

- a) **DOV/21/01826 - Change of use of land to seasonal glamping to include the erection of 15 bell tents, 5 toilet/shower blocks, the stationing of a static caravan for on-site warden, siting of one storage container, 3 gated dog walking pens and associated parking - Land North-East of Durlock Bridge, Durlock Road, Ash**

Reason for report – Number of contrary views (10)

- b) **Summary of Recommendation**

Planning permission be granted.

- c) **Planning Policy and Guidance**

Ash Neighbourhood Plan: ANP1, ANP4, ANP5, ANP6, ANP13, ANP15 and ANP16

Core Strategy Policies (2010): CP1, CP6, CP7, DM1, DM3, DM11, DM13, DM15, DM16

Local Plan (2002) Saved policies: Policy LE30 -Campsites, CO8 Development affecting hedgerows.

Draft Dover District Local Plan to 2040

The Consultation Draft Dover District Local Plan is a material planning consideration in the determination of this planning application. At this stage in the plan making process (Regulation 19) the policies of the draft can be afforded some weight, but this depends on the nature of objections and consistency with the NPPF.

Draft policies SP1, SP6, SP11, SP13, SP14, E4, PM1, TI1 and TI3 are considered most relevant to this application.

National Planning Policy Framework (NPPF) (2021): Paragraphs 7, 8, 11, 92, 110, 111, 112, 119, 130, 174, 180

National Design Guide & National Model Design Code (2021)

- d) **Relevant Planning History**

None

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

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

Ash Parish Council –

Initial response- Ash Parish Council requests conditions are agreed should the application be approved relating to:

- Trees / hedgerows
- No expansion of the site due to flood risk
- Incorporating the PRow into the landscape design
- Preservation of dark skies in this rural setting.
- Retention of the biodiversity area
- Maximise low energy consumption
- Neighbouring amenity in relation to the dog walking element of the proposal.

- Months of operation restricted to 1st April to 1st October.
- Use of the one static caravan

Comments were raised relating to:

- Increased traffic movements along a narrow rural lane.
- Consideration of an occupancy rate of no more than 36.4 persons per night during each seasonal occupation period.
- Amount of parking provided
- Clarification of provision of shower cubicles / toilets

Second response- Comments were made relating to:

- Possible noise from the dog walking in proximity to neighbours living close to the site
- Additional traffic movements to and from the site. Provisions need to be made regarding vehicle access.

KCC Highways—Following the submission of further information and an amended site location plan which shows bin storage facilities, confirmed that provided the following requirements are secured by condition or planning obligation, no objection is raised:-

- Use of a bound surface for the first 5 metres of the access from the edge of the highway.
- Gates to open away from the highway and to be set back a minimum of 5 metres from the edge of the carriageway

KCC Ecology – We have reviewed the ecological information submitted in support of this planning application and advise that sufficient information has been provided regarding protected habitats and species. If planning permission is granted, we advise that a condition securing the implementation of ecological enhancements and a lighting strategy is attached.

KCC PROW– No comments

Environment Agency– No comments

Natural England—The application could have potential significant effects on Stodmarsh Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar, Thanet Coast and Sandwich Bay SPA and Ramsar. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. The following information is required:

- A demonstration that the requirements of Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) have been considered by your authority.
- Clarity around certain figures used in the submitted Nutrient Neutrality Report (May, 2022)
- Consideration of recreational disturbance impacts of proposed development, contributing to the agreed strategic solution if required.

Rural planning consultant- There appears to be no related issue in terms of any significant, permanent loss of agricultural land; whilst the site lies in a general area of high quality land, there is no irreversible development proposed that would prevent a return to a productive agricultural use, should that be needed at some future date. The

overall acceptability of the proposed change of use, as a tourist venture, is a matter for the Council.

Third-Party Representations:

10 representations of objection have been received and are summarised below:

- The land was cleared before the PEA took place.
- Dog fouling
- The site notice was not sufficiently prominent.
- The site is outside of settlement boundary

22 representations in support of the proposals have been received and are summarised below:

- Benefit to local economy and employment
- Boost to the tourism sector
- There is a local bus service via the site
- The public footpath allows access into Ash village

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

1.1 The site is located to the south-west of the village of Ash, on the east of Durlock Road, as shown in figure 1 below. It is located outside of the Ash village confines as shown in the Ash Neighbourhood Plan.



Figure 1: Site location Plan, NTS

1. 2 The site is rectangular in shape and rises gently to its northern end. There are existing shelter belts around the perimeter of the site and running north-south through the site, dividing the site into three parcels. To the south of the site running parallel to the boundary is the Wingham River. Public Right of Way EE118 is located within the site, running alongside the northern boundary.
1. 3 To the north, south and east is agricultural land. To the west of the opposite side of Durlock Road is Durlock House and Durlock Bridge Poultry Farm.
1. 4 The proposal is for the change of use of land to seasonal glamping to include the erection 15 no. bell tents, 5 no. toilet/shower blocks, the stationing of a static caravan for on-site warden, siting of one storage container, 3no. gated dog walking pens and associated parking. The application utilises the existing vehicle access from Durlock Road on the western boundary of the site. Figures 2 and 3 below show the existing and proposed.



Figure 2 Existing site layout, NTS

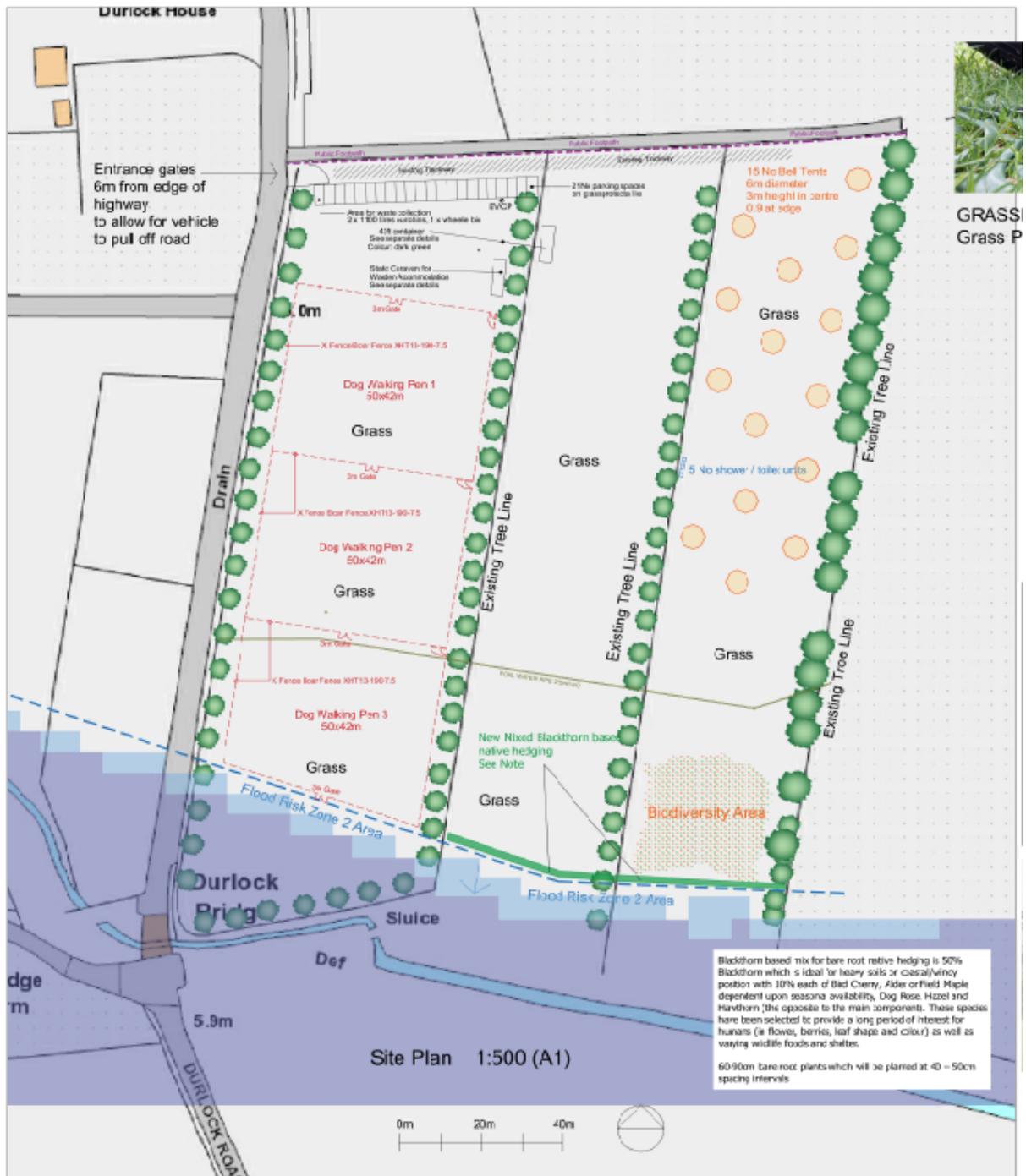


Figure 3 Proposed site layout, NTS

2. Main Issues

2.1 The main issues for consideration are:

- The principle of the development
- The impact on the character and appearance
- Landscape impact
- Heritage impact
- The impact on residential amenity

- The impact on parking and highways
- The impact on ecology and biodiversity
- The impact on flood risk

Assessment

Principle of Development

- 2.2 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.
- 2.3 The application site is located within the boundary of the adopted Ash Parish Council Neighbourhood Development Plan (2021). Therefore, policies ANP1 and ANP15 are considered the most relevant in determination of this application.
- 2.4 Notwithstanding the primacy of the development plan, paragraph 11 of the NPPF states that where the policies which are most important for determining the application are out of date (including where the LPA cannot demonstrate a five year housing land supply or where the LPA has 'failed' the Housing Delivery Test), permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole (known as the 'tilted balance') or where specific policies in the NPPF indicate that development should be restricted.
- 2.5 At the present time the council has a demonstrable 5-year housing land supply of 6.16 years and has not failed to deliver the housing delivery test requirement (delivering 88%). Furthermore, it is considered that the main policies for determining the application ANP1 and ANP15 are up-to-date given that the Ash Neighbourhood Plan was adopted in 2021 and as such the 'tilted balance' (paragraph 11, NPPF) would not be engaged.
- 2.6 ANP1 states that development beyond the Ash village settlement boundary will be supported where it provides for a local business or community need on a site that is adjacent to or beyond the existing village settlement area and is physically well related to the existing settlement boundaries. In addition, development proposals must have regard to the purpose of conserving and improving the physical surroundings and should maintain the distinctive views and visual connectivity of the village with the surrounding countryside from public vantage points within, and adjacent to, the built-up area. Lighting should only be directed where necessary and there should be no loss of night-time dark skies due to light pollution
- 2.7 Policy ANP15 seeks that proposals should include measures to minimise and make acceptable the impacts on the local road network by demonstrating how walking and cycling opportunities have been prioritised and new connections have been made to existing routes.
- 2.8 Historically the expansion of Ash constitutes ribbon development out to the west and east and is characterised by sporadic mix of development along Guilton and Durlock Road, including residential, market gardens and agricultural uses, such that the hamlets of Guilton and Dulock are within the immediate environs of the village of Ash. As such it is considered that the proposed development would constitute a local business on a site that is beyond the existing village settlement area and is physically well related to the existing settlement boundary. It is

considered that the proposals meet the criteria of ANP1 and this is discussed in the remaining relevant sections of the report.

- 2.9 A public right of way runs parallel to the northern boundary of the site and the PROW network including walking routes into Ash village centre are accessible from the site. Ash village centre is approximately 1km (15 minutes walking time) from the site. The bus stop at Guilton is approximately 800m (10 mins walk) from the site. It is considered that the proposals meet the criteria of ANP15.
- 2.10 Policies CP1, DM1, DM3, DM11 and DM15 of the adopted core strategy (2010) and saved policy LE30 of the Dover District Local Plan 2002, are also considered relevant to the principle of development. Policies CP1 and DM1 act together to confirm that the defined urban area and villages are intended to be the focus for new development in the district. DM3 seeks to resist commercial development in the rural area unless it is located at a Rural Service Centre or Local Centre as designated in the settlement hierarchy, it is consistent with the scale and setting of the settlement, or it is at a Village (provided it would not generate significant travel demand and is in other respects consistent with the scale and setting of the settlement). In all cases, development should be within rural settlement confines unless no suitable site exists, when it should be located adjacent to the settlement unless there is a functional requirement for it to be located elsewhere. Policy DM11 seeks to manage travel and states that development that would generate travel will not be permitted outside the urban boundaries and rural settlement confines unless justified by development plan policies. Policy DM15 seeks to resist development that would result in the loss of, or adversely affect the character or appearance, of the countryside.
- 2.11 It is considered that weight should be given in favour of the principle of tourist development, which provides some counterbalance to the otherwise unsustainable nature of the site's location, with countryside locations often being desirable for tourist accommodation. Whilst it is acknowledged that a rural location may be beneficial, the proposed change of use of the land to holiday accommodation would be contrary to CP1, DM1, DM3, DM11 and DM15.
- 2.12 However, it should be noted that these policies in effect place a blanket restriction on development which is located outside of settlement confines, which is significantly more restrictive than the NPPF. Therefore, as a matter of judgement, it is considered that the above basket of policies is out-of-date and, as a result, carry reduced weight.
- 2.13 Saved policy LE30 of the Dover District Local Plan 2002, is also considered relevant. The policy supports new camping sites, which are well related to the primary transport network, and include a landscaping scheme.
- 2.14 The proposal consists of a new campsite with good transport links, including proximity to the A257, a bus in Guilton for service 43 (Canterbury- Sandwich) 800m (10 minute walk) and being well positioned to make use of the PROW network, with Bridleway and footpath links to Guilton and Ash. The proposals also include a landscaping scheme which is discussed later in the report. As such the proposals are considered to accord with saved policy LE30.
- 2.15 Draft policies SP1, SP6, E4 and TI1 are considered relevant to the principle of this development. Draft policy SP1 seeks to ensure new development contributes to climate change mitigation including by reducing the need to travel and maximising opportunities for sustainable transport options. Draft policy TI1 requires that

development be readily accessible by sustainable transport modes through the provision of high quality, safe and direct walking and cycling routes.

- 2.16 Draft policy SP6 seeks to support tourism development that would extend the range of tourist facilities particularly those that attract the staying visitor, increase the attraction of tourists to the area and extend the season. Draft policy E4 states that proposals for self-catering tourism accommodation, including glamping, will be supported across the district subject to specific criteria, including the following relevant criteria:

i The scale and design of the proposal is compatible with the character, layout, density, fabric and appearance of the existing settlement, surrounding area, and where relevant the countryside;

iii The level and type of activity the proposal generates and the functional and visual relationship it has with adjoining uses would not result in harm to the character and appearance of the surrounding area, including where relevant the character and quality of the countryside;

iv It would conserve and enhance landscape character and biodiversity and not result in an unacceptable intrusion into open countryside or the loss of important green spaces within the confines that contribute positively to the existing character of that settlement;

v It would preserve or enhance any heritage assets within its setting;

vi It would not have an adverse impact on the living conditions of existing adjoining residents;

vii Appropriate provision can be made for parking and access;

viii It is demonstrated that traffic generated from the development can be safely accommodated on the local road network, and the development will not generate a type or amount of traffic that would be inappropriate to the rural road network; and

ix Proposals should seek to improve provision of sustainable travel options to the site wherever possible, in accordance with Policy TI1.

- 2.17 The proposals are considered to accord with draft policies SP6 and EM4 of the regulation 19 stage draft local plan, meeting the criteria set out, and the criteria are assessed further in the report.

- 2.18 To conclude it is considered that the proposals accord with the policies for determining the application, ANP1 and ANP15, in the adopted and up to date Ash Neighbourhood Plan. In addition, the proposal also accords with saved policy LE30 and emerging policies SP1, SP6, E4 and TI1. The proposal does not accord with the remaining development plan policies of CP1, DM1, DM3, DM11 and DM15, however as previously discussed these are considered out of date and as such reduced weight can be given to these. Given the above, the principle of the development is considered acceptable.

Impact on the Character and Appearance

- 2.19 ANP1 states that development proposals must have regard to the purpose of conserving and improving the physical surroundings. ANP6 states that proposals for new development should demonstrate a high standard of design which respects and reinforces the local distinctiveness of its location, surroundings and the individual character areas of the Parish. All new developments should be designed to avoid increased vulnerability to the impacts of climate change by ensuring development demonstrate how adaption measures and sustainable development principles have been incorporated into the design and proposed implementation.
- 2.20 Draft policy PM1 states that all development in the district must achieve a high quality of design, that promotes sustainability, and fosters a positive sense of place. New development must demonstrate an understanding and awareness of the context of the area. It should be compatible with neighbouring buildings and spaces, and respect and enhance character to create locally distinctive design or create character where none exists.
- 2.21 The proposal is for a seasonal camping site with 15 bell tents, five toilet and shower blocks, a static caravan for an on-site warden for the duration of the camping season only, and the permanent siting of one storage container to enable the storage of items over-winter.
- 2.22 The bell tents would measure 6m in diameter and 3m in height (as shown below in figure 4) and would be located at the eastern portion of the site. The shower and toilet cubicles measure 1.1 x 1.1 x 2.5m high, will be finished in a light green colour, and will also be located in the eastern portion.



Figure 4 - Bell Tent

- 2.23 The storage container is a shipping container which measures 12.2 x 2.4 x 2.6m high (as shown below in figure 5) and is finished in dark green. This will be located at the northern end of the site.

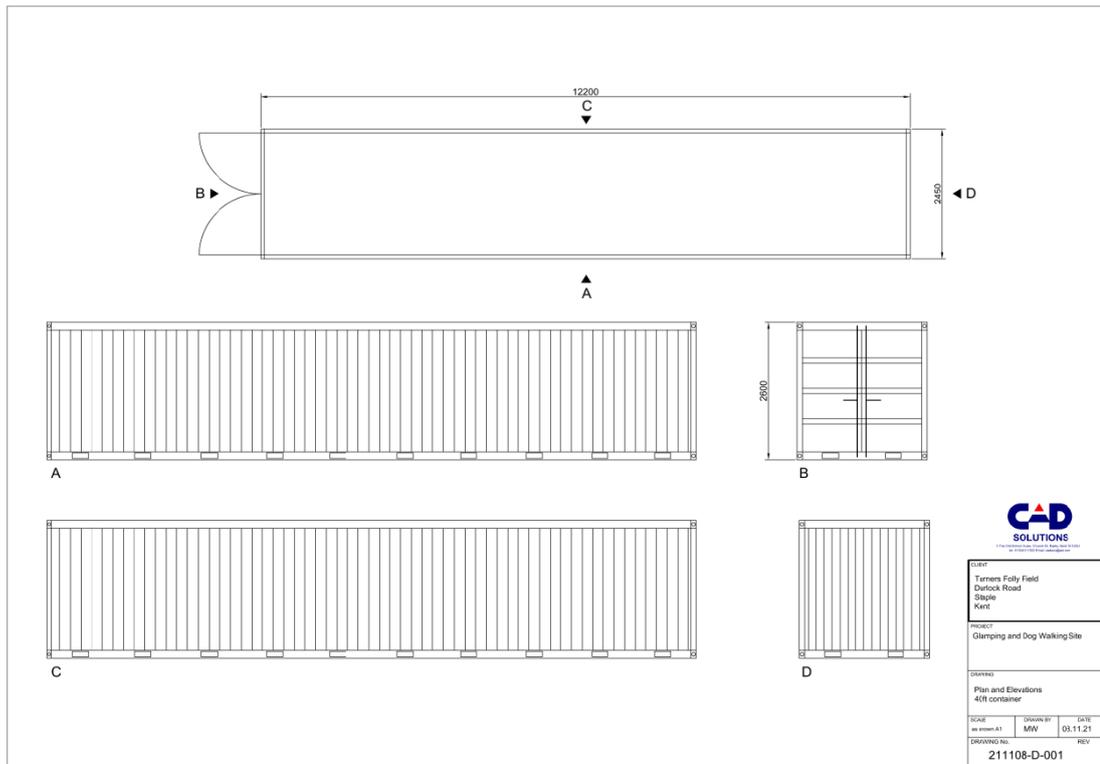


Figure 5 - Storage Container

- 2.24 The proposed static caravan will be occupied seasonally to coincide with when the campsite is operational and will be located alongside the existing tree belt.
- 2.25 Refuse and recycling storage areas are proposed and located near to the access onto Durlock Road.
- 2.26 A dog walking area, split into three paddocks, is provided to the west of the site, along the roadside. The dog walking area comprises three pens each measuring 50 metres by 40 metres and enclosed with post and wire fencing. The intention is that bookings will be taken on-line in hourly slots for the dog walking, with a 15 minute gap between bookings to enable a turn around and to reduce the number of vehicles on site at any one time. The dog-walking will operate year round. No advertisements, lighting or agility structures will be erected to ensure protection of the countryside. Dog walkers will be responsible for taking their dog foulings away from the site.
- 2.27 Car parking will be provided immediately to the south of the existing entrance with green grasscrete. Within weeks of being put down the grass will grow through the grasscrete and there will be no landscape impact as a consequence of the proposed parking area.
- 2.28 The vehicle parking area will be used by both campers and dog-walkers. It is considered that cycle parking can be secured by condition.

- 2.29 The proposals are considered small in massing and height and, combined with the location on the site of the tents, toilet/ shower blocks, storage container and seasonal caravan, are not considered to have an unacceptable impact on existing character and appearance of the streetscene or immediate area. In addition to this there would be an element of screening provided by the existing tree belts.
- 2.30 As such it is considered that the proposals would accord with ANP1, draft policy PM1 and paragraph 130 of the NPPF.

Landscape Impact

- 2.31 Paragraph 174 of the NPPF states that development should contribute to and enhance the intrinsic character and beauty of the countryside.
- 2.32 ANP1 states that Development proposals must have regard to the purpose of conserving and improving the physical surroundings and the natural beauty by enhancing and expanding the trees and hedgerows, preferably native/indigenous, and landscape within the designated area. Developments should respect the natural environment within the designated site and adjacent land by enhancing and re-connecting the existing natural features such as veteran trees, hedges, protecting wildlife corridors/ watercourses. Developments would maintain the distinctive views and visual connectivity of the village with the surrounding countryside from public vantage points within, and adjacent to, the built-up area, in particular those defined on Map 6 (Key views in and around the village of Ash). Lighting should only be directed where necessary and there should be no loss of night-time dark skies due to light pollution.
- 2.33 Policy DM16 relates to landscape character and seeks to avoid development that would result in harm to the character of the landscape unless it is in accordance with allocations made in the development plan, or it can be sited to avoid or reduce harm and/or incorporate design measures to mitigate impacts to an acceptable level.
- 2.34 Draft policy NE2 sets out that proposals should demonstrate particular regard to the Landscape Character Area, as defined by the Dover District Landscape Character Assessment 2020 and in which they are located, including the characteristics of landform and topography, and the pattern and distribution of settlements.
- 2.35 The site lies within the Staple Farmlands landscape character area. The area is characterised by generally undulating topography, with the Wingham River extending through the area at Durlock Bridge. The area contains poplar shelter belts and conifer plantations, scattered historic settlement pattern, mixed land use of arable and grazing fields interspersed with orchards and vineyards, and overall a tranquil landscape with a good experience of dark skies.
- 2.36 Guidelines for landscape and development management include conserving the traditional landscape pattern and structure, increasing biodiversity interest through the establishment of hedgerows along field boundaries, protecting the valued recreation usage of the landscape, and seeking opportunities to further enhance access and enjoyment, avoiding the introduction of large scale or incongruous elements in order to conserve the open landscape and resisting proposals for highway upgrading to retain the rural character of the narrow lanes and associated verges.

- 2.37 The site can be viewed from higher ground including from parts of the Ash ridge to the North of the site and at a distance from the South when approaching the site along Durlock Road. The site is visible from PROW EE118 which runs parallel to the northern boundary. The site is also visible from PROW EE193 approximately 380 m away to the east.
- 2.38 The site occupies a low-lying position within the landscape and surrounded by poplar shelter belts. In its vicinity are Durlock Bridge poultry farm to the west of Durlock Road, to the north of the site is Durlock House, and to the east is Poulton farm at a distance of 400m from the site. In its immediate setting it is viewed in the context of these surrounding elements of existing development. As discussed above there is a scattered settlement pattern within the landscape and a mixed land use. This mix of uses is evident in the landscape surrounding the site when the site is viewed in a wider context.
- 2.39 The site does not relate to any of the key views identified in the Ash Neighbourhood plan and refereed in policy ANP1.
- 2.40 By virtue of the small scale of the proposals, low lying topography, surrounding poplar shelter belts and the existing context of scattered development and mix of land uses in the surrounding area, the proposals are not considered to be visibility prominent in the surrounding landscape.
- 2.41 It is considered therefore that the development of the site would not result in an incongruous form of development and would be in keeping with the existing scattered pattern of development and mix of land uses which partly define the landscape character in this area and would not erode the open character of this part of the countryside.
- 2.42 In relation to preservation of dark skies, it is considered that the scale and nature of the proposals would be unlikely to cause unacceptable harm, however it is considered that a condition listing details of external lighting should be attached to the planning permission.
- 2.43 As such the proposals are considered to accord with the aims and objectives of the NPPF, policy DM16 and draft policy NE2.

Heritage Impact

- 2.44 Paragraph 195 states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 2.45 ANP6 requires development proposals to respect, conserve and enhance the settings of Listed Buildings and street frontages as described in the Ash Character Assessment and to respect the integrity, character and appearance of the conservation areas.
- 2.46 The site is located approximately 470m to the south of the Ash Gilton Conservation Area and approximately 350 m west of a grade II* listed building Poulton Manor. Given the distances retained and the small scale development proposed, it is not considered that there would be any unacceptable impact on these heritage assets.

- 2.47 As such the proposals are considered to be contrary to the aims and objectives of the NPPF, and draft policies HE1 and HE2.

Impact on Residential Amenity

- 2.48 Draft policy PM2 relates to quality of residential accommodation and requires that all new residential development, including conversions, must be compatible with neighbouring buildings and spaces and not lead to unacceptable living conditions for neighbouring properties through overlooking, noise or vibration, odour, light pollution, overshadowing, loss of natural light or sense of enclosure.
- 2.49 The nearest residential property is located approximately 50m from the site boundary, but approximately 125m from where the bell tents would be located. Given the scale of the development and the distance retained to nearby properties it is not considered there would be any unacceptable loss of amenity.

Impact on Parking/Highways

- 2.50 Policy DM13 requires that provision for parking should be a design led process based upon the characteristics of the site and the locality. Provision for residential development should be informed by guidance in the Core Strategy, and cycle provision informed by KCC Guidance SPG4.
- 2.51 Draft policy T13 sets out parking requirements for new developments. The standards set out in the Parking Standards for Kent SPD and Kent Design Guide Review: Interim Guidance Note 3 (or any subsequent guidance) are the starting point for decision-taking on acceptable parking provision in all developments.
- 2.52 The site has an existing vehicular access located at the northwest corner of the site boundary. Adjacent to the vehicular access, the site has a public footpath which runs along the northern edge of the access, signed with a fingerpost at the gated access point.
- 2.53 It is proposed to use the existing site access for the development. A new vehicle gate would be set back approximately 6m from the highway edge.
- 2.54 Adjacent to the vehicle entrance and parallel to the northern boundary of the site would be 21 parking spaces using green plastic grasscrete surfacing. The spaces would be for visitors and dog walkers.
- 2.55 KCC Highways and transportation have raised no objections following the submission of further information and an amended site location plan which shows bin storage facilities, subject to conditions being attached to permission requiring use of a bound surface for the first 5 metres of the access from the edge of the highway and gates to open away from the highway and to be set back a minimum of 5 metres from the edge of the carriageway.

Ecology

- 2.56 Policy ANP4 states that developments should provide biodiversity net gains and take the opportunity to maximise the benefits for biodiversity. Developments should seek to avoid any harm and to minimise any adverse impact upon the local biodiversity, habitats and wildlife. Where necessary and appropriate, proposed development should demonstrate that the conservation of protected and rare species will be maintained, including that of their foraging habitat. Where

necessary and appropriate, development should incorporate additional features for the support of protected species, such as bird and bat boxes, swift bricks and roosting sites and access routes for wildlife (e.g. hedgehogs).

- 2.57 Paragraph 180 requires that when determining planning applications, local planning authorities should refuse planning permission if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or compensated for. It also states that opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity.
- 2.58 Draft policy SP14 echoes this requiring that every development connects to and improves the wider ecological networks in which it is located, providing on-site green infrastructure that connects to off-site networks. Proposals must safeguard features of nature conservation interest, and retain, conserve and enhance habitats. Draft local plan policies SP14 and NE1 work together to ensure that the green infrastructure and biodiversity of the district are conserved and enhanced and seek biodiversity net gain.
- 2.59 Saved policy C08 states that development which would adversely affect a hedgerow will only be permitted if no practicable alternative exists and suitable native replacement planting is provided.
- 2.60 Draft policy SP13 relates to protecting the districts hierarchy of designated environmental sites and biodiversity assets. Draft policy NE3 sets out that financial contributions should be secured for developments within a 9km zone of influence of the Thanet Coast and Sandwich Bay SPA, towards monitoring and mitigation measures set out in the Thanet Coast and Sandwich Bay SAMP. It should be noted that NE3 would not be relevant to this application, as the application was submitted prior to publication of the Regulation 19 stage draft Dover district local plan.
- 2.61 A preliminary ecological appraisal was submitted and recommended that avoidance measures are implemented. These include protection of existing trees. In addition, a buffer of at least 7m with the southern ditch with the additional planting of a native species hedgerow and a mesh fence 7m north of the ditch should be constructed, this is to prevent habitat degradation for water voles and is indicated on the proposed site plan. In addition, measures to reduce impact on foraging and commuting bats are proposed in the PEA including the use of LED lights only.
- 2.62 The PEA recommends enhancement measures which include native hedgerow planting, a swathe of infrequently cut grassland, bat and bird boxes, log/brush piles for small mammals, invertebrates, reptiles and amphibians, and a grass/ compost heap for grass snakes.
- 2.63 KCC Ecology raise no objection to the proposed development and advise relevant conditions are attached.
- 2.64 To conclude, it is considered that the proposals would accord with policy ANP4, draft policies SP13, SP14, NE1 and NE3 and the aims of the NPPF.

Habitats Regulations (2017) Regulation 63: Appropriate Assessment

- 2.65 The impacts of the development have been considered and assessed. There is also a need to consider the likely significant effects on European Sites and the potential disturbance of birds due to increased recreational activity at Sandwich Bay and Pegwell Bay.
- 2.66 Detailed surveys at Sandwich Bay and Pegwell Bay have been carried out. However, applying a precautionary approach and with the best scientific knowledge in the field, it is not currently possible to discount the potential for housing development within Dover district, when considered in-combination with all other housing development within the district, to have a likely significant effect on the protected Thanet Coast and Sandwich Bay SPA and Ramsar sites.
- 2.67 Following consultation with Natural England, the identified pathway for such a likely significant effect is an increase in recreational activity which causes disturbance, predominantly by dog-walking, of the species which led to the designation of the sites and the integrity of the sites themselves. The Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy was agreed with Natural England in 2012 and is still considered to be effective in preventing or reducing the harmful effects of housing development on the sites.
- 2.68 Given the limited scale of the development proposed by this application, a contribution towards the Councils Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy will not be required as the costs of administration would negate the benefit of collecting a contribution. However, the development would still be mitigated by the Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy as the Council will draw on existing resources to fully implement the agreed Strategy.
- 2.69 Development in the district of Dover is no longer affected by the water quality and nutrient neutrality advice issued by Natural England in relation to Stodmarsh SPA/SAC/Ramsar site. Natural England has confirmed that it will be formally updating its advice on the Stodmarsh catchment in due course. Planning applications may now be determined without the need for an Appropriate Assessment of the implications of the application for the Stodmarsh site.

Flood Risk

- 2.70 The National Planning Policy Framework advises that development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Draft policy SP1 seeks to mitigate and adapt to climate change by ensuring development does not increase flood risk, including by taking a sequential approach to location of development. Draft policy CC5 states that development on sites at risk of flooding will only be permitted where it is demonstrated by a site specific flood risk assessment that the development would not result in a unacceptable risk on flooding on the site or elsewhere.
- 2.71 Part of the site was in flood zones 2 and 3. The site boundary has been amended, so that the site is now entirely within flood zone 1. The submitted drawings indicate that no development would be located within the flood zones 2 and 3. The application is also supported by an FRA.

3. Conclusion

- 3.1 It is recommended that planning permission is granted with conditions.

g) Recommendation

I PERMISSION BE GRANTED, with the following conditions:

- 1) Time
- 2) Plans
- 3) Bicycle storage
- 4) Vehicle parking
- 5) Bound Surface for the first 5 metres of the access
- 6) Any vehicle access gates set back a minimum of 5 metres from the edge of the carriageway.
- 7) Tree replacement
- 8) External lighting
- 9) Ecological avoidance and enhancement
- 10) Tents and as a camping pitches shall only take place between 1 April and 31 October
- 11) No more than fifteen bell tents (glamping pods)
- 12) No caravans or motorhomes shall be stationed on the site at any time, with the exception of the caravan/static home provided for the Warden
- 13) No caravan on the site shall be occupied between 31st October in any one year and 1st April in the succeeding year.
- 14) Refuse and recycling

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

Nicola Kingsford