

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

DIRECTION MADE UNDER ARTICLE 4(1) TO WHICH ARTICLE 5(4) APPLIES

**DISTRICT OF DOVER (ST MARGARETS-AT-CLIFFE)
TOWN AND COUNTRY PLANNING DIRECTION NUMBER 3 2010**

**LAND NORTH-EAST OF SEA STREET AND NORTH-EAST OF
DROVEWAY GARDENS, ST MARGARETS-AT-CLIFFE, DOVER, 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 land shown edged black and stippled red on the attached plan no 066/10, unless permission is granted on an application made under Part III of the Town and Country Planning Act 1990

AND WHEREAS the 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 4 of article 5 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 description set out in the Schedule below.

THIS DIRECTION is made under Article 4(1) of the said Order and, in accordance with article 5(4), shall come into force on 20 October 2010 being 28 days from the date of this Order and shall remain in force until 20 April 2011 (being six months from the date on which this Direction comes into force) and shall then expire unless it has been confirmed by the Local Planning Authority

SCHEDULE

Development comprised within Class A of Part 6 of Schedule 2 of the said Order consisting of the carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of—

- (a) works for the erection, extension or alteration of a building; or
 - (b) any excavation or engineering operations,
- which are reasonably necessary for the purposes of agriculture within that unit and not being development comprised within any other Class.

DATED this 22 day of September 2010

EXECUTED as a DEED by the affixing hereto)
and the authentication of the COMMON SEAL of)
DOVER DISTRICT COUNCIL but not delivered)
until the date hereof:)



Dover District Council, White Cliffs Business Park,
Dover, Kent CT16 3PJ

Authorised Chief Officer

14.921

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 Nos. 2, 3 and 4 of 2010

Land North East of Sea Street and Droveaway Gardens, St. Margaret's-at-Cliffe

Statement of Reasons

1. The land is in two parcels as shown shaded red on Plan No. 066/10. The larger parcel, totalling 3.960 hectares in area, is located to the north east of Sea Street, to which it has a frontage of some 220 metres. It extends to a depth of some 170-190 metres as far as Droveaway Gardens, beyond which is the second parcel of land totalling 1.380 hectares in area, with a narrower frontage of about 90 metres to Droveaway Gardens and a depth of 145-160 metres. Sea Street is a 'C' class road which links St. Margaret's-at-Cliffe to St. Margaret's Bay. Droveaway Gardens is a Public Footpath (ER276); a second Public Footpath (ER28) runs along the north east side of the smaller parcel of land. Both sites are of essentially rectangular shapes and comprise arable fields. They are well seen from Droveaway Gardens and the smaller parcel is open along its boundary with Public Footpath ER28. The larger site is glimpsed through boundary trees and other vegetation alongside Sea Street and is clearly open to view from dwellings and their gardens to its south east.
2. The larger parcel of land lies between two of the three built-up areas of St. Margaret's, the school to the north west and the residential development to its east lying within the defined village confines. The smaller parcel of land is adjoined by detached dwellings in larger plots which fall outside the village confines. Open farmland is located both to the south west of Sea Street and to the north of the smaller parcel of land. Droveaway Gardens forms the south east boundary hereabouts of the Area of Outstanding Natural Beauty and Heritage Coast; the larger parcel has no such statutory designation. It nevertheless forms part of the countryside setting of St. Margaret's. The defined village confines (i.e. the area within which housing is accepted in principle) have been incorporated in the Dover District Local Development Framework Core Strategy, adopted in February 2010.
3. Relevant policies of the Development Plan (the Core Strategy and retained policies of the Dover District Local Plan) give priority to the protection of the countryside and landscape character. The Area of Outstanding Natural Beauty and Heritage Coast are also to be safeguarded through Government planning documents, respectively PPS7, *The Countryside - Environmental Quality and Economic and Social Development* and PPG20, *Coastal Planning*.
4. The smaller parcel of land and the land to its north are already the subject of Directions under Article 4, made in 1973 and 1974 and relating to agricultural development.

5. The District Council has received representations from local residents to the effect that the site is to become a small-holding and "community farm". Reference has been made to the possibility of developments such as hard-standings, polytunnels, irrigation tanks, animal buildings and further buildings associated with a commercial enterprise.
6. This land forms part of an attractive open stretch of countryside which plays an important and integral part in the rural setting of St. Margaret's. The Council's concern is with the uncontrolled sub-division of the land and permitted development ancillary to a small farm holding, leading to a proliferation of fencing, enclosures, buildings and other structures and operations. Such development would be incompatible with the open nature of the countryside, landscape protection and the vital role that these two areas of land contribute to the unspoilt setting of the village.
7. There is clear local concern about a perceived threat to the appearance of this land. The development to which the directions relate would be prejudicial to the proper planning of the area and constitute a threat to the amenities of the area.
8. Dover District Council, as Local Planning Authority, has made Directions under Article 4 in respect of the land indicated on plan no. 066/10, to withdraw permitted development rights under Part 2, Class A and Part 6 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

**TOWN AND COUNTRY PLANNING
(GENERAL PERMITTED DEVELOPMENT) ORDER 1995 (as amended)**

DIRECTION UNDER ARTICLE 4(1)

Direction No 3 of 2010

**Land north east of Sea Street and Droveaway Gardens,
St Margaret's at Cliffe, Dover, Kent**

NOTICE is hereby given that Dover District Council has on 2 March 2011 confirmed the District of Dover (St Margarets at Cliffe) Town and Country Planning Act Article 4(1) Direction Number 3 of 2010 made on 22 September 2010. Copies of this Direction, the accompanying statement and the plan showing the site of the Direction are available to inspect at the offices of Dover District Council at White Cliffs Business Park Dover Kent CT16 3PJ from 9am to 5pm Monday to Friday or alternatively on the website at www.dover.gov.uk/planning.

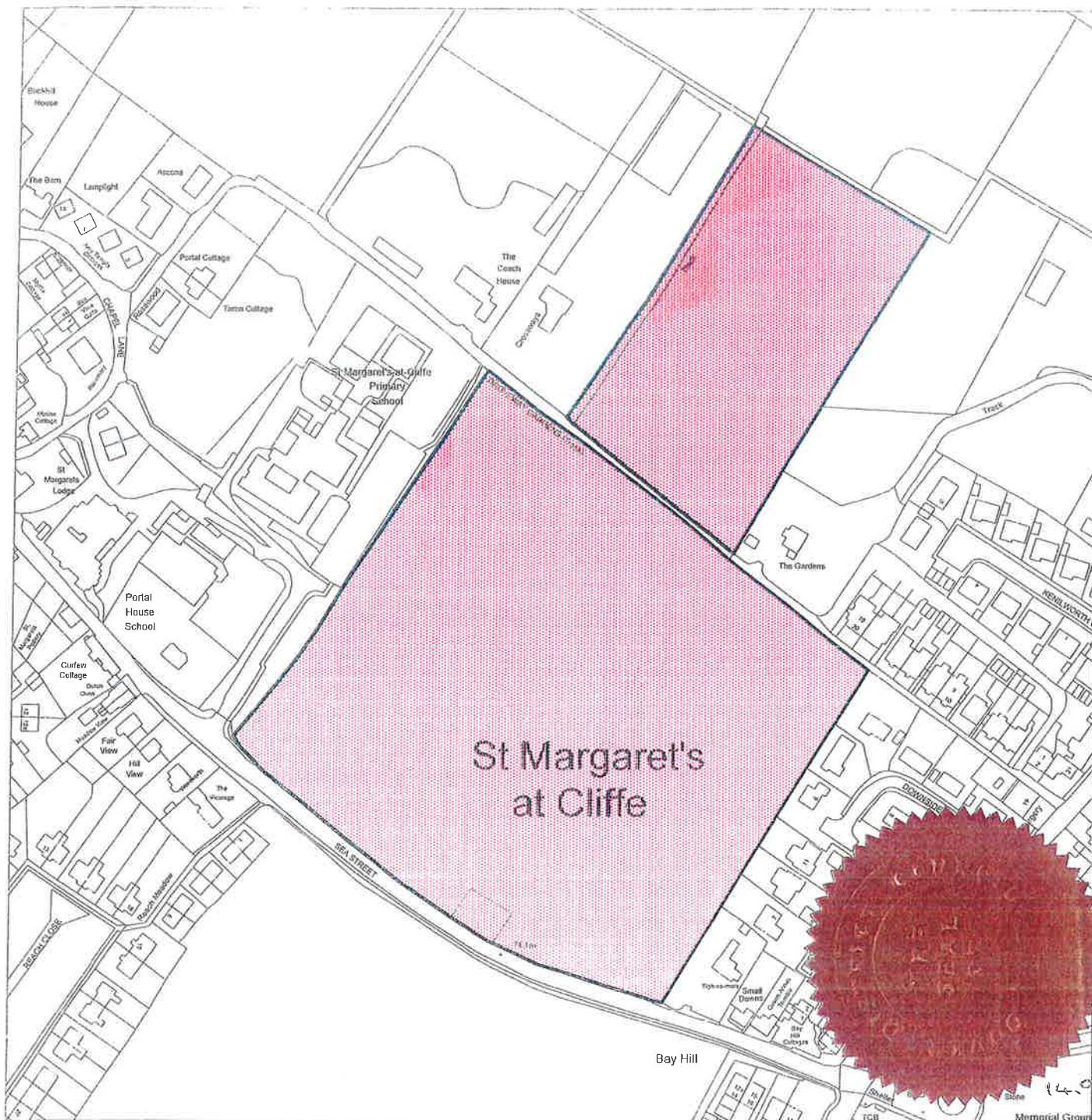
The Direction affects the land identified in the Direction (the Land). The Direction removes certain permitted development rights from the Land granted by the Town and Country Planning (General Permitted Development) Order 1995 (as amended). These are set out in the Schedule of the Direction as follows:

Development comprised within Class A of Part 6 of Schedule 2 of the said Order consisting of the carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of—

- (a) works for the erection, extension or alteration of a building; or
 - (b) any excavation or engineering operations,
- which are reasonably necessary for the purposes of agriculture within that unit and not being development comprised within any other Class.

The effect of the Direction is that planning permission is now required for the developments specified.

Harvey Rudd
Solicitor to the Council



District of Dover (St Margaret's-at-Cliffe)

Town and Country Planning Directions Number 2, 3 & 4 2010

Land North East of Sea Street and Droveway Gardens, St Margaret's-at-Cliffe



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Scale 1:2500

From O.S. Sheet(s): TR3644

Plan No: 066/10

Date: 16 September 2010

Drawn by: T.A.W.



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