contribute on a small scale to this rural economy.
- 3.3 The proposal will not be visible from the wider countryside and the level of activity that would be generated from such a scale of development will have minimal impact on the amenity of the area.

### **g) Recommendation**

- I Planning permission be GRANTED, subject to the imposition of the following conditions:
1. Time period
  2. Plans
  3. Drainage implementation
  4. No more than 2 glamping units
  5. No permanent residential use
  6. Written log of visitors
  7. EVC points
- II Powers to be delegated to the Head of Planning and Development to settle any necessary planning conditions in line with the issues set out in the recommendation and as resolved by the Planning Committee.

Case Officer

Amanda Marks