

R03

F/TH/20/0668

PROPOSAL: Erection of 1No three bedroom dwelling for accommodation for glamping site manager

LOCATION: Huckleberry Farm Down Barton Road BIRCHINGTON Kent

WARD: Thanet Villages

AGENT: Mr Ian Horswell

APPLICANT: Mark Evans

RECOMMENDATION: Refuse Permission

For the following reasons:

1 The site lies outside of the village settlement boundary, and as such represents an unsustainable form of development within the countryside for which there is no overriding need, contrary to Policies SP01, SP24 and H01 of the Thanet Local Plan, and paragraphs 7 and 8 of the National Planning Policy Framework.

2 The proposed dwelling, by virtue of its prominent location, would appear visually divorced and isolated, impacting upon long distance views, and detracting from the open and undeveloped rural character of the area, severely detrimental to the appearance of the Landscape Character Area, whilst failing to protect the intrinsic character and beauty of the countryside, contrary to Thanet Local Plan Policies SR24, SR26, and QD02, and paragraphs 127 and 170 of the National Planning Policy Framework.

3 The proposed development will result in additional pressure on the Thanet Coast and Sandwich Bay Special Protection Area (SPA), and Sandwich Bay and Hacklinge Marshes Site of Special Scientific Interest (SSSI), and in the absence of an acceptable form of mitigation to relieve the pressure, the proposed development would be contrary to policy SP29 of the Thanet Local Plan and paragraph 177 of the National Planning Policy Framework.

SITE, LOCATION AND DESCRIPTION

The application site relates to a rectangular parcel of land on the northern side of Down Barton Road, St Nicholas at Wade. The site is located in the south western corner of a larger area of land which was granted consent last year for the change of use of land from agriculture to equestrian glamping and provision of 4No. mobile cabins for glamping use

together with a caravan for use as a reception. To the south east planning permission was granted in November 2019 for the erection of a single storey dwelling (OL/TH/19/0523 refers). To the west and south are open fields.

The site is located outside any defined settlement and within designated countryside as defined by the Local Plan.

RELEVANT PLANNING HISTORY

F/TH/20/0258 - Erection of 1No single storey 3 bedroom dwelling. Refused 28th July 2020.

R/TH/19/1687 - Application for the reserved matters of outline application OL/TH/19/0523 for the approval of access, appearance, landscaping, layout and scale including foul and surface water drainage for the erection of 1No. single dwelling. Approved 21st May 2020.

OL/TH/19/0523 - Single storey dwelling. Approved 15th November 2019.

F/TH/19/0175 - Change of use of land from agriculture to equestrian glamping and provision of 4No. mobile cabins for glamping use together with a caravan for use as a reception. Approved 20th December 2019.

PROPOSED DEVELOPMENT

Planning permission is sought for the erection of a dwelling of the manager of the glamping site approved under F/TH/19/0175.

The proposed dwelling would be located in the south west corner of the larger glamping site application site and would be accessed from an existing access from Down Barton Road to the west of the application site. It would have a footprint of some 72 square metres and have a height of 6.2m to its ridge.

It would be a two storey dwelling with the first floor rooms accommodated within the roofspace. The ground floor of the dwelling would accommodate an entrance hall, three bedrooms (one ensuite) and a bathroom together with an office. The office would have its own entrance door allowing it to be accessed from outside without accessing the rest of the dwelling. The first floor would be open plan living space (kitchen, dining area and lounge). It is proposed that the dwelling would be timber clad with a composite slate roof. The dwelling would be served by an area for vehicular parking and amenity space.

DEVELOPMENT PLAN POLICIES

SP01 - Strategic Policy Housing

SP13 - Housing Provision

SP24 - Development in the Countryside

SP26 - Landscape Character Areas

SP27 - Green Infrastructure

SP29 - Strategic Access Management and Monitoring Plan (SAMM)

SP30 - Biodiversity and Geodiversity Assets

SP35 - Quality Development
SP37 - Climate Change
SP43 - Safe and Sustainable Travel
SP44 - Accessible Locations
E02 - Home Working
H01 - Housing Development
H017 - New Dwellings for Rural Workers
HE01 - Archaeology
GI04 - Amenity Green Space and Equipped Play Areas
QD01 - Sustainable Design
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking

NOTIFICATIONS

Letters were sent to adjoining occupiers and a site notice posted close to the site.

Two representations have been received objecting to the application. Their comments are summarised below.

- Affect local ecology;
- Conflict with Local Plan;
- Development too high;
- General dislike of the proposal;
- Inadequate access;
- Inadequate public transport provision;
- Increase in traffic;
- Increase in pollution;
- Out of keeping with the character of the area;
- Overdevelopment;
- Strain on existing community facilities;
- Noise nuisance;
- Another attempt to change the use of agricultural land to residential;
- Will further accommodation be required for other employees such as stable hands;
- The Council should live up to their commitments to protect the villages from overdevelopment;
- Council records show that this is the 22nd planning application to be made on this parcel of land;
- There are also other applications for residential development in the surrounding area;
- At a loss to see why the application for the glamping site was allowed;
- The application for the glamping site specifies, in the applications submission and the conditions, the use of a caravan for reception purposes only. Year round

accommodation for a site manager is not required to support the seasonal glamping use;

- The other 2 camping site in the village are operational and not, as stated in the evidence for the glamping application closed;
- Site is clearly outside the defined settlement of St Nicholas at Wade and the need to protect the countryside overrides the need for further unjustified development - especially of this scale; and
- No details of waste and recycling storage have been provided. This is required under building regulations.

St Nicholas at Wade and Sarre Parish Council: This Proposed 3-bedroom Managers accommodation with checking in office is disproportionate for the area. Existing permission on this land (F/TH/19/0175) specifies, in both the application and the conditions (see the delegated report, condition 7), the use of a caravan for 'Reception' only purposes for the Glamping proposal. Therefore, the inclusion of a reception area within this development, would appear to be an attempt to justify a larger development. This would demonstrate there is not a "need" for this size design.

Additionally, in the previous application (F/TH/19/0175) representation within the delegated report, as supportive justification for this development, stated that "The campsite in the Village has already shut". This is not correct, and is open for business. Therefore, 'evidence' presented to the planning authority was misleading in helping them make their previous decision. This then gives new weight to the fact that this proposal is outside the defined confines of the settlement of St Nicholas at Wade, and, therefore must refer back to Policy CC1 of the (current) Thanet Local Plan that states that new development within the countryside will not be permitted unless there is a need for the development that overrides the need to protect the countryside. As St Nicholas at Wade has exceeded its proposed development numbers (including the 2 unbuilt dwellings on this land), the need to protect the surrounding countryside therefore overrides the need for further unjustified development, and certainly one of this size.

In Section 14 of the planning application - it does not incorporate areas to store and aid the collection of waste, nor have arrangements been made for the separate storage and collection of recyclable waste. As this is a statutory service provided by the local authority, and that the applicant identifies this (Application section 16) proposal as 'residential', it must provide for this under the building regulations (Requirement H6).

The Parish council would appreciate these comments being taken into consideration when determining your decision.

CONSULTATIONS

Natural England: Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar Site(s) may result from increased recreational disturbance. Your authority has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound.

Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s). However, our advice is that this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, may need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017.

This is because Natural England notes that the recent People Over Wind Ruling by the Court of Justice of the European Union concluded that, when interpreting article 6(3) of the Habitats Directive, it is not appropriate when determining whether or not a plan or project is likely to have a significant effect on a site and requires an appropriate assessment, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site. The ruling also concluded that such measures can however be considered during an appropriate assessment to determine whether a plan or project will have an adverse effect on the integrity of the European site. Your Authority should have regard to this and may wish to seek its own legal advice to fully understand the implications of this ruling in this context.

Natural England advises that it is a matter for your Authority to decide whether an appropriate assessment of this proposal is necessary in light of this ruling. In accordance with the Conservation of Habitats & Species Regulations 2017, Natural England must be consulted on any appropriate assessment your Authority may decide to make.

Environment Agency: We have assessed this application as having a low environmental risk, although we do have the following comment in regards to the proposed foul drainage solution.

Drainage may be restricted in a source protection zone or over an aquifer where groundwater is at shallow depths. Foul drainage should be discharged to mains sewers where possible. If alternatives are being explored then developers should check the .Gov website for Binding Rules information for small scale non mains discharges.

Developments where there is available connection to foul sewer cannot generally use non mains drainage.

Non planning consents

Although we have no comments on this planning application, the applicant may be required to apply for other consents directly from us. The term 'consent' covers consents, permissions or licenses for different activities (such as water abstraction or discharging to a stream), and we have a regulatory role in issuing and monitoring them. The applicant should contact 03708 506 506 or consult our website to establish whether a consent will be required.

Southern Water: Southern Water would not support the proposals for septic tanks or private treatment plants in the presence of a public foul sewerage network in the vicinity of the development site. The foul sewage shall be disposed in accordance with Part H1 of Building Regulations hierarchy.

Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development, please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link:

southernwater.co.uk/developing-building/connection-charging-arrangements

The Environment Agency shall be consulted directly regarding the use of a cesspit.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

KCC Archaeology: Thank you for consulting on the above application. I have checked our records and note that the proposal is sited within an area of significant archaeological potential. The fields to the west and east contain evidence of ancient landscapes visible as crop marks on aerial photographs. These include clear evidence of prehistoric funerary monuments, enclosures, trackways, and fields of unknown date, pit groups and alignments and evidence for structures. Finds in the surrounding fields include artefacts of Iron Age, Roman, Saxon and Medieval date. Cropmarks found to the west of the site would, prior to development of Huckleberry Farm, have extended into the farm area.

Given the significant archaeological potential of the area I advise that provision should be made in any forthcoming permission for archaeological assessment and evaluation to be followed by appropriate mitigation measures to be agreed following the results of evaluation. The following clause would be appropriate

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of

- i. archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
- ii. following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigations of adverse impacts through preservation in situ or by record.

KCC Highways: Non protocol application.

KCC Biodiversity: Thank you for providing recent pictures of the site. No ecological information has been submitted with this application. As a result of reviewing the data we have available to us (including aerial photos, biological records and pictures sent by the

LPO) we advise that the proposed development has limited potential to result in ecological impacts.

The proposed development site appears to be mainly short cut grassland with limited potential for protected species. As such we are satisfied that there is no requirement for ecological information to be submitted with the planning application.

The photos indicate that the existing site is regularly mown grassland and we advise that this must continue to ensure that suitable habitat for protected/notable species does not establish within the site. We advise that the bunds on the edge of the location plan to be retained within the proposed development shall be protected during construction.

Designated sites

The development includes proposals for new dwellings within 2.7km of the Thanet Coast and Sandwich Bay Special Protection Areas (SPAs) and Wetlands of International Importance under the Ramsar Convention (Ramsar Sites) and we understand that the proposed opening times of the development will be all year round. Thanet District Council will need to ensure that the proposals fully adhere to the agreed approach within the North Kent Strategic Access Management and Monitoring Strategy (SAMM) to mitigate for additional recreational impacts on the designated sites and to ensure that adequate means are in place to secure the mitigation before first occupation. We noted from the Supporting Statement document that the proposed opening times will be all year round.

The applicant will need to contribute to the SAMM to enable them to demonstrate that they will avoid a likely significant effect on the designated sites. However, a recent decision from the Court of Justice of the European Union means that an Appropriate Assessment is required to be carried out by Thanet District Council. The ruling has detailed that mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a full 'appropriate assessment' is needed under the Habitats Directive. Therefore, for this application, an Appropriate Assessment will need to be carried out. Natural England is the statutory consultee for designated sites and should be consulted for comment on this Appropriate Assessment.

Ecological Enhancements

The application provides opportunities to incorporate features into the design which are beneficial to wildlife, such as native species planting or the installation of bat/bird nest boxes on existing buildings. This is in accordance with Paragraph 175 of the NPPF "opportunities to incorporate biodiversity improvements in and around developments should be encouraged".

We advise that details of ecological enhancements to be incorporated in to the site must be secured as a condition of planning permission if granted - suggestions include:

- o Bird boxes erected within the site;
- o Use of native species within the landscaping scheme and site boundaries.

COMMENTS

The application has been called to Planning Committee by Councillor Pugh for Members to discuss the economic benefits of the application.

The main considerations in the determination of the application are the principle of development, impact on the character and appearance of the area, impact on the residential amenities of adjoining occupiers, highways, biodiversity, drainage and archaeology.

Principle

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2014, planning decisions must be taken in accordance with the 'development plan' unless material considerations indicate otherwise. The requirements of the National Planning Policy Framework (NPPF) are a significant material consideration in this regard.

The NPPF states that housing applications should be considered in the context of the presumption of sustainable development. In determining whether housing on the site would be acceptable, the need for housing in the district will therefore need to be balanced against other issues such as the impact upon the countryside, sustainability of the site, character and appearance of the proposed development and highway safety.

Thanet Council has recently adopted its new Local Plan (July 2020). It is confirmed that a full allocation of housing for the plan period has been identified within the Draft Local Plan, which in addition to the properties built, granted planning permission, empty properties to be brought back into use, and windfall sites, will exceed the Council's requirement of 17,140 of residential units during the plan period up until 2031.

Policy SP24 of the Local Plan considers development within the countryside, and provides a list of development within the countryside that is permitted through the policy. The proposed development does not fall within the development permitted, and as such the proposal is considered to be contrary to Policy SP24 of the Local Plan.

Policy H01 of the Thanet Local Plan states that permission for new housing development will be granted on non-allocated sites within the confines of the urban area and villages. Furthermore, Policy SP01 of the Thanet Local Plan states that the primary focus for new housing development in Thanet is the urban area as identified on the Policies Map. The proposal falls outside of the village confines, and is therefore contrary to Policy H01 of the Thanet Local Plan, whilst also failing to comply with the objective of Policy SP01.

Whilst located fairly close to the edge of the village confines, the site has poor linkages to the village, and any occupier of it would therefore be likely to be reliant on the car to use the services and facilities of the village. This would be exacerbated by the fact that the site is not served by a footpath, there is no street lighting and this part of the road is particularly narrow, with only one car being able to utilise the road at any one time. The site is not therefore considered to be overly sustainable in its location, however, Members have recently approved an application for the erection of a dwelling at Huckleberry Farm, to the south of the application site, and on this basis it would not be considered reasonable to refuse the application on the grounds of its location in relation to the village.

It is noted that the application has been described as a dwelling for the manager of the glamping site, but no information has been submitted to demonstrate why the manager of the site would need to live on site or why a three bedroom dwelling would be required.

Paragraph 79 of the National Planning Policy Framework states that Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply: a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside; b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; c) the development would re-use redundant or disused buildings and enhance its immediate setting; d) the development would involve the subdivision of an existing residential dwelling; or e) the design is of exceptional quality, in that it: - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

Policy HO17 of the Local Plan states that "The provision of a new dwelling for rural workers in the district will be permitted only where it is demonstrated that there is an essential need for them to live at or near their place of work and the proposal is acceptable in terms of access, design and location."

It is not considered that the proposed dwelling meets any of the criteria in paragraph 79 of the NPPF or policy HO17. There is no essential need for a rural worker to live in this location, it would not secure the future of a heritage asset, or involve the reuse of a redundant/disused building or subdivision of an existing residential dwelling nor is it considered that the design of the proposed dwelling is of an exceptional quality.

Due to the lack of overarching need for the proposed dwelling, there are only limited economic and social benefits that can be attributed to the provision of this single dwelling, which needs to be weighed against any environmental harm resulting from the proposal.

Character and Appearance

The NPPF states that planning decisions should aim to ensure that development should aim to ensure that developments will function well and add to the overall quality of the area; establish a strong sense of place; respond to local character and history; reflect the identity of local surroundings and materials; and are visually attractive as a result of good architecture and appropriate landscaping (paragraph 127).

The site lies outside of the built up village confines of St Nicholas-at-Wade, and within the St. Nicholas at Wade Undulating Chalk Farmland Landscape Character Area (formerly known as the Former Wantsum Channel Character Area) for which the key sensitivities and qualities as identified within the Council's Landscape Character Assessment (2017) include the openness and undeveloped character of the farmland that contributes to the essentially rural character and relatively dark skies; occasional quiet rural lanes; and long distance panoramic views, big skies and uninterrupted sea views from elevated locations.

Whilst planning permission has been granted for a dwelling at Huckleberry Farm, adjacent to the south east of this current application site, this site differs from the application site in that it contains agricultural buildings to its rear, and is screened by vegetation to most boundaries with the dwelling there served by an existing access road serving the site to the rear, thereby varying in character to the application site, which is more open in character particularly to its frontage and its western boundary and would require the formation of a new access road from Down Barton Road. The area of land to the west of the application site would remain open, along with the land opposite the site, which forms open countryside, and as such long views of the site would be possible from both Down Barton Road, and in longer distant views across the fields.

The proposed dwelling, if permitted, would be visually divorced from the rest of the St Nicholas at Wade settlement. It would not represent in-fill development or a cluster of residential development or have any real visual relationship to the existing stables and glamping pods on the adjoining site which are currently under construction and it would be in an area of only sporadic development. The site also lies within the St.Nicholas at Wade Undulating Chalk Farmland Landscape Character Area for which the key sensitivities and qualities as include the openness and undeveloped character of the farmland that contributes to the essentially rural character and relatively dark skies; occasional quiet rural lanes; and long distance panoramic views, big skies and uninterrupted sea views from elevated locations.

Although the application site was included in the wider application site for the glamping use, it is currently essentially unused and has some tree screening along some of its boundary to the south and west along the access road, but the site can be seen from the existing access road and the surrounding area particularly from the western end of Down Barton Road and across the adjacent field to the west. The trees are not protected by any Tree Preservation Orders or by virtue of being within a Conservation Area, as such they could be removed at any time. Whilst trees are proposed on the western boundary, these will take time to establish and would be solely provided to screen the development rather than respond to the landscape character area, with views still possible from the west of the site to the proposed dwelling. As such it is not considered that they can be relied upon to screen development on the site. As such any development within the site would intrude upon the views across the countryside from Down Barton Road, which would detract from its open undeveloped character. Due to its location it would appear as sporadic development that would encroach into the open countryside and would not appear as a logical expansion of the built form of the village. A Landscape and Visual Impact Assessment has not been submitted with this application, and therefore no evidence has been provided by the applicant to prove that the proposed development would not have a harmful impact upon the Landscape Character Area and surrounding countryside.

As has been set out above, it is not considered that the proposal meets any of the criteria required for a rural worker dwelling and it is noted that the application for the glamping use proposed a caravan would be used as a reception for the use which would be located next to an existing stable block. The approved caravan would have been located behind the dwelling approved by Members to the south east of the application site, would have been seen against the existing stable building when seen from the east and much smaller than the proposed dwelling now proposed. It is noted that a number of structures have been erected

on site which are currently subject to an enforcement investigation as to whether the structures comply with the previous permission under F/TH/19/0175.

The social and economic benefits from the provision of a single dwelling are limited and are not considered to outweigh the significant environmental harm resulting from the erection of a new dwelling within an open countryside location within the Landscape Character Area, and therefore does not result in sustainable development. The proposed development is therefore considered to be contrary to the Policies SP24, SP26 and QD02 of the Thanet Local Plan, and paragraph 170 of the NPPF.

Living Conditions

Paragraph 117 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 127 states that planning decisions should ensure that all developments (a) function well and add to the overall quality of the area for the lifetime of the development; (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, (c) are sympathetic to local character and history including the surrounding built environment and landscape setting, (d) establish or maintain a strong sense of place, (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and (f) create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users.

Policy QD02 - General Design Policies states that the primary planning aim in all new development is to promote or reinforce the local character of the area and provide high quality and inclusive design and be sustainable in all other respects. Policy QD03 (Living Conditions) states that All new development should: 1) Be compatible with neighbouring buildings and spaces and not lead to the unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure. 2) Be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in QD04. 3) Residential development should include the provision of private or shared external amenity space/play space, where possible. 4) Provide for clothes drying facilities and waste disposal or bin storage, with a collection point for storage containers no further than 15 metres from where the collection vehicle will pass. Policy QD04, which are the National Described Space Standards (March 2015). Policy GI04 states that new family dwellings (those with 2 or more bedrooms) will be expected to incorporate garden space in order to provide a safe "doorstep play area for young children. With doorstep playspace being defined as playspace for young children which is immediately adjacent to, closely visible and safely accessible from the dwellings served.

The closest neighbouring property in Down Barton Road would be the dwelling granted by Members on the adjoining site to the south east. This dwelling is single storey and new enhanced landscaping is proposed to the common boundary between the two sites via that consent. Given this it is not considered that there would be any adverse impact on the residential amenities of the occupiers of that dwelling from this proposal. There are no other

residential properties close enough to the development site to be affected by the proposed development.

The proposed dwelling would be two storey and have 3 bedrooms. All new residential development is required to meet the Nationally Described Space Standards to ensure a good standard of accommodation for future occupiers. In this instance the proposed dwelling is a three bed 6 person single storey dwelling and would have an internal floor area of some 144 sqm if the office is included and some 133 sqm without the office which exceeds the required Nationally described Space Standard of 102sqm. There would be sufficient room on the site for the proposed dwelling to be served by private amenity space and the rooms would have adequate light and ventilation. As such, it is considered that the proposed dwelling would provide a good standard of accommodation for residential amenity for future occupiers.

Transportation

The application is for a single dwelling and the proposal has indicated space for off street parking to the front of the site and there is room within the site for the safe storage of bicycles. Given the size of the site and its boundary onto Down Barton Road it is reasonable to assume that Kent Highway Parking Standards could be met, along with adequate visibility splays to achieve a safe access, and as such it is not considered that the proposal would adversely impact upon highway safety.

Concerns are raised with the lack of footpath provision, and the resulting lack of connectivity with the village and the services and facilities it offers. The application site is separated from the settlement by a narrow section of road, which contains no footpaths or public lighting, and would be unlikely to be attractive for pedestrians and unlikely to encourage cycling, particularly in winter months. The linkage between the site and the services and facilities in St Nicholas-at-Wade, including bus stops, is generally poor and occupiers of the proposed dwelling would in practice be very reliant on a private car. Whilst the proposal would not be served by safe footpath links, Members have approved a dwelling on an adjacent site, which, although marginally closer to the village, would also have no footpath link, and as such it would seem unreasonable to refuse the application on the lack of footpath links given this recent decision.

Biodiversity

The NPPF states at paragraph 170 states that the "planning system should contribute to and enhance the natural and local environment by ... minimising impacts on biodiversity and providing net gains in biodiversity where possible ..." The NPPF continues at paragraph 175 that "if significant harm resulting from the development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Policy SP27 states that all development proposals should, where possible, safeguard Thanet's Green Infrastructure network and enhance it by integrating new multifunctional Green Infrastructure by integrating Green Infrastructure provision in the design of developments. Opportunities to improve Thanet's Green Infrastructure network by protecting

and enhancing existing Green Infrastructure assets and the connections between and providing new Green Infrastructure assets should be included early in the design process for major developments, together with consideration of how they will be managed and maintained in the long term.

No ecological information was submitted with the application. Kent County Council's Ecology Team have reviewed the application (including recent photos of the application site) and advice that given that the proposed development site appears to be mainly short cut grassland with limited potential for protected species, there is no requirement for ecological information to be submitted with the planning application. They advise that the land should continue to be managed to prevent suitable habitat for protected/notable species establishing within the site and that the bunds to the edge of the site should be retained with the development and protected during construction.

Given the size of the site and scale and nature of the proposed development it is considered that it is unlikely to have a significant impact on ecology in the area and could be dealt with via safeguarding conditions.

Drainage

Paragraph 155 of the NPPF refers that inappropriate development in areas at risk of flooding should be avoided. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). The application site is not within an area prone to flooding and is designated as being of low risk; accordingly the development would not pose a flood risk issue to the wider environment.

Policy CC02 states that all new development is required to manage surface water resulting from the development using sustainable drainage systems (SuDs) wherever possible.

It is proposed that surface water disposal from the development would be via soakaway with foul water going to a cesspit. The supporting information for the application advises that there is no foul water sewer near the site and that existing properties further down Down Barton Road (away from the village) also have cesspits.

The Environment Agency has reviewed the application and consider it to have a low environmental risk, although we do have the following comment in regards to the proposed foul drainage solution. Southern Water have also commented on the proposal and state that they would not support the proposals for septic tank or private treatment plant in the presence of a public foul sewerage network in the vicinity of the development site. The plan attached to the Southern Water consultation response shows a public foul sewer running along Down Barton Road past the access to the site.

Whilst there is a discrepancy between the information set out by the applicant and that received from Southern Water, it is considered that given the size of the site and scale and nature of the proposed development it is considered that it is unlikely to have a significant impact on drainage in the area. The Environment Agency do not object to the use of a cesspit and consider the proposal to have a low environmental risk. It is also noted that the use of a cesspit to provide foul drainage for the dwelling granted under OL/TH/19/0523 and

R/TH/19/1687 on the adjoining site. It is, therefore, considered in this instance that this matter could be dealt with via safeguarding conditions and would not form a reason for refusal.

Archaeology

Paragraph 189 of the National Planning Policy Framework states that 'where a site on which development is proposed includes, or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation'. Policy SP36 of the Local Plan states that the Council will support, value and have regard to the historic or archaeological significance of Heritage Assets. Policy HE01 relates to archaeology and states that the council will promote the identification, recording, protection and enhancement of archaeological sites, monuments and historic landscape features, and will seek to encourage and develop their educational, recreational and tourist potential through management and interpretation.

Thanet is generally rich in architecture and submitted application includes no assessment of the archaeological potential of the site or the impact from the development proposals. KCC's Archaeology Team have reviewed the application and advise that the proposal is sited within an area of significant archaeological potential. The fields to the west and east contain evidence of ancient landscapes visible as crop marks on aerial photographs. These include clear evidence of prehistoric funerary monuments, enclosures, trackways, and fields of unknown date, pit groups and alignments and evidence for structures. Finds in the surrounding fields include artefacts of Iron Age, Roman, Saxon and Medieval dates. Cropmarks found to the west of the site would, prior to development of Huckleberry Farm, have extended into the farm area. They recommend that a condition should be imposed on any grant of planning permission securing an archaeological field evaluation.

Without the submission of evidence to the contrary, it is considered that the proposed development in the form proposed could affect significant archaeological remains, the impact of which could only be determined through the undertaking of an archaeological field evaluation to determine the presence, location, nature, significance and condition of archaeological remains on the site.

It is considered likely that it could also be conditioned for this site if permission were to be granted, and, as such, it is not considered that this matter should form a reason for refusal.

Contributions

Natural England has previously advised that the level of population increase predicted in Thanet should be considered likely to have a significant effect on the interest features for which the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and RAMSAR have been identified.

Thanet District Council produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' to deal with these matters, which focuses on the impacts of recreational activities on the Thanet section of the Thanet Coast and Sandwich Bay Special Protection

Area (SPA). The studies indicate that recreational disturbance is a potential cause of the decline in bird numbers in the SPA. To enable the Council to be satisfied that proposed residential development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required for all housing developments to contribute to the district wide mitigation strategy. This mitigation has meant that the Council accords with the Habitat Regulations. This mitigation is secured under policy SP29 of the Local Plan.

No undertaking has been submitted to secure the payment of this contribution. As such it is not considered that the mitigation required could be secured at this time. The Local Planning Authority would be in breach of the Habitat Regulations if it were to grant this application. Given this, the lack of a mitigation against the identified harm to the designated sites forms a reason for refusal for this application.

Conclusion

The site is located within the countryside, outside of the village confines, and within a Landscape Character Area, which is characterised by its openness and rural appearance. The erection of a dwelling within this location, which would be visible in long views along Down Barton Road and in wider views across the open countryside opposite, is considered to cause severe harm to the intrinsic character and beauty of the countryside, and the valued Landscape Character Area, contrary to Policies SP24, SP26 and QD02 of the Thanet Local Plan, and paragraph 170 of the NPPF.

The environmental harm caused through the development is considered to significantly outweigh the limited economic and social benefits provided by a single dwelling for accommodation for glamping site manager.

The application has also failed to provide an acceptable form of mitigation to relieve the pressure on the SPA, contrary to policy SP29 of the Thanet Local Plan, paragraph 177 of the NPPF and the Habitats Directive, nor provided required ecological information to show that the development would not result in harm to biodiversity.

Case Officer

Annabel Hemmings

TITLE:

F/TH/20/0668

Project

Huckleberry Farm Down Barton Road BIRCHINGTON Kent

