

**TOWN AND COUNTRY PLANNING  
(GENERAL PERMITTED DEVELOPMENT) ORDER 1995 (AS AMENDED)**

**DIRECTION MADE UNDER ARTICLE 4(1) TO WHICH ARTICLE 6 APPLIES**

**DISTRICT OF DOVER (WESTMARSH)  
TOWN AND COUNTRY PLANNING DIRECTION NUMBER 1 of 2011**

**LAND NORTH OF WESTMARSH DROVE FARM, WESTMARSH, ASH, CANTERBURY, KENT**

WHEREAS Dover District Council being the appropriate Local Planning Authority within the meaning of Article 4(4) of the Town and Country Planning (General Permitted Development) Order 1995, as amended, are satisfied that it is expedient that development of the description set out in the Schedule below should not be carried out on the land shown edged black and stippled red on the attached plan no 092/11, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990, as amended

AND WHEREAS the said Council consider that development of the said description would be prejudicial to the proper planning of their area and would constitute a threat to the amenities of their area and that the provisions of paragraph 1 of Article 6 of the Town and Country Planning (General Permitted Development) Order 1995, as amended, apply

NOW THEREFORE the said Council in pursuance of the power conferred on them by Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995, as amended, hereby direct that the permission granted by Article 3 of the said Order shall not apply to development on the said land of the descriptions set out in the Schedule below.

THIS DIRECTION is made under Article 4(1) of the said Order and, in accordance with Article 6(7), shall remain in force until 14 April 2012 (being six months from the date on which this Direction comes into force) unless confirmed by the Local Planning Authority in accordance with paragraphs (9) and (10) of Article 5 before the end of the six month period

**SCHEDULE**

Development comprised within:-

- 1) Class A of Part 2 of Schedule 2 of the said Order consisting of the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure and not being development comprised within any other Class.
- 2) Class B of Part 4 of Schedule 2 of the said Order consisting of the use of any land for any purpose for not more than 28 days in total in any calendar year, of which not more than 14 days in total may be for the purposes of holding a market or motor car or motor cycle racing including trials of speed and practising for these activities and the provision on the land of any moveable structure for the purposes of the permitted use

Made under the COMMON SEAL of  
DOVER DISTRICT COUNCIL  
This 14 day of October 2011  
The Common Seal of the Council  
was affixed to this Direction in the presence of

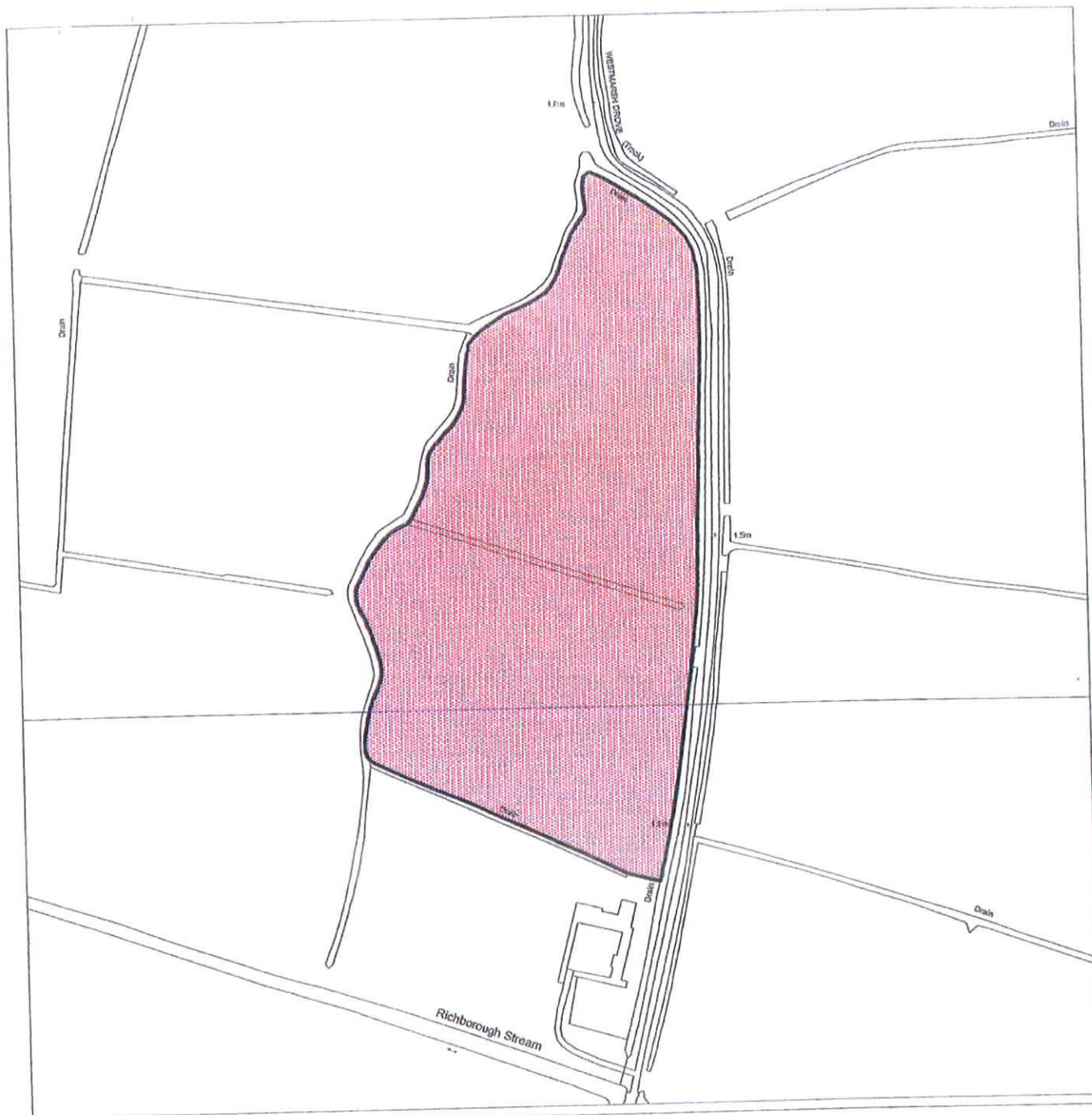
  
Authorised Chief Officer



15,065

Confirmed under the COMMON SEAL of  
DOVER DISTRICT COUNCIL  
This day of 2011  
The Common Seal of the Council  
was affixed to this Direction in the presence of

Authorised Chief Officer



**District of Dover (Ash)**  
**Town and Country Planning Direction Number 1 2011**

Land North of Westmarsh Drove Farm, Westmarsh, Ash



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Scale 1:2500

From O.S. Sheet(s): TR2761 TR2762

Plan No: 092/11

Date: 6 October 2011

Drawn by: J.M.F.



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**Dover District Council**

**Town and Country Planning Act 1990**

**Town and Country Planning (General Permitted Development) Order 1995 (as amended)**

**Direction under Article 4(1)**

**Direction No 1 2011**

**Land north of Westmarsh Drove Farm, Westmarsh, Ash**

**Statement**

1. The land shown shaded red on Plan No 092/11 attached hereto comprises some 3.05 hectares, with a frontage of some 330 m to Westmarsh Drove, a stone track to the east and from which it is separated by a dyke. The land is also defined by dykes on its remaining sides. A further dyke runs approximately east-west across almost the entire land towards its centre.
2. The land is currently grazed by horses. There are earth mounds on the northern part of the site with a few tyres in piles and there is evidence of its use for motor cycle riding. This latter use had previously been investigated following receipt of a complaint in 2005, but in 2008 it was determined that it had ceased. In the south west corner of this part of the land is a caravan apparently covered in camouflage netting.
3. The site is flat and forms part of the extensive Ash Levels. From Westmarsh Drove, there are long and wide vistas, particularly to east and north, over arable fields with intermittent hawthorns marking the lines of dykes. Views are restricted to the west by a line of poplars. To the immediate south is land forming Westmarsh Drove Farm which is partly screened by close boarded fencing with stables, a caravan and other horse-related development. Planning permission has not been sought or granted for any of this development. Further to the south is arable land, with the hamlet of Westmarsh beyond.
4. Access is gained from minor roads through Westmarsh via Westmarsh Drove. This itself gives access to the farmland to the north and is a public footpath (EE76) from which the land is completely open to view. There is a gated access to the northern part of the site from Westmarsh Drove, at a point where a short section of the dyke has been culverted.
5. In the Dover District Local Development Core Strategy (adopted in February 2010), the site is remote from any defined village settlement and forms part of the countryside. It is within an area of flood risk (zone 2).
6. Relevant policies of the Development Plan (The South East Plan and the Core Strategy) aim to protect the countryside from inappropriate development and to safeguard landscape character. The Government's Planning Policy Statement 7 *The Countryside – Environmental Quality and Economic and Social Development* states that Planning authorities should continue to

ensure that the quality and character of the wider countryside is protected and, where possible, enhanced. Effective protection of the environment is stated as a Government aim in PPS1 *Delivering Sustainable Development*, which also sets out that Planning should facilitate and promote sustainable patterns of rural development by protecting and enhancing the natural environment and the quality and character of the countryside.

7. A similar Direction was served in 1990 on the land and the land now occupied by Westmarsh Drove Farm. That Direction was not approved by the Secretary of State. It sought to remove permitted development rights covered by the then Part 6 Class A of the Town and Country Planning General Development Order 1988 relating to agricultural development and had been a direct response to the unsightly development of somewhat ramshackle buildings at that time.
8. There are increasing concerns locally at the amount of unauthorised development in the Westmarsh area, particularly concerning the use of land for the stationing of caravans and related development. There is further concern that this land will be developed in a similar way.
9. The Council's objective is to ensure that no development takes place on the land which could harm the open, unspoilt character and appearance of the locality and the wider public amenity associated with the use of the adjoining right of way. In particular, it is concerned to avoid a proliferation of inappropriate fencing and other enclosures and the use of the land for various temporary uses and moveable structures which could arise if the land were to be sold off in small plots. Such enclosures and uses are potentially incompatible with the open and attractive appearance of the area. The development to which the Direction relates would be prejudicial to the proper planning of the area and constitute a threat to the amenities of the area.
10. Dover District Council, as Local Planning Authority, has made a Direction under Article 4(1) in respect of the land indicated on Plan No 092/11 to withdraw permitted development rights under Part 2 Class A and Part 4 Class B of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended).