

**Application No:** Y16/0623/SH

**Location of Site:** Little Densole Farm Canterbury Road Densole Kent

**Development:** Siting of 12 holiday lodges, and erection of a reception building and a store building, together with formation of a fishing lake, a car park area, tennis courts, a childrens' play area, and a putting green, to create a tourism site.

**Applicant:** Mr & Mrs David Westgarth  
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**Agent:** Mr Jonathan Moore Lambe  
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**Date Valid:** 10.06.16

**Expiry Date:** 09.09.16

**Date of Committee:** 29.05.18

**Officer Contact:** Mr Paul Howson

## **SUMMARY**

Economic and tourism development is supported in principle as set out in local and national policies and paragraph 28 of the National Planning Policy Framework (NPPF), which seeks to support economic growth in rural areas in order to create jobs and prosperity. Whilst the application has demonstrated a generic demand for this kind of high end holiday facility, it is not robustly demonstrated that there is a specific need in this particular Area of Outstanding Natural Beauty (AONB) countryside location, nor that there are not better sites elsewhere in locations that are not designated. Given the rural location within the protected AONB, the impact of this development on the wider environment is a significant consideration. The NPPF makes it clear that the planning system should carefully balance economic, social and environmental considerations in the decision making process, and this is discussed in detail throughout the report.

Paragraph 115 of the NPPF requires that great weight is given to conserving landscape and scenic beauty in the AONB, which has the highest status of protection. Core Strategy policy CSD4 requires planning decisions to have close regard to the need for conservation and enhancement of natural beauty in the AONB, which will take priority over other planning considerations. On the basis of these key policy requirements and the identified harm to the landscape and scenic beauty of this nationally important landscape identified in this report, notwithstanding the other identified national and local policy requirements which are identified, it is considered that greater weight should be attached to the statutory requirement to have regard to the purpose of conserving or enhancing the natural beauty of the AONB than any economic benefits that would arise from the tourism use. As such, the officer assessment of this proposal is that, on balance the harm to the AONB outweighs the clear economic/tourism benefits of the proposal.

In light of the above, and the detailed case put forward in this report, it is considered the development does not comply with local plan policies or the NPPF relating to the AONB, and therefore, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 the proposal is considered contrary to development plan policy and planning permission should be refused.

**RECOMMENDATION: That planning permission be refused for the reasons set out at the end of the report.**

## **1.0 BACKGROUND**

- 1.1 Planning permission was granted for the proposal on 18<sup>th</sup> May 2017 following a resolution by the Council's Planning and Licensing Committee (the Planning Committee) to grant planning permission at the committee meeting on 28<sup>th</sup> February 2017 (the original committee meeting). However, following a judicial review of the Council's decision a High Court ruling quashed the decision on one ground, which was that the Planning Committee failed to give adequate reasons for approving the application contrary to officer recommendation. Therefore, the application is brought back before the Planning Committee to be re-determined. The officer report, supplementary sheets and minutes of the original committee meeting, and the judicial review judgment are appended to this report as Appendices 1 – 4.

## **2.0 THE PROPOSAL**

- 2.1 The application is for the siting of 12 holiday lodges, along with the erection of a reception building and a store building, and together with the formation of a fishing lake, a car park, tennis courts, a children's play area, and a putting green, to create a tourism/leisure site. Submitted with the application in support of the proposal, are a Design and Access / Planning Statement; a Preliminary Ecological Assessment Report (January 2016); a Landscape Visual Impact Assessment (February 2016); a Transport Statement (March 2016); Traffic Survey Basepoint Data; Little Densole Farm Demand Report

(May 2016); a Business Plan; and, a Proposal for an Eco Holiday Park. Subsequent to the initial application 4 written responses with additional information and responses to the representations have been submitted; along with a Tourism Action Plan (August 2016).

- 2.2 Since the original submission further supplementary documents and plans have been submitted. These comprise a Landscape and Ecology Management Strategy (October 2016); Updated Design and Access / Planning Statement (October 2016); Revised Proposed Site Plan; Revised Overall Site Plan; Proposed Management Plan for Eco Holiday Park; Lighting Plan; Aerial Photomontages; and, a Draft Landscape Plan.
- 2.3 The application is also accompanied by drawings of; the elevations, floor plans, and roof plans of each of the individual lodge designs; the Reception building; the Mower Store; the Bike and Bin Stores; the Site Plan; the Site Location Plan; and, artists impressions of the perspective views of the development.
- 2.4 The site is undeveloped agricultural land, which according to the Natural England classification maps is grade 3 in quality (the maps do not distinguish between grades 3a and b) and is currently an occasionally mowed grass meadow. The proposed development would utilise the existing access from Canterbury Road, which it would share with the Little Densole Farm farmstead, which has been redeveloped as a residential development. A spur approximately two thirds of the way along the existing track would come off to the south to serve the tourism site, with the remaining track gated for the benefit of the farmstead residents. The tourism site would utilise the entire rectangular plot, with a central lake around which the 12 proposed holiday lodges would be sited, with a connecting circular track around the lake. The two sections of open water would be traversed by a spit of land and a footbridge. The lake would also have a pier for launching boats. To the west of the lake, where the access track enters the tourism plot would be a car park with 20 parking spaces, a Reception Building, 2 tennis courts, and a Mower Store. To the south east of the lake would be a play area, and the Site Plan indicates that the site would be generously landscaped. Since the original committee meeting some of this landscaping has been carried out. The site would have mains electric and water connections, and sewage disposal would be either by mains or a bespoke treatment plant.
- 2.5 The proposed holiday lodges are in bespoke designs, and are single storey chalet lodges. The individual designs include, Coppice Lodge, Lake House Lodge, Long Hall Lodge, Round House Lodge, Water Meadow Barn, Water Side Retreat Lodge, Lake Side and Island Lodges. Tree Top Lodge was 2 storey and would have been raised on stilts (but has since been replaced with a single storey lodge). Two of the lodges would be projecting into the lake with a connecting jetty, six would be on the lakeside, with the remaining four set slightly back from the waterside.

### **3.0 LOCATION AND DESCRIPTION OF SITE**

- 3.1 The main application site, excluding the access track, is approximately 55,225sqm (5.5ha). The application site is outside of any settlement boundary, and as such is considered to be within the countryside for the purposes of planning policy, although the closest part of the site to the built up area of Densole (identified as a secondary village in the Core Strategy settlement hierarchy) is quite close at approximately 130 metres. The site is to the east of the Densole village settlement, a ribbon development along and around Canterbury Road, Coach Road and Pay Street. The closest point of the site to the rear boundaries of the properties on the residential close Densole Way to the north west of the holiday park is approximately 150m; with 120m separation from the closest properties on Densole Lane; and to the south west there is approximately 190m from the rear perimeter of the properties on Canterbury Road, all of which fall within the settlement boundary. There is space separation between the site and the built up edge of Densole in the form of an existing grass meadow which acts as a green buffer. The above mentioned Densole settlement boundary wraps around the site on its western side, separated by the buffer. The agricultural land also extends to the north of the site, separating the proposed development from the farmstead residential development which is made up of 6 large detached homes (approximately 170m from the site). The site abuts Reinden Wood (Ancient Woodland) on its eastern flank (which is an MOD training area). Adjacent to the south west corner of the site is Swingfield Radio Mast served by an ancillary brick building and a small stable approximately 50m to the north.
- 3.2 The site is relatively level flat countryside interspersed with significant areas of new tree planting, including along the site boundaries and within the site itself. Many of the trees are semi-mature and offer a level of effective screening. The site is afforded significant protection through its nationally designated status as part of the Kent Downs Area of Outstanding Natural Beauty, and local designation as a Special Landscape Area. Reinden Wood to the east of the site is classified as Ancient Woodland; and as a Local Wildlife Site. The eastern section of the site is in an Area of Archaeological Potential. The site is part of a wider parcel of unspoilt countryside to the east of the Densole settlement boundary, which would have formed part of the Little Densole Farm agricultural unit, when it was a working farm. There are no public footpaths crossing the proposed holiday park, but the existing access road crosses a public footpath, and there is a bridleway that runs adjacent to the eastern boundary on the western perimeter of the woodland, from where glimpses of the site are visible through the trees. Views from the public domain to the west are restricted by the private residential properties.

### **4.0 RELEVANT PLANNING HISTORY**

There is no relevant planning history for the site, the planning history relates to the farmstead which is not relevant to the current proposal.

## 5.0 CONSULTATION RESPONSES

Consultation responses are available in full on the planning file on the Council's website:

<https://searchplanapps.shepway.gov.uk/online-applications/>

Responses are summarised below.

### STATUTORY CONSULTEES

5.1 Swingfield Parish Council

No objection

5.2 Hawkinge Town Council

Has not commented on the proposal

5.3 KCC Highways and Transportation

Having considered the development proposals and the effect on the highway network, KCC Highways raise no objection on behalf of the local highway authority.

5.4 Natural England

Statutory nature conservation sites — no objection

Based upon the information provided, Natural England (NE) advises that the proposal is unlikely to affect any statutorily protected sites.

#### Protected landscapes

The proposed development is for a site within or close to a nationally designated landscape namely Kent Downs AONB. NE advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal.

Your decision should be guided by paragraph 115 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 116 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape. Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or

harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

5.5 Environment Agency

Have provided advice on groundwater, contamination, foul drainage, surface water drainage, waste, storage of fuels and chemicals, and have recommended conditions and informatives accordingly.

5.6 KCC Lead Local Flood Authority

Have not commented on the proposal.

**NON-STATUTORY CONSULTEES**

5.7 Landscape and Urban Design Officer

The design for the facility has been carefully considered. In itself the low density of buildings, suggested landscaping and choice of native species would provide for a pleasant environment. However the location of the facility is an issue in terms of the impact the development would have on the existing character. The site is part of a strip of open land that acts as a band running between Densole and Reinden Woods, the value of which should not be underestimated. This is especially important in the context of the AONB. The benefits of this development need to be considered against its impact on the area / AONB.

5.8 Environmental Health

With reference to this application, should the application be granted permission, Environmental Health recommends the standard contamination condition is imposed.

5.9 KCC Ecology

We have reviewed the ecological information submitted in support of this application and advise that sufficient information has been provided to determine the planning application. Therefore, we require no additional information. They recommend conditions are applied with regard to lighting, ecological enhancements, and ecological management.

5.10 KCC (Planning - Archaeology)

Has not commented on the proposal

5.11 Affinity Water

Has not commented on the proposal

5.12 East Kent PROW

The proposed development impacts upon Public Right of Way (PROW) HE190. The existence of the right of way is a material consideration. EK PROW have no objection to the application but as the development is directly adjacent to footpath HE190 we have concerns regarding how this

will affect the surface of the footpath during the construction phase of the development.

5.13 Forestry Commission

Have not commented on the proposal

5.14 NATS

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

5.15 MOD

Have not commented on the proposal

5.16 Campaign to Protect Rural England

It is the view of CPRE that the proposal would not satisfy development plan policies, nor the NPPF. To permit the development proposed would not satisfy the statutory duty of regard to the purpose of conserving or enhancing the natural beauty of the Area of Outstanding Natural Beauty. Harm to the landscape and scenic beauty of this nationally important landscape would be significant and this should attract 'great weight' in the planning decision.

The proposal is not consistent with the aims and objectives of the NPPF, nor the local plan spatial strategy that seek to ensure that planning takes account of the different roles and function of different areas. The limited economic and investment benefits certainly do not amount to the 'exceptional circumstances' required by para 116 of the NPPF. As such the proposal cannot be considered sustainable development and the application should be refused.

Sites like this, close to settlements, are especially vulnerable to proposals such as these, and nothing in this application serves as a justification for a relaxation of the usual controls.

5.17 East Kent Badger Group

Strongly advise an ecological survey be carried out. Badgers known to be in this area.

5.18 Kent Downs AONB Unit

Consider that the proposed holiday park would have a detrimental impact on the East Kent Downs Landscape Character Area of the Kent Downs AONB. It is noted that tree planting is proposed around the perimeter of the site, it is considered that the proposal would result in an unacceptable change to landscape character with the proposal representing an isolated form of development, not related to settlement pattern and incongruous with its rural surroundings. The proposed tree screening would take years to be effective, would be largely ineffective in winter and would change the character of the local landscape. The application proposals would weaken the characteristics and qualities of natural beauty and landscape character and disregard the primary purpose of the AONB designation, namely the

conservation and enhancement of its natural beauty. Therefore it is contended that the proposals would fail to conserve landscape and scenic beauty in the Kent Downs AONB. As such the proposal is contrary to policies SD1, SD2, SD3 and SD8 of the AONB Management Plan 2014-2019 as well as policies CSD3 and CSD4 of Shepway's Core Strategy. The Kent Downs AONB Unit therefore objects to this application.

5.19 Kent Wildlife Trust

The application site adjoins Reinden Wood. Reinden Wood is included in the Kent schedule of Ancient Woodland and has been recognised by the Kent Nature Partnership as of at least county interest for its wildlife. Shepway Council is a member of this partnership. A citation, illustrating this interest, has been prepared under ref LWS—SH05.

Paragraph 118 of the National Planning Policy Framework (NPPF) says that *"when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles: •opportunities to incorporate biodiversity in and around developments should be encouraged; •planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland."* An exceptional case has not been made sufficient to justify introducing a recreational business operation onto a site immediately abutting an Ancient Woodland.

5.20 Southern Water

Has suggested bespoke informatives to be attached to any planning decision.

5.21 Visit England

Support the provision of accessible visitor accommodation at Little Densole Farm.

5.22 Arboricultural Manager

Has no objections to the proposed development on the basis that there are no appreciable arboricultural constraints present. However, as the application site sits immediately adjacent an ancient woodland site (Reinden Wood) the Forestry Commission will need to be notified. No objections to the proposed development and that the submitted landscape, ecological and management schemes which all look robust and sustainable.

5.23 Economic Development

The proposal is supported for its economic development benefits.

If the planning application is approved the applicant may be eligible for a range of business support including, for example, East Kent LEADER and Shepway Apprenticeship grants.

5.24 Since the original committee meeting further correspondence has been received from the Kent Downs AONB Unit and CPRE confirming they maintain their earlier objections.



## **6.0 PUBLICITY**

- 6.1 Neighbours notified by letter. Expiry date 11<sup>th</sup> July 2016  
Notification of receipt of additional details sent 9<sup>th</sup> and 16<sup>th</sup> November 2016
- 6.2 Site Notice (wider publicity). Expiry date 18<sup>th</sup> July 2016
- 6.3 Press Notice. Expiry date 21<sup>st</sup> July 2016

## **7.0 REPRESENTATIONS**

- 7.1 Representation responses are available in full on the planning file on the Council's website:

<https://searchplanapps.shepway.gov.uk/online-applications/>

Responses are summarised below:

- 7.2 34 letters/emails have been received objecting on the following grounds:

- Traffic safety from increased vehicular traffic
- Damage to local roads
- Neighbour amenity - loss of privacy and outlook
- Noise and disturbance from new access road
- Noise and disturbance from car parks, playground and during construction
- Noise and disturbance
- Insect problems for local residents from the lake
- Time landscaping will take to mature
- Impact on public rights of way and views from them
- Impact on adjacent equine uses
- Height and scale excessive for holiday lodges
- Impact on character and landscape of AONB
- Tourism should not be a reason to develop AONB
- Query whether there is genuine demand for the facility
- Designs not in local vernacular
- Light pollution and loss of tranquillity
- Not proportionate to existing development in vicinity
- Over intensive development
- Adverse impact on Ancient Woodland
- Loss of local wildlife
- Impact of MOD use on a tourism use
- The area has existing tourism sites
- Concerns regarding site drainage, flooding and adequacy of services
- Depth of lake
- Loss of agricultural land
- Concerns regarding pressure to develop adjoining land
- Concerns of future residential use if tourism use is unsuccessful
- Impact on Radio Mast
- Parallels with refused McFarlanes application

- There are other more suitable sites available for tourism use
- The benefit would be for the applicant and not the wider community
- Lack of community engagement
- Letters of support are not from neighbouring properties
- Contrary to planning policy
- The additional landscape provision is insufficient and misleading
- Concerns how long term management of the site would be monitored

7.3 21 letters/emails of support have been received:

- Supporting the benefits to the local economy / employment
- Praising the design
- Counter to negative arguments about traffic safety/visual impact
- The facility will provide inclusive accommodation
- Relatively small scale development will not result in significant harm

7.4 Since the original committee meeting where this application was considered, one additional letter has been received from a neighbouring resident raising the following summarised comments:

- Would result in harm to the open character of the designated landscape
- The planting that has been carried out would not mitigate against the harm to the landscape
- Planning policy and case law give great weight to protecting the AONB, which goes over and above the normal planning balanced decision making process.
- The application should be considered 'major' development to trigger paragraph 116 of the NPPF
- The application does not meet the criteria for exceptional circumstances to approve planning permission and it would not be in the public interest given the strong local opposition.
- The submitted Business Plan does not provide convincing justification for the proposed development
- Local precedents show that the LPA are committed to adhering to the relevant planning policies
- Members made an ill informed decision without following the correct procedure.
- If Members cannot make a properly reasoned lawful decision, the application should be determined by an independent planning inspector

## **8.0 RELEVANT POLICY GUIDANCE**

8.1 The full headings for the policies are attached to the schedule of planning matters at Appendix 1.

8.2 The following policies of the Shepway District Local Plan Review apply:

SD1, BE1, BE8, BE16, CO1, CO4, CO11, LR3, TR5, TR11, TR12, TM4, U1, U2, U3, U4, U15

8.3 The following policies of the Shepway Local Plan Core Strategy apply:

DSD, SS1, SS3, CSD3, CSD4

8.4 The following Supplementary Planning Documents and Government Guidance apply:

8.5 National Planning Policy Framework:

Chapter 3 - Supporting a prosperous rural economy;

Chapter 7 - Requiring good design;

Chapter 11 - Conserving and enhancing the natural environment,  
and in particular paragraphs 28, 34, 109, 112, 115, 116, 118

8.6 National Planning Policy Guidance – guidance on the Natural Environment

8.7 Kent Downs AONB Management Plan policies SD1, SD2, SD3, SD8, LLC1, VC6 and VC7.

## **9.0 APPRAISAL**

### **Relevant Material Planning Considerations**

9.1 The site is an undeveloped area of countryside separated from the built area by open fields, and is part of Little Densole Farm which is no longer a working agricultural unit. The land is currently maintained as grassland. The site has no history of non-agricultural uses. The principle considerations in determining the application are whether the proposal conserves the landscape and scenic beauty of the designated Kent Downs AONB; the impact on the important nationally designated AONB landscapes and Ancient Woodland; whether the economic benefits of the development outweigh any impacts on the AONB; whether the availability of sites at existing service centres has been adequately assessed; ecology of the site and adjacent woodland; residential amenity; highway considerations, archaeology; public rights of way; drainage; and any other material planning issues raised in the representation received in response to the publicity for the application. The impacts of all of these material considerations need to be balanced against the tourism and economic benefits case for the proposal.

## **Policy**

### **Local Planning Policy**

9.2 Policy considerations in determining this application include amongst others, saved local plan policy SD1 which seeks to protect and enhance areas of countryside that are of special quality, particularly the Kent Downs AONB and ancient woodlands; saved local plan policies CO1 and CO4 which seek to protect the nationally and locally designated rural landscape; saved local plan policy CO11 which seeks to protect against loss of or damage to habitats and landscape features of importance for nature conservation;

saved local plan policy LR3 which sets the criteria for new recreational facilities in the countryside; saved local plan policy TR11 in relation to an intensification of the use of an existing access; saved local plan policy U15 which seeks to avoid light pollution; and saved local plan policy TM4 which set the parameters for acceptability for new or expanded static caravan and chalet sites and seeks to resist new static caravan or chalet sites. However, policy TM4 was adopted in 2006 so is now over 20 years old. It was aimed primarily at the mixed static/chalet sites which are mainly found on Romney Marsh and contain the chalet structures that fall within the definition of a caravan. These type of sites need to be strongly controlled as by their nature they can be very visually intrusive. TM4 has now been overtaken by Core Strategy Policy CSD3 and the Places and Policies Submission Draft policies E3 and E5. Although these policies carry limited weight as the Plan has not yet been through examination in public they do indicate the policy direction of the Council. E5 is not relevant in this case as it relates to existing sites. E3 covers new tourism development. It seeks to direct such development to within or on the edge of centres in the settlement hierarchy, which is explained at paragraph 8.4 below. New accommodation in an open countryside location, as in this case, will only be permitted in exception circumstances where it can be demonstrated that:

- For new accommodation and/or attractions, available sites within or on the edge of settlements are not suitable and an open countryside location is needed;
- There are no suitable vacant buildings in the locality that could be converted;
- The development is viable and will have significant economic and other benefits to the locality to outweigh any harm; and
- Where the proposal is located within the Kent Downs Area of Outstanding Natural Beauty or its setting, it does not constitute major development.

9.3 Core Strategy policy CSD3 supports sustainable rural tourism, Core Strategy policy CSD4 seeks to ensure a high level of protection for Ancient Woodland, and to conserve and enhance the natural beauty of the AONB; and Core Strategy policy SS3 seeks to direct development towards existing settlements to protect the open countryside.

9.4 Policy CSD3 seeks to direct new rural tourist development to within defined settlements in the Settlement Network, which is set out in paragraph 4.61 of the Core Strategy. CSD3 goes on to state that where sites are unavailable within settlements and the development is proportionate in scale/impact and accessible by a choice of means of transport, it may be acceptable on the edge of Strategic Towns and Service Centres, and failing that, Rural Centres and Primary Villages. Densole is not classified as any of these in the Settlement Network hierarchy. Hawkinge is classified as Service Centre.

### **National Planning Policy Framework (NPPF or the Framework)**

9.5 Paragraphs 28, 109 and 115 are particularly relevant to this application as they seek to protect and enhance valued landscapes, and conserve and

enhance biodiversity. Paragraph 28 sets out the importance of having local plan policies that plan for economic growth in rural areas and states:

‘Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings
- promote the development and diversification of agricultural and other land-based rural businesses
- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres
- promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.’

9.6 Paragraph 116 of the NPPF is also relevant and states that:

‘planning permission should be refused for major developments in these designated areas except in exceptional circumstances where it can be demonstrated they are in the public interest.

- Consideration of such Applications should include an assessment of: the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- the cost of, and scope for, developing elsewhere outside the designated
- area, or meeting the need for it in some other way; and
- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”

9.7 It is for the Council, as Local Planning Authority, to determine whether or not the proposal would amount to major development in the AONB under paragraph 116. It is the Officers’ view that the proposal does not constitute major development in this respect for reasons that are set out below. However, if Members were to conclude that the proposal does amount to major development within the AONB, the proposal can only be approved if they are satisfied that exceptional circumstances have been demonstrated and the development is in the public interest, having assessed the factors set out above.

9.8 There is no definition set out within the NPPF as to what constitutes major development in the AONB. There is some guidance set out within the NPPG which states:

“Whether a proposed development in these designated areas should be treated as a major development, to which the policy in [paragraph 116](#) of the Framework applies, will be a matter for the relevant decision taker, taking into account the proposal in question and the local context. The Framework is clear that great weight should be given to conserving landscape and scenic beauty in these designated areas irrespective of whether the policy in [paragraph 116](#) is applicable.”

- 9.9 Judgements on whether a proposal is considered to be major development or not have evolved since the publication of the NPPF in 2012 with Inspectors and Judges providing their interpretation. In a recent appeal decision, r22 dwellings at Abbey Meadows, Crapstone, Devon (appeal reference APP/Q1153/W/17/3177360) was not considered to constitute major development according to the Planning Inspector. Whilst the site area in this case was smaller than the current application proposal, it was for a much greater density and quantum of development.

Two other Inspectors’ decisions concluding on whether development is major include:

Land to the rear of Station Road, Ampleforth (Appeal reference APP/Y2736/A/13/2197184) proposal for 30 dwellings – in this case the Inspector considered this not to be major development within the AONB. The site was approximately 1ha in size.

Land at Handcross, West Sussex (appeal reference APP/D3830/A/13/2198213) the Inspector found that a development for 75-90 dwellings with a care home was major development within the AONB. The Secretary of State agreed with this decision.

- 9.10 Having further researched the position and taken into account relevant case law and Inspectors’ decisions, officers are of the opinion that the proposed development would not amount to major development in the AONB as defined by paragraph 116 of the NPPF. This opinion is formed taking into consideration the relative proximity of the site to existing built development (the linear housing in Densole village) and the A260, the quantum of units compared to the size of Densole and the spaciousness of the development within the site. The fact that the site area is larger than some of the other decisions quoted above does not in itself alter this conclusion, as the Council is considering whether the development itself is major rather than the size of the area. It is, however, important to note that whilst the site is of a substantial size, the development within it amounts to only a very small part of the overall site with large areas being put to landscaping.

### **Kent Downs AONB Management Plan**

- 9.11 The Kent Downs AONB Management Plan is a material consideration in determining this application, as is the statutory designation of the AONB. The Plan has been adopted by all district authorities within the designated AONB and includes policies SD1, SD2, SD3, SD8, LLC1, VC6 & VC7

which are relevant to this application. They seek to preserve the open rural landscape of the Kent Downs Character Areas specifically and to conserve and enhance the local character and distinctive qualities of the AONB more generally. Whilst the application is considered to generally not be in accordance with these policies, policy SD8 does allow for mitigation of harm in some circumstances stating “Proposals which negatively impact on the distinctive landform, landscape character, special characteristics and qualities, the setting and views to and from the AONB will be opposed unless they can be satisfactorily mitigated.” In addition policies VC6 & 7 do allow for sustainable tourism in the Kent Downs AONB stating “The development of sustainable visitor and tourism facilities will be pursued where they enhance people’s enjoyment and understanding of the AONB without detracting from the special characteristics and qualities” and “Tourism and leisure businesses in the AONB will be encouraged to adopt the principles of sustainable tourism and to demonstrate their commitment to sustainability through achieving nationally recognised green accreditation and/or becoming part of the Our Land project.”

### **Visual Amenity/Landscape**

9.12 The application site is a countryside location within the AONB, a nationally protected landscape and Special Landscape Area (SLA). The location proposed for the siting of the 12 holiday lodges around a lake setting, is currently agricultural land. The application site is within a wider plateau of farmland between the Alkham Valley and the Elham Valley. It is unspoilt grassland, set against the backdrop of ancient woodland. The built area of the Densole settlement and the large woodland would substantially screen the development from longer distance views on both the west and east sides, and to a lesser extent to the south, with the farmstead providing some screening to the north. As such the application site is within a relatively enclosed part of the AONB, and the development would not therefore be visually prominent from the surrounding wider landscape, particularly as the land is set slightly lower than the surrounding fields and built area. It would however, be viewable from a closer perspective from the local network of public paths, bridleways and farm tracks, and from the back of the private residential properties.

9.13 The application is accompanied by a detailed Landscape Visual Impact Assessment (LVIA), which concludes that the proposal would have negligible landscape effects within 15 years once a planting scheme has had time to establish and mature. However, it is considered that the scale of the proposed development and the associated recreational features including the lake, along with the related activity and lighting would have an adverse impact on the landscape character. Although the proposed landscaping would be reasonably effective in mitigating the harm in the longer term by providing screening from public viewpoints, it would not eliminate harm from the proposal and would itself result in a change to the landscape. The original committee report (Appendix 1) considered that the scale of the landscaping once established would fragment the open character of the landscape still further, removing the openness between the woodland and settlement. However, since that report was written, an extensive

landscaping programme has been undertaken with some 1100 trees having been planted (many semi-mature) which has already significantly altered the previously open character of the site. Whilst this tree planting is attractive in its own right the application site is part of a strip of open land that acts as a band running between Densole and Reinden Woods, the value of which should not be underestimated. This is especially important in the context of the AONB. The tree planting amounts to a change in the established character of the landscape as it introduces lines of trees where previously they did not exist and as such results in a significant change to the appearance of the landscape. However, it should be noted that trees can be planted without the need for planning permission, and therefore the open character of the site could have been (and has been) altered irrespective of the current proposal.

- 9.14 As well as being in the Kent Downs AONB, more specifically the site is categorised as being within the East Kent Downs Landscape Character Area. This is a large area with a variety of landscape characteristics. As alluded to above, the site and its immediate surrounds are largely unaffected by built structures, other than the radio mast and ancillary building and a stable. One of the landscape character objectives is to increase the proportion of deciduous woodlands and hedgerows. The rural field character of the site is consistent with the surrounding environment of arable rural land interspersed with woodland, which is the characteristic for which the East Kent Downs Landscape Character Area is noted.
- 9.15 The intention is to excavate a lake with 12 holiday lodges clustered around it, with an extensive landscaping scheme of indigenous woodland and hedgerow species to help the development blend into its setting. However, a lake in this location is an alien landscape feature, particularly given the location of the site up in the Downs where a lake would not be a natural feature. Regardless of the indigenous planting, the proposal represents the construction of residential holiday accommodation, ancillary buildings/structures, a car park, tennis courts and play equipment, which are incongruous features within an unspoilt landscape setting, and which would permanently change the character of this part of the landscape. Cumulatively these features would result in a cluttered and domesticated appearance of the site. It is considered this would have a negative impact on the rural landscape character of this part of the AONB. As such, it is considered the proposal would harm the natural beauty of the AONB contrary to planning policies which seek to protect it, and disregard the primary purpose of the AONB designation which is to conserve and enhance the natural beauty. Further to this, it is considered that the change of use would change the character of the countryside in this location and that the associated activity and vehicle movements it would generate would be harmful to the characteristic tranquillity, and would introduce evening and night time activity that necessitates lighting in an area that is currently unlit, which represents harm to the characteristic dark skies. Therefore, contrary to the findings of the submitted LVIA and Design and Access Statement, Officers consider that the proposal fails to conserve and enhance the local character, qualities and distinctiveness of the AONB, and could not be wholly



satisfactorily mitigated by landscaping to the extent that the proposal would not cause unacceptable harm to the landscape character.

9.16 As such, the proposal is considered to conflict with saved local plan policies SD1, CO1, and CO4 and Shepway Core Strategy Policy SS1 which seek to protect the rural landscape and to promote sustainable development, particularly as in this instance where the countryside has an AONB designation. It would also be contrary to Shepway Core Strategy Policy CSD4 which requires planning decisions to have close regard to the need for conservation and enhancement of the natural beauty of the AONB and its setting, which will take priority over other planning considerations; and is considered to be contrary to guidance contained within the NPPF which states that the planning system should aim to protect and enhance valued landscapes, specifically paragraph 115 which requires that great weight should be given to conserving landscape and scenic beauty in AONBs which have the highest status of protection in relation to landscape and scenic beauty. The proposal is also contrary to the aims and objectives of the policies in the Kent Downs AONB Management Plan.

9.17 The proposal would also result in development that is detached from the established settlement and as such would be out of place in the agricultural landscape, contrary to Shepway Core Strategy Policy CSD3, due to the separation from the settlement boundary. The policy requires new tourism uses to be within or on the edge of existing settlements. This interruption of the separation of the built area from the wider landscape, is considered detrimental to the AONB and would fail to conserve its landscape and scenic beauty. Overall, the proposal is unacceptable in principle from a visual impact point of view, due to being an unacceptable form of development for an countryside location which would result in harm to the intrinsic character and appearance of the Kent Downs AONB, and would dilute the qualities of natural beauty and landscape character that the AONB designation seeks to conserve and enhance.

## **Design**

9.18 The overall design of the facility has been carefully considered in terms of the low density of buildings, suggested landscaping and choice of native species, which would provide for a pleasant environment. However, it is the location of the facility which is an issue in terms of the impact the development would have on the existing character of the area. In terms of the design of the individual buildings, the proposed lodges would be of timber construction with Decra roof types which are profile sheets bonded with a stone chip finish, which naturally attract lichen to give a natural appearance within a short period of time. The buildings whilst having some design merit in their own right, are considered to fail to meet the rigorous requirements for high quality design for new development in the AONB and fail to respond to local distinctiveness in terms of materials, design and layout.

## Ecology

- 9.19 A Preliminary Ecological Assessment Report has been submitted with the application which concludes that the development would result in the loss of improved grassland which has little ecological value, and that the hedgerow on the north-west boundary which is a valuable ecological feature is being preserved. There would therefore be limited impact on individual species, and the report sets out recommendations for mitigation strategies, and habitat enhancement. The report also concludes that no statutorily protected sites would be affected by the proposed development, which is confirmed in the consultation response from Natural England, who deferred their comments to Kent Downs AONB, referred to above. Further supplementary information submitted in the form of a Landscape and Ecology Management Strategy, Proposed Management Plan for Eco Holiday Park, and a Lighting Plan sets out measures to enhance biodiversity with significant ecological benefits, and low level bollard lighting that would not be harmful to bats or the adjacent ancient woodland.
- 9.20 Notwithstanding the above, Kent Wildlife Trust has stated that designated Ancient Woodland (Reinden Wood) is recognised at county interest level for its wildlife, and that the application initially did not properly assess the impact on the ecology of Reinden Wood, such as the risk of harm from noise, illumination and increased public access to the woodland. It may for example; be appropriate to install enhanced boundary fences to avoid access from the holiday site to the woodland as avoiding access would be difficult to manage, and to have a buffer zone preventing activity for at least 15m from the Ancient Woodland boundary, given the sensitivity of the woodland ecosystem to these kinds of impacts.
- 9.21 However, the intensity and alignment of external lighting which can affect nocturnal navigation of many species has now been addressed in the application, and the use of appropriate local native species in the landscaping scheme has been incorporated into the development. Therefore, the application, through the additional information submitted is considered to largely have addressed the ecological assessment of the development's potential biodiversity protection and enhancements, in accordance with paragraph 118 of the NPPF, which requires that opportunities to incorporate biodiversity in and around developments should be encouraged. The ecological mitigation measures, external lighting levels/details, and landscaping can be secured by planning condition. Therefore, whilst acknowledging the designation of the adjacent ancient woodland and the importance of it and the woodland edge in relation to the rich habitat of plant and animal communities they support, the application is now properly informed and is not now lacking from an ecological point of view.
- 9.22 Overall, the proposal is not considered to be contrary to guidance contained within the NPPF in respect of ecological considerations which states that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland; or to saved local plan policy CO11, and Core Strategy Policy CSD4 (c) which

seek to provide a high level of protection and enhancement for Ancient Woodland, biodiversity, important habitats and diverse landscapes especially where they support the setting of the AONB. Further details of enhancement measures to mitigate against the impacts of the development and provide net biodiversity gains can be secured by condition.

## **Tourism Development**

- 9.23 From a tourism perspective, the development seeks to create a recreational holiday site providing facilities for angling, tennis and other leisure pursuits, with upmarket self-catering lodges in an attractive landscaped lakeside setting. This is a different type of development to which policy TM4 was intended to apply in terms of resisting new chalet sites. The development would be phased with six of the lodges provided in the first phase. The exclusive nature of the development is aimed to raise the tourism offer in the district, and to create an all year round facility as opposed to a seasonal one, generating year round employment and spending on local services in the district economy.
- 9.24 A Business Plan has been submitted which sets out that the proposed holiday lodge site would produce a viable profit, allowing for a site manager and support staff. The Demand Report states that the estimated £320,000 - £555,000 of turnover into the local economy would generate 6-11 jobs (11 jobs based on a 52 week season would equate to 6 full time jobs and 10 part time). Furthermore, the visitor spend would benefit local shops, attractions, pubs and restaurants, with the holiday rental visitor generally spending more per trip than those who use traditional accommodation such as Hotels/B&Bs. Therefore, if the development achieves its predicted occupancy levels, there would be significant benefit to the local economy, and it would support direct employment with wider trickle down benefits to the Folkestone & Hythe economy. If Members resolve to grant planning permission, officers recommend suitably worded conditions be attached restricting use to short term holiday lets and requiring a register to be kept to enable this to be monitored.
- 9.25 The submitted Demand Report, concludes there is demand for quality holiday park accommodation, partly due to the rise in popularity of the 'staycation'. The application sets out the trend for staycation holiday parks to become more focused on the higher end of the market, due to growing demand from older demographic groups with greater disposable income. Thus there is, it states, growing demand for higher quality accommodation with all the modern home comforts and facilities, set in exceptional locations. Further to this, providing fully accessible accommodation broadens the appeal to disabled tourists. Whilst the application puts forward all of these potential benefits, the question of whether the application site is the most suitable countryside location for this type of development has not been demonstrated, as other sites are not put forward by way of comparison, and there is not robust enough justification submitted with the application to demonstrate a need for an open countryside location for this development. Overall, whilst not disputing the demand for this type of facility, the application fails to robustly demonstrate

that this site is the most sequentially preferable or why this type of facility could not be successfully provided on the edge of a Strategic Town, Service Centre, Rural Centre or Primary Village as required by adopted planning policy. Although Densole already provides significant holiday accommodation at the Black Horse Farm Caravan Club site of over 100 touring caravan and camping pitches, that use did not require planning permission as it is a Caravan Club certified site and as such the use was permitted development. Although it is accepted that there the development is likely to result in economic benefits to the district and part of its attractiveness to tourists will be its rural location it is not considered that these factors outweigh the landscape impact in this case, particularly as no assessment of more suitable and policy compliant sites on the edge of existing service centres has been carried out. Therefore it is difficult to conclude on the basis of the information submitted that the proposal does not represent unnecessary development in the countryside.

- 9.26 Paragraph 28 of the NPPF seeks to achieve local plan policy support for sustainable rural tourism which respects the character of the area and is in appropriate locations where identified needs are not met by existing facilities in rural service centres. Core Strategy policies SS1, SS3 and CSD3 seek to direct development including tourist development to existing settlements to protect the open countryside, and development should only be allowed exceptionally where a rural location is essential. Whilst it could be argued that a rural location is required for this type of development, a more logical extension of the existing built area would be more acceptable on a strategic planning level and in terms of visual impact, rather than a more isolated site that is visually detached from the existing settlement. Sequentially it would be less harmful for development of this type to be directed to sites outside of the designated AONB.
- 9.27 The Kent Downs AONB Management Plan does support sustainable tourism facilities where they enhance enjoyment of the AONB, but with a clear caveat that economic development such as visitor facilities should not detract from the special characteristic and qualities of the AONB. Given the harm to the AONB identified in this report, it is considered although the NPPF and AONB Management Plan do support sustainable rural tourism which reflects the character of the area there is conflict with the parts of the NPPF and Management Plan which seek to protect the AONB as well as saved local plan policies CO1 and CO4 which seek to maintain or enhance features of landscape and the particular quality and character of the countryside. It is considered the proposal does not fully meet these objectives, and that the need for the development on this particular site is not adequately convincing enough to outweigh these considerations regarding the natural environment. Core Strategy policy CSD3 specifically refers to tourism facilities stating "Tourist development within defined settlements in the Settlement Network or where sites are unavailable within settlements and development is proportionate in scale/impact and also accessible by a choice of means of transport it may also be acceptable on the edge of Strategic Towns and Service Centres, and failing that, Rural Centres and Primary Villages." Densole is a secondary village, but the need for a holiday site is not specific to Densole and could from a district

perspective be located elsewhere. Shepway Core Strategy policy CSD3 sets out that tourism enterprise may be acceptable outside existing settlements on the edge of rural centres when the scale and accessibility is acceptable and sites within the existing settlement are unavailable. The application fails this aspect of the policy by involving loss of countryside away from the existing village envelope.

- 9.28 In terms of sustainability, the site is located approximately 250 metres from the Black Horse Inn and a bus stop and approximately 230 metres from a general store (distances are as the crow flies), both of which are long established and there are buses to and from Canterbury and Folkestone. These cover by several different services and buses are reasonably regular throughout the day and evening. As such, whilst the site is outside of an identified settlement boundary, it is considered to be in a reasonably sustainable location for basic facilities and public transport. However other facilities such as doctors and larger shops are provided within Hawkinge which is slightly further away and not within easy walking distance, although served by the bus route. The majority of facilities that self catering tourists would require such as restaurants and a supermarket are some distance away and the vast majority of visitors are likely to use a car to access them. Therefore overall this is not a particularly sustainable location. Taking all of the above into consideration, whilst there are likely economic benefits the proposal is not considered to meet the criteria of the local plan policies, or the ethos of the NPPF in terms of being a sustainable location.
- 9.29 Overall, whilst the proposal has potential to provide a new tourism offer, and income and employment benefits to the local economy, it is not in this instance considered to outweigh the harm, of being a development in an unsustainable location which fails to conserve the landscape and scenic beauty of the AONB. It is considered there may be sites better suited to accommodate this type of development in the district, without the same level of harm. No examination of sequentially preferable sites has been provided and as such there is conflict with paragraph 118 of the NPPF which seeks to direct development to alternative sites with less harmful impacts. It has not been demonstrated that there would be no scope for the development outside of the AONB or on less sensitive sites. As such, whilst acknowledging there may be some wider economic benefits to the local economy and there is access to some public transport and basic facilities, on balance in the light of the harm to the AONB in conflict with paragraph 115 of the NPPF and local plan policies the proposal is unacceptable in planning terms.

## **Neighbour Amenities**

- 9.30 The erosion in transition from the settlement to wider landscape if this development were to be built out, in combination with the noise and disturbance from the activities that it would generate, given that one of the purposes of the AONB designation is to have regard to those who live and work there, are all impacts that need to be given consideration. Saved local

plan policy LR3 seeks that new recreational facilities, such as those provided by this development, do not unacceptably impact on the amenity of local residents and users of PROW in terms of noise nuisance, and saved policy SD1 seeks to protect residential amenity. The occupants of the linear band of housing on Canterbury Road, Densole Way and Densole Lane to the west, north west, and south west of the application site, currently enjoy an outlook onto open countryside. Whilst it is acknowledged that the erosion of this transition from the settlement to the wider countryside will be considered by occupiers to be detrimental to the enjoyment of their homes a right to a view across open countryside is not a planning consideration and this change is not considered a valid planning reason for refusal of the application.

- 9.31 The development would result in additional vehicle movements, albeit these would largely be throughout the day, with limited movements associated with arrival and departure from the proposed development. It is not considered that the additional vehicle movements generated will be so significant as to result in unacceptable levels of disturbance to residents closest to the access track. Whilst neighbours have also raised concerns about loss of privacy, given the degree of space separation from the site, this would not be a significant concern, and a management plan could be secured by condition to ensure visitors were kept away from residential garden boundaries as the land between the application site and the residential properties is owned by the applicant. As such, it is not considered vehicle movements or activity would detrimentally impact on nearby residents and users of the PROW network to the extent that planning permission should be refused on these grounds, subject to the imposition of a condition as set out above.

## Highways

- 9.32 A Transport Statement has been submitted with the application, along with Traffic Survey Data. The statement concludes that vehicle movements would be light given the nature of the proposed use, and that the vehicle movements would be outside peak periods. The access onto Canterbury Road is an existing established access point, with demonstrated good visibility, and consequently Highways and Transportation officers have no objection to the proposal from a highways perspective, and thus highways would not be a constraint to the proposed development.
- 9.33 Notwithstanding the above, paragraph 34 of the NPPF seeks to ensure developments are located where the need to travel will be minimised and use of sustainable transport modes are maximised. The site's relatively poor location with regard to access to services would lead to an inevitable reliance on the private car, which represents an unsustainable form of development, as well as some disruption to the peace and tranquillity of the site for walkers on the public rights of way and for local residents. A condition requiring a travel plan, setting out measures to encourage visitors to use public transport, cycle and walk could partly mitigate concerns and help maximise more sustainable forms of transport if Members resolve to grant planning permission.

## **Trees**

- 9.34 There are no significant constraints from trees on the site, and the Council's Arboriculture Manager has no objection to the proposal from this point of view. However, the site is adjacent to Ancient Woodland which raises issues addressed elsewhere in this report.

## **Archaeology**

- 9.35 The site is in an Area of Archaeological Potential. KCC Archaeology were consulted, but did not provide comments. Should Members resolve to grant planning permission, appropriate measures could be secured by condition as necessary in order to secure a watching brief.

## **Public rights of way**

- 9.36 There is a bridleway along the western edge of the woodland adjacent to the application site, and a public footpath which the proposed access spur would cross. The activity and noise associated with the proposed development is considered to conflict with one of the purposes of the AONB designation, which is to enable quiet enjoyment of the countryside. The well used public rights of way adjacent to the site and across the access would be considered to be compromised in this regard, as well as the harm to visual impact from the routes as discussed in this report. The PROW officer has no objection to the proposal, but measures would need to be secured by condition to protect the public footpath during the construction period if Members resolve to grant planning permission.

## **Drainage**

- 9.37 The site is located within flood zone 1 as depicted on the environment agency maps and as such is not considered to be at a high risk of flooding. The application states that surface water will be dealt with by being directed to the proposed lake. No details of this have been provided. However, for a development of the scale, Officers would normally require a SUDS drainage system. If Members were minded to grant planning permission, details of this can be required by condition.

## **Environmental Impact Assessment Regulations 2017**

- 9.38 In accordance with the EIA Regulations the site falls within a sensitive area and within Schedule 2 12(c) Holiday Villages. A screening opinion has been carried out and it has been concluded that the development is not EIA development and as such an Environmental Statement is not required. A full copy of the screening opinion is available on the planning file <https://searchplanapps.folkestone-hythe.gov.uk/online-applications/search.do?action=simple&searchType=Application>

## **Other Issues**

- 9.40 There is a Radio Mast and Ministry of Defence (MOD) land immediately adjacent to the application site. National Traffic Air Services (NATS) has no safeguarding objection to the proposal. Further to this, they and the Environmental Health team recommend contamination conditions if planning permission were to be granted.

## **Conclusion**

- 9.41 Both national and local planning policy recognises the benefit of rural tourism development to the rural economy but the policies identify that such development should be located within or on the edge of existing service centres. New development in an open countryside location will only be permitted in exceptional circumstances where it has been demonstrated that sites within or on the edge of such centres aren't available and an open countryside location is needed. In addition the site is located with the AONB where national and local planning policies require that great weight should be given the conserving landscape and scenic beauty. Although the development is not considered to be 'major' development for the purpose of NPPF paragraph 116 and the likely economic benefits of the development are recognised, these are not considered sufficient to outweigh the harm to the landscape character and scenic beauty that will result from the introduction of the lodges, lake, landscaping and associated structures and buildings into this sensitive landscape.

## **Human Rights**

- 9.42 In reaching a decision on a planning application the European Convention on Human Rights must be considered. The Convention Rights that are relevant are Article 8 and Article 1 of the first protocol. The proposed course of action is in accordance with domestic law. As the rights in these two articles are qualified, the Council needs to balance the rights of the individual against the interests of society and must be satisfied that any interference with an individual's rights is no more than necessary. Having regard to the previous paragraphs of this report, it is not considered that there is any infringement of the relevant Convention rights.
- 9.43 This application is being reported back to Committee for redetermination following the quashing of the original decision by the High Court.

## **10.0 BACKGROUND DOCUMENTS**

- 10.1 The consultation responses set out at Section 4.0 and any representations at Section 6.0 are background documents for the purposes of the Local Government Act 1972 (as amended).
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**RECOMMENDATION – That planning permission be refused for the following reasons:**

1. The site is located in open countryside within the North Downs Area of Outstanding Natural Beauty (AONB) where the primary aim of planning policies is to conserve the landscape and scenic beauty. The introduction of development of the amount and type proposed and the associated landscaping will disrupt this currently unspoilt landscape and weaken the characteristics and qualities for which it is protected. In addition the activity associated with the use would be likely to lead to further erosion of the area's special character of tranquillity and dark skies. It is not considered any benefit to the rural economy that would arise from the development would override the harm that would be caused to this part of the AONB. The application is therefore contrary to paragraph 115 of the National Planning Policy Framework; saved policies SD1, CO1, and CO4 of The Shepway District Local Plan Review; policies CSD3 and CSD4 of the Shepway Core Strategy Local Plan; and Kent Downs AONB Management Plan policies SD1, SD2, SD3, SD8 and LLC1 all of which seek to protect designated landscapes.
  2. The site is located within open countryside outside of the settlement hierarchy and within the Kent Downs AONB and Special Landscape Area which is awarded the highest status of national protection. In the absence of a convincing justification, the application fails to demonstrate a robust need for this development in this location and that it cannot be provided in or adjacent to an existing rural service centre, or that it essentially requires a countryside location, within the designated AONB. It is therefore considered that there remains significant uncertainty that this development can create a sustainable visitor destination and not result in unnecessary development in the countryside that would be harmful to the character of the landscape and surrounding environment. As such, it is considered that the development is contrary to saved policies SD1, CO1, and CO4 of the Shepway District Local Plan Review, policies DSD, SS1, SS3, CSD3 and CSD4 of the Shepway Core Strategy Local Plan, and the National Planning Policy Framework paragraphs 28, 109 and 115 and is considered to be contrary to policies SD1, SD2 SD3, SD8 and LLC1 of the Kent Downs AONB Management Plan that advise the need for conservation and enhancement of the natural beauty of the AONB is the primary purpose for the designation.
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Y16/0623/SH  
Little Densole Farm  
Canterbury Road  
Densole

