

**From:** [REDACTED]  
**To:** [DDC Complaints](#); [DDC Complaints](#)  
**Cc:** [REDACTED]; [DDC Development Management](#)  
**Subject:** FW: Dover District Council Complaint - C2024-20  
**Date:** 16 January 2024 10:02:00

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Hi

This person does not appear to be recording a service complaint. This seems to be a query directed to the case officer for a response on the back of a recent planning application decision. I should be grateful therefore if you would amend your records and advise the writer that you are not treating this as a service complaint and have forwarded to the planning application case officer for a response.

Thankyou

[REDACTED]



[REDACTED]  
**Planning Enforcement Manager**  
**Planning and Development**

Dover District Council

Council Offices, White Cliffs Business Park, Whitfield, Dover  
CT16 3PJ

Tel: [REDACTED]

Email [REDACTED]

Web: <http://dover.gov.uk>



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**From:** [REDACTED]  
**Sent:** Monday, January 15, 2024 10:36 AM  
**To:** DDC Complaints <[DDCComplaints@DOVER.GOV.UK](mailto:DDCComplaints@DOVER.GOV.UK)>  
**Subject:** Re: Dover District Council Complaint - C2024-20

Good Morning,

Can you also please pass this information onto the person dealing with this case, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] This is the reason why I emailed previously to inform the council that it is available if they wish to see it but unfortunately, they didn't and I believe this to be a failing on the Councils side.

As I have stated about communication before, if I had been contacted by the council and a concern was the size, I could have looked at a compromise on size to ensure everyone is satisfied with the final result

Regards,

[REDACTED]

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**From:** DDC Complaints <[DDCComplaints@DOVER.GOV.UK](mailto:DDCComplaints@DOVER.GOV.UK)>

**Sent:** 12 January 2024 16:51

**To:** [REDACTED]

**Subject:** Dover District Council Complaint - C2024-20

Dear [REDACTED]

We are writing to acknowledge receipt of your complaint dated 12/01/2024 16:46 and advise that this is being dealt with as a Complaint. We will always aim to provide a written response from the relevant department within 10 working days. However, very occasionally we may need more time to answer your enquiry in full and if this is the case, we will contact you to advise the new date that we are intending to respond to your complaint. Any extension will be a no more than an additional 10 working days.

If, on receiving our response to your complaint, you remain dissatisfied, please email [complaints@dover.gov.uk](mailto:complaints@dover.gov.uk) or write to the Council - for the attention of Sue Carr, Corporate Services Officer at the address below – quoting your complaint reference number and setting out your reasons why you are dissatisfied with the response. Your complaint can then be reviewed at Stage 2 of the Council's complaints procedure. Please note that we will not escalate a complaint from Stage 1 to Stage 2 until the response to the Stage 1 complaint has been provided to you.

Kind Regards

Corporate Services  
Dover District Council  
Council Offices  
White Cliffs Business Park  
Whitfield  
Dover CT16 3PJ

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**From:** [REDACTED]  
**To:** [DDC Development Management](#); [REDACTED]  
**Cc:** [REDACTED]; [DDC Complaints](#)  
**Subject:** RE: Dover District Council Complaint - C2024-20  
**Date:** 16 January 2024 10:05:00

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All

As far as I am concerned this is not a service complaint – it is raising issues with regards to the content of the application as submitted, which should be responded to by the case officer as part of the normal planning process where there is a disgruntled applicant. I have already notified the complaints team as such

[REDACTED] – perhaps you could contact [REDACTED] and advise him accordingly

Thanks

[REDACTED]



[REDACTED]  
**Planning Enforcement Manager**  
**Planning and Development**  
Dover District Council  
Council Offices, White Cliffs Business Park, Whitfield, Dover  
CT16 3PJ  
Tel: [REDACTED]  
Email: [REDACTED]  
Web: <http://dover.gov.uk>



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**From:** DDC Development Management <DevelopmentManagement@DOVER.GOV.UK>  
**Sent:** Monday, January 15, 2024 7:42 AM  
**To:** [REDACTED]  
[REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: Dover District Council Complaint - C2024-20

[REDACTED]  
**Planning Support and Land Charges**  
**Manager**



## Development Management

Dover District Council  
Council Offices, White Cliffs Business Park,  
Whitfield, Dover CT16 3PJ

Tel: [REDACTED]  
Mobile: [REDACTED]  
Email: [REDACTED]  
Web: [dover.gov.uk](https://www.dover.gov.uk)

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**From:** DDC Complaints <[DDCComplaints@DOVER.GOV.UK](mailto:DDCComplaints@DOVER.GOV.UK)>  
**Sent:** Friday, January 12, 2024 4:52 PM  
**To:** DDC Development Management <[DevelopmentManagement@DOVER.GOV.UK](mailto:DevelopmentManagement@DOVER.GOV.UK)>; DDC Planningenforcement <[DDCPlanningenforcement@DOVER.GOV.UK](mailto:DDCPlanningenforcement@DOVER.GOV.UK)>  
**Subject:** Dover District Council Complaint - C2024-20

Dear Colleague

The Council has received the email below which has been logged as a complaint and will need to be dealt with in accordance with the Council's adopted Complaints Policy. A copy of the Council's Complaints Policy can be found on the [Staff Hub](#).

The complainant has chosen the following departments that this complaint relates to Planning, Planning Enforcement.

You will need to respond to the complainant within 10 working days of the date of this email. While you may wish to speak directly with the complainant in investigating a complaint, please remember that all Stage 1 complaints require a final written response (email or letter). If your response is in a letter, it should be on DDC letter headed paper, even if the letter is attached electronically to an email. Please ensure that you have sent Corporate Services at [complaints@dover.gov.uk](mailto:complaints@dover.gov.uk) a copy of the response (letter or email) given to the complainant, quoting the complaint number. This will allow Corporate Services to then close the Stage 1 complaint.

You will receive an automated reminder email before the expiration of the 10 working days deadline. If you require more time, please liaise with the complainant directly and inform Corporate Services. Any extensions should not exceed a further 10 working days without good reason.

Kind regards Corporate Services

Title: [REDACTED]  
First Name: [REDACTED]

Last Name: [REDACTED]

Email Address: [REDACTED]

Phone Number: [REDACTED]

What do you think we did well, wrong or did not do? Thank you for your response. To be very honest, I am not surprised by this decision as I always expected the decision to be clouded by the ongoing planning application I have adjacent to this barn, application 23/01113. I do however have a number of questions from viewing the planning officers report from the website which I would like answers to please? I would also like this to be treated as a stage 1 complaint and forwarded to planning management! Assessment In the assessment, it clearly states Notwithstanding this, it is also noted that the applicant currently occupies, unlawfully, caravans immediately adjacent to this application site. This unlawful development is subject to an outstanding planning application under consideration. I would also like some clarification on this • Why has this been used in the assessment? This application has nothing to do with agriculture or with the barn, it IS only a temporary application and it is a separate area. I feel that the use of this application has severely clouded the judgement of the planning officer Whilst no elevational drawings have been submitted, the size and scale of the building, with an eaves height of 3.5m, would firstly be excessive in area and limit availability of storage space and machinery manoeuvrability within the building. • Can you clarify on the above as this statement contradicts itself? It states the size would be excessive, then it states it would limit availability of storage space and machinery manoeuvrability within the building? I would like to understand the rationale on this statement? • There is no requirement to submit elevation drawings for a barn, that is the reason why I hadn't submitted them • Under permitted development, it allows buildings of up to 1000m<sup>2</sup>, the barn in this application measures 250m<sup>2</sup>. In addition, the materials proposed to be used are considered to be inappropriate and somewhat extravagant for its intended use, for purposes proposed in connection with agricultural activities identified. • If a site visit had been made this could have been discussed, looking at buildings in the locality of this site, they match a number of buildings or parts of their structure, which is why they were proposed. Given the above there is insufficient evidence to satisfy officers that the building is reasonably necessary for the purposes of agriculture within the unit, it is a binary test whereby the proposal does not qualify for the proceeding permitted development rights. As such it is unnecessary to undertake the review of the proposal against A.1 (a-k) and A.2. Prior approval is therefore refused and planning permission is required. • Surely for someone to make this Bold conclusion there would have been some communication between the council and myself, request for information to substantiate this decision and visual evidence to confirm the officers satisfaction? Can you please explain why further enquiries weren't made and a site visit wasn't undertaken?

How have you been affected by this? I feel this decision has been made by way of presumptions and possibly speculation into the future use of the building and the temporary application has also been mentioned

Complainant Address: [REDACTED]

On what date were you first aware of this matter? 2024-01-12

What would you like the Council to do to put things right? Just to repeat the questions I would like answers to, please see below bullet points: • Why has there been no requests for additional information to verify what I have submitted within my application? I can supply all that is required and stated that in a previous email! If a copy of my business plan was requested, it would mirror a lot of the information already stated in the application, it also covers a lot more of the activities in their entirety • Why has there not been a site visit? If an officer attended the site, they would clearly see what I have stated is factual on the operation of the farm. How can you make an assessment and give a decision when there hasn't been a site visit and no one has witnessed what activities are being undertaken on site? • I am genuinely undertaking agricultural activities on this site and this barn IS reasonably necessary for that purpose, how, with all of the above taken into account, can a

decision be made and go against government legislation without covering all of the facts as far as reasonably practicable? As I have already stated, No contact or request has been made for additional information which would support my activities!•

, this would have been available if I had been contacted by the council and if it had been requested! Why wasn't this requested?• Why has the application 23/01113 been used to assist in this decision?

Complaint ID: C2024-20

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**From:** [REDACTED]  
**To:** [REDACTED]  
**Cc:** [REDACTED]; [DDC Complaints](#)  
**Subject:** FW: Dover District Council- Prior approval refused  
**Date:** 16 January 2024 10:07:00  
**Attachments:** [image001.jpg](#)

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Hi [REDACTED]

More correspondence on this matter. Please can you contact [REDACTED] accordingly.

[REDACTED]



[REDACTED]  
**Planning Enforcement Manager**  
**Planning and Development**

Dover District Council  
Council Offices, White Cliffs Business Park, Whitfield, Dover  
CT16 3PJ

Tel: [REDACTED]  
Email: [REDACTED]  
Web: <http://dover.gov.uk>



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**From:** DDC Development Management <DevelopmentManagement@DOVER.GOV.UK>  
**Sent:** Friday, January 12, 2024 1:49 PM  
**To:** [REDACTED]  
**Cc:** DDC Complaints <DDCComplaints@DOVER.GOV.UK>; [REDACTED]  
**Subject:** FW: Dover District Council- Prior approval refused

Hi [REDACTED]

See email below

[REDACTED]

[REDACTED]  
**Planning Support and Land Charges**  
**Manager**  
**Development Management**  
Dover District Council





Council Offices, White Cliffs Business Park,  
Whitfield, Dover CT16 3PJ

Tel: [REDACTED]  
Mobile: [REDACTED]  
Email: [REDACTED]  
Web: [dover.gov.uk](https://www.dover.gov.uk)

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---

**From:** [REDACTED]  
**Sent:** Friday, January 12, 2024 1:11 PM  
**To:** DDC Development Management <[DevelopmentManagement@DOVER.GOV.UK](mailto:DevelopmentManagement@DOVER.GOV.UK)>  
**Subject:** Re: Dover District Council- Prior approval refused

Good Afternoon,

Thank you for your response. To be very honest, I am not surprised by this decision as I always expected the decision to be clouded by the ongoing planning application I have adjacent to this barn, application 23/01113. I do however have a number of questions from viewing the planning officers report from the website which I would like answers to please?

I would also like this to be treated as a stage 1 complaint and forwarded to planning management!

### **Assessment**

In the assessment, it clearly states "**Notwithstanding this, it is also noted that the applicant currently occupies, unlawfully, caravans immediately adjacent to this application site. This unlawful development is subject to an outstanding planning application under consideration**". I would also like some clarification on this

- Why has this been used in the assessment? This application has nothing to do with agriculture or with the barn, it IS only a temporary application and it is a separate area. I feel that the use of this application has severely clouded the judgement of the planning officer

**"Whilst no elevational drawings have been submitted, the size and scale of the building, with an eaves height of 3.5m, would firstly be excessive in area and limit availability of storage space and machinery manoeuvrability within the building".**

- Can you clarify on the above as this statement contradicts itself? It states the size would be excessive, then it states it would limit availability of storage space and machinery manoeuvrability within the building? I would like to understand the rationale on this statement?
- There is no requirement to submit elevation drawings for a barn, that is the reason why I hadn't submitted them
- Under permitted development, it allows buildings of up to 1000m<sup>2</sup>, the barn in this application measures 250m<sup>2</sup>.

**"In addition, the materials proposed to be used are considered to be inappropriate and somewhat extravagant for its intended use, for purposes proposed in connection with agricultural activities identified".**

- If a site visit had been made this could have been discussed, looking at buildings in the locality of this site, they match a number of buildings or parts of their structure, which is why they were proposed.

**"Given the above there is insufficient evidence to satisfy officers that the building is reasonably necessary for the purposes of agriculture within the unit, it is a binary test whereby the proposal does not qualify for the proceeding permitted development rights. As such it is unnecessary to undertake the review of the proposal against A.1 (a-k) and A.2. Prior approval is therefore refused and planning permission is required".**

- Surely for someone to make this **Bold** conclusion there would have been some communication between the council and myself, request for information to substantiate this decision and visual evidence to confirm the officers satisfaction? Can you please explain why further enquiries weren't made and a site visit wasn't undertaken?

Just to repeat the questions I would like answers to, please see below bullet points;

- Why has there been no requests for additional information to verify what I have submitted within my application? I can supply all that is required and stated that in a previous email! If a copy of my business plan was requested, it would mirror a lot of the information already stated in the application, it also covers a lot more of the activities in their entirety
- Why has there not been a site visit? If an officer attended the site, they would clearly see what I have stated is factual on the operation of the farm. How can you make an assessment and give a decision when there hasn't been a site visit and no one has witnessed what activities are being undertaken on site?

I am genuinely undertaking agricultural activities on this site and this barn IS

reasonably necessary for that purpose, how, with all of the above taken into account, can a decision be made and go against government legislation without covering all of the facts as far as reasonably practicable? As I have already stated, No contact or request has been made for additional information which would support my activities!

- [REDACTED]  
[REDACTED]  
[REDACTED], this would have been available if I had been contacted by the council and if it had been requested! Why wasn't this requested?
- Why has the application 23/01113 been used to assist in this decision?

I feel this decision has been made by way of presumptions and possibly speculation into the future use of the building and the temporary application has also been mentioned

I would hope for a reply to these questions in a timely manner of within 7 days. As a decision has already been made, I would hope these questions would be easy to answer as there should be compiled notes to refer back to.

Regards,

[REDACTED]  
[REDACTED]

---

**From:** [DevelopmentManagement@DOVER.GOV.UK](mailto:DevelopmentManagement@DOVER.GOV.UK)  
<[DevelopmentManagement@DOVER.GOV.UK](mailto:DevelopmentManagement@DOVER.GOV.UK)>

**Sent:** 11 January 2024 15:55

**To:** [REDACTED]

**Subject:** Dover District Council- Prior approval refused

Please read the important information attached from Dover District Council

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**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** RE: [REDACTED] COMPLAINT - URGENT  
**Date:** 24 January 2024 11:36:00

---

Perfect – thanks [REDACTED] ... hopefully it will be sufficient for now



[REDACTED]  
**Planning Enforcement Manager**  
**Planning and Development**  
Dover District Council  
Council Offices, White Cliffs Business Park, Whitfield, Dover  
CT16 3PJ  
Tel: [REDACTED]  
Email: [REDACTED]  
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**From:** [REDACTED]  
**Sent:** Wednesday, January 24, 2024 11:34 AM  
**To:** [REDACTED]  
**Subject:** RE: MR CAPLIN COMPLAINT - URGENT

That's perfect. I will be saving that as a reference document for future.

Yes I agree with everything you've said. I strongly feel that the process of a Prior was not understood or was poorly explained to him by someone (outside of the council).

Thank you, as always!

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**From:** [REDACTED]  
**Sent:** Wednesday, January 24, 2024 11:26 AM  
**To:** [REDACTED]  
**Subject:** MR CAPLIN COMPLAINT - URGENT

Hi [REDACTED]

I would like to send this this morning. Please can you case you eye over it and let me know asap if there is anything you do not agree with

Thanks



**Planning Enforcement Manager**  
**Planning and Development**

Dover District Council

Council Offices, White Cliffs Business Park, Whitfield, Dover  
CT16 3PJ

Tel: [REDACTED]

Email: [REDACTED]

Web: <http://dover.gov.uk>



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**From:** [REDACTED]  
**To:** [REDACTED]  
**Cc:** [DDC Complaints](#)  
**Subject:** Dover District Council Complaint - C2024-20 - planning reference - DOV/23/01430  
**Date:** 24 January 2024 12:51:00

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Dear [REDACTED]

**Town and Country Planning Act 1990 – as amended**  
**Town and Country Planning General Permitted Development England Order 2015**  
**– as amended**  
**Stage 1 Complaint – Prior Approval Application reference no : DOV/23/01430 –**  
**Dolittle Farm**

I have been asked to respond to your Stage 1 complaint pursuant to your emails to the Complaints team and others. I note the matters you refer to are primarily in respect of application process and procedure relating particularly to consideration and determination of your Prior Approval application, reference no : DOV/23/01430.

I note the points you have made in your correspondence and those questions you have specifically asked. I have provided commentary on process and procedure which I trust will provide you with a response to your questions.

In compiling a report for consideration an officer will always include and refer to matters of fact. In this case, with regards to your query over reference to your planning application on adjacent land, in the officers report, it was pertinent to make factual mention of it. This is normal reporting procedure.

You refer to the specifics of your prior approval application. No indication of land size which has been claimed to form part of the agricultural “unit” elsewhere had been supplied. Officers made an assumption that the entirety of the agricultural unit did exceed 5ha, without any evidence, even so – this was assumption. The size of the building amounted to a 250 sqm footprint and is considered excessive for the agricultural activities described. The low eaves height indicated in your application would not allow farm machinery of any scale to operate within it and any storage of a significant amount of straw/feed etc to be accessed. The Council was not satisfied, as the decision notice indicates, that the development was permitted by the Order. In which case no further details of design and siting were sought. In determining the application, due regard was had to references made to the scale and scope of agricultural activities indicated.

The suitability of materials proposed in the finish of the agricultural building was a consideration with regard to it being development permitted by the Order. Agricultural buildings are usually utilitarian in their appearance and cladding/roofing materials used are usually simple and more appropriate to the type of use a building will be put to. In such cases perhaps box profile sheet roofing and steel cladding.

As said, the Council was not satisfied that the development proposed was reasonably necessary for the purposes of agriculture being carried out within the “unit”. It was not necessary to discuss the proposals further with you as the submission contained sufficient information to describe the proposals. The Council determines such applications on the basis of their content.

The Councils decision was made in cognisance of the details put forward in the application. For the purposes of prior approval applications, the assumption is that in submitting a prior approval application the applicant has satisfied themselves firstly that their development is development permitted by the Order. You mention you were “ not

surprised by this (*the Councils sic*) decision". It should also be borne in mind that there is a limited time frame within which such applications have to be determined and this alone can dictate how much time can be given to questioning the content of such applications. In which case, with the benefit of hindsight, it could have been prudent to seek advice from the Council before submission, on its views. The Council does operate a pre-application advice service, which is beneficial for informing submissions to the Council : [Pre-application Advice \(dover.gov.uk\)](http://dover.gov.uk)

Alternately, there is also a route to determine whether a development is in itself development permitted by the Order, through the Certificate of lawfulness process : [Application Forms \(dover.gov.uk\)](http://dover.gov.uk) , which would have been open to you.

In dealing with applications, as a general rule, there is no onus on the Council to seek further information (such as evidence of business accounts) where it is satisfied they have sufficient detail in front of them to determine an application. Equally, there was no requirement for a site visit to be carried out, as the application was considered and determined on matters of fact in its content. As it turned, the Council was not satisfied that the proposed building was reasonably necessary for the purposes of agriculture, it was not development permitted by the Order, in which case, as set out, there was no need to consider the proposal further, pursuant to the provisions of the Order.

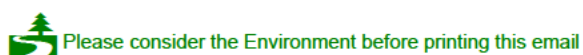
In moving forward, it seems to me there are options open to you. You could submit an application for a certificate of lawfulness if you consider the development to be development permitted by the Order. This would need to be accompanied by sufficient evidence. You can seek advice as mentioned above, from the Council on content and quality of a prior approval application (or a planning application). You could apply to the Council for planning permission for an agricultural building - in the normal manner LINK. Alternately you can appeal the Councils decision on the prior approval application to the Planning Inspectorate, pursuant to Section 78(1) of the Town and Country Planning Act 1990 (as amended).

In conclusion, whilst I appreciate the points you have raised, I do not see that the Councils approach in dealing with this application was not in accordance with its statutory duty to process and determine the application it had in front of it. I trust my response has answered the questions you have raised. I have copied in the Councils complaints team so they are aware of my response to you

Yours sincerely



**[REDACTED]**  
**Planning Enforcement Manager**  
**Planning and Development**  
Dover District Council  
Council Offices, White Cliffs Business Park, Whitfield, Dover  
CT16 3PJ  
Tel: [REDACTED]  
Email: [REDACTED]  
Web: <http://dover.gov.uk>



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and rights.

Title: Mr

First Name: [REDACTED]

Last Name: [REDACTED]

Email Address: [REDACTED]

Phone Number: [REDACTED]

What do you think we did well, wrong or did not do? Thank you for your response. To be very honest, I am not surprised by this decision as I always expected the decision to be clouded by the ongoing planning application I have adjacent to this barn, application 23/01113. I do however have a number of questions from viewing the planning officers report from the website which I would like answers to please? I would also like this to be treated as a stage 1 complaint and forwarded to planning management! Assessment In the assessment, it clearly states Notwithstanding this, it is also noted that the applicant currently occupies, unlawfully, caravans immediately adjacent to this application site. This unlawful development is subject to an outstanding planning application under consideration. I would also like some clarification on this • Why has this been used in the assessment? This application has nothing to do with agriculture or with the barn, it IS only a temporary application and it is a separate area. I feel that the use of this application has severely clouded the judgement of the planning officer Whilst no elevational drawings have been submitted, the size and scale of the building, with an eaves height of 3.5m, would firstly be excessive in area and limit availability of storage space and machinery manoeuvrability within the building. • Can you clarify on the above as this statement contradicts itself? It states the size would be excessive, then it states it would limit availability of storage space and machinery manoeuvrability within the building? I would like to understand the rationale on this statement? • There is no requirement to submit elevation drawings for a barn, that is the reason why I hadn't submitted them • Under permitted development, it allows buildings of up to 1000m<sup>2</sup>, the barn in this application measures 250m<sup>2</sup>. In addition, the materials proposed to be used are considered to be inappropriate and somewhat extravagant for its intended use, for purposes proposed in connection with agricultural activities identified. • If a site visit had been made this could have been discussed, looking at buildings in the locality of this site, they match a number of buildings or parts of their structure, which is why they were proposed. Given the above there is insufficient evidence to satisfy officers that the building is reasonably necessary for the purposes of agriculture within the unit, it is a binary test whereby the proposal does not qualify for the proceeding permitted development rights. As such it is unnecessary to undertake the review of the proposal against A.1 (a-k) and A.2. Prior approval is therefore refused and planning permission is required. • Surely for someone to make this Bold conclusion there would have been some communication between the council and myself, request for information to substantiate this decision and visual evidence to confirm the officers satisfaction? Can you please explain why further enquiries weren't made and a site visit wasn't undertaken?

How have you been affected by this? I feel this decision has been made by way of presumptions and possibly speculation into the future use of the building and the temporary application has also been mentioned

Complainant Address: [REDACTED]

On what date were you first aware of this matter? 2024-01-12

What would you like the Council to do to put things right? Just to repeat the questions I would like answers to, please see below bullet points; • Why has there been no requests for additional information to verify what I have submitted within my application? I can supply all that is required and stated that in a previous email! If a copy of my business plan was requested, it would mirror a lot of the information already stated in the application, it also



**From:** [REDACTED]  
**To:** [DDC Complaints](#)  
**Subject:** FW: Dover District Council Complaint - C2024-20 - planning reference - DOV/23/01430  
**Date:** 26 January 2024 09:26:00

---

Hi [REDACTED]

I've had this ... what I did forget was to advise that if he was not happy with my response he should contact your team for a Stage 2 consideration – my apologies for this.. I don` t have anything further to say on this – he is just repeating the same questions that I have already answered ...

I am minded just to respond with that and advise that he should escalate to a st 2 if he remains unsatisfied

[REDACTED]



[REDACTED]  
**Planning Enforcement Manager**  
**Planning and Development**

Dover District Council

Council Offices, White Cliffs Business Park, Whitfield, Dover  
CT16 3PJ

Tel: [REDACTED]

Email: [REDACTED]

Web: <http://dover.gov.uk>



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**From:** [REDACTED]  
**Sent:** Friday, January 26, 2024 9:23 AM  
**To:** [REDACTED]  
**Cc:** DDC Complaints <DDCComplaints@DOVER.GOV.UK>  
**Subject:** Re: Dover District Council Complaint - C2024-20 - planning reference - DOV/23/01430

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear [REDACTED]

Thank you for taking the time to respond to my complaint, it is appreciated.

I am aware of my options now that a decision has been made but before I decide on what to do next it would be helpful if you can clarify upon the following points.

I was not surprised with the decision as I felt that my application for temporary residence in caravans on the site next to the agricultural land would somehow be connected to this separate application. The comments made by the planning officer in the report compounded my view of this because it was within the assessment section of the report. Surely by mentioning within the assessment section of the report it has been considered and therefore has some relevance to the overall decision. Could you please explain why my other application is raised in the assessment section of the report and why is it necessary to say that the development was unlawful and that there is no certainty over the permanence of the development.

I am still confused as to why on one hand in the report it states that the building is excessive and then on the other hand it is too small to store machinery and other agricultural items described in the application. Surely the fact that I have this necessary machinery, feed, hay etc it is necessary for the purposes of agriculture? Not all farm buildings/barns are the same size, they are often suited to accommodate the size of machinery and storage requirements, as this one was planned to.

In regard to further information that was offered but not requested, I did not want certain information in the public domain such as my business plan or my additional tenancy agreement. In order to make a well-informed decision it would have been nice if the officer had asked to see sight of it rather than what appears to be presumptions, these documents could have been emailed to the officer straight away. I thought that planning departments were supposed to work with applicants and approach planning proposals in a positive way, is that not the case?

With regards to the information I submitted, I read through similar prior notification applications in the area and surrounding, all of these had minimal information when compared to the information I had supplied and had been agreed.

I understand a decision was made on the facts in front of the officer but is a site visit not a fundamental part of the decision process? How can an officer be sure their decision is correct without carrying out a visit to the farm? If they did then they would see that I am having to store all my feed in the open which is attracting rodents which is causing me a financial loss. Surely this could have been arranged within the 28 days, I am on the other end of a phone or email and the farm is only 5 minutes from the Council's offices.

You have said that I can apply for a Certificate of Lawfulness, would that not be the exact same thing, in both types of applications the Council are considering whether what I have put in the application is permitted development or not.

I am of course very disappointed with the outcome, the barn is a fundamental part of my business which will benefit the rural economy, something I thought the Council were supposed to support?

It would be helpful if you could explain why the officer considered the barn to be excessive and not needed for agriculture because it is not clear in the report. What am I supposed to do leave all that stuff in the open? Also, if I had proposed to build the barn with a covering of corrugated sheet metal, the fact it is located in a National Landscape and other buildings in the locality have either timber cladding or the old and potential asbestos fibre boards, would have been rejected. The external materials I chose were fitting to the location and surrounding buildings

Thank you for your time

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 24 January 2024 12:51  
**To:** [REDACTED]  
**Cc:** DDC Complaints <[DDCComplaints@DOVER.GOV.UK](mailto:DDCComplaints@DOVER.GOV.UK)>  
**Subject:** Dover District Council Complaint - C2024-20 - planning reference - DOV/23/01430

Dear [REDACTED]

**Town and Country Planning Act 1990 – as amended**  
**Town and Country Planning General Permitted Development England Order 2015 – as amended**  
**Stage 1 Complaint – Prior Approval Application reference no : DOV/23/01430 – Dolittle Farm**

I have been asked to respond to your Stage 1 complaint pursuant to your emails to the Complaints team and others. I note the matters you refer to are primarily in respect of application process and procedure relating particularly to consideration and determination of your Prior Approval application, reference no : DOV/23/01430.

I note the points you have made in your correspondence and those questions you have specifically asked. I have provided commentary on process and procedure which I trust will provide you with a response to your questions.

In compiling a report for consideration an officer will always include and refer to matters of fact. In this case, with regards to your query over reference to your planning application on adjacent land, in the officers report, it was pertinent to make factual mention of it. This is normal reporting procedure.

You refer to the specifics of your prior approval application. No indication of land size which has been claimed to form part of the agricultural “unit” elsewhere had been supplied. Officers made an assumption that the entirety of the agricultural unit did

exceed 5ha, without any evidence, even so – this was assumption. The size of the building amounted to a 250 sqm footprint and is considered excessive for the agricultural activities described. The low eaves height indicated in your application would not allow farm machinery of any scale to operate within it and any storage of a significant amount of straw/feed etc to be accessed. The Council was not satisfied, as the decision notice indicates, that the development was permitted by the Order. In which case no further details of design and siting were sought. In determining the application, due regard was had to references made to the scale and scope of agricultural activities indicated.

The suitability of materials proposed in the finish of the agricultural building was a consideration with regard to it being development permitted by the Order. Agricultural buildings are usually utilitarian in their appearance and cladding/roofing materials used are usually simple and more appropriate to the type of use a building will be put to. In such cases perhaps box profile sheet roofing and steel cladding.

As said, the Council was not satisfied that the development proposed was reasonably necessary for the purposes of agriculture being carried out within the “unit”. It was not necessary to discuss the proposals further with you as the submission contained sufficient information to describe the proposals. The Council determines such applications on the basis of their content.

The Council's decision was made in cognisance of the details put forward in the application. For the purposes of prior approval applications, the assumption is that in submitting a prior approval application the applicant has satisfied themselves firstly that their development is development permitted by the Order. You mention you were “ not surprised by this (*the Council's* sic) decision”. It should also be borne in mind that there is a limited time frame within which such applications have to be determined and this alone can dictate how much time can be given to questioning the content of such applications. In which case, with the benefit of hindsight, it could have been prudent to seek advice from the Council before submission, on its views. The Council does operate a pre-application advice service, which is beneficial for informing submissions to the Council : [Pre-application Advice \(dover.gov.uk\)](http://dover.gov.uk)

Alternately, there is also a route to determine whether a development is in itself development permitted by the Order, through the Certificate of lawfulness process : [Application Forms \(dover.gov.uk\)](http://dover.gov.uk) , which would have been open to you.

In dealing with applications, as a general rule, there is no onus on the Council to seek further information (such as evidence of business accounts) where it is satisfied they have sufficient detail in front of them to determine an application. Equally, there was no requirement for a site visit to be carried out, as the application was considered and determined on matters of fact in its content. As it turned, the Council was not satisfied that the proposed building was reasonably necessary for the purposes of agriculture, it was not development permitted by the Order, in which case, as set out, there was no need to consider the proposal further, pursuant to the provisions of the Order.

In moving forward, it seems to me there are options open to you. You could submit an application for a certificate of lawfulness if you consider the development to be development permitted by the Order. This would need to be accompanied by sufficient evidence. You can seek advice as mentioned above, from the Council on content and quality of a prior approval application (or a planning application). You could apply to the Council for planning permission for an agricultural building - in the normal manner LINK. Alternately you can appeal the Council's decision on the prior approval application to the Planning Inspectorate, pursuant to Section 78(1) of the Town and Country Planning Act 1990 (as amended).

In conclusion, whilst I appreciate the points you have raised, I do not see that the Councils approach in dealing with this application was not in accordance with its statutory duty to process and determine the application it had in front of it. I trust my response has answered the questions you have raised. I have copied in the Councils complaints team so they are aware of my response to you

Yours sincerely



**Planning Enforcement Manager  
Planning and Development**

Dover District Council

Council Offices, White Cliffs Business Park, Whitfield, Dover  
CT16 3PJ

Tel: [REDACTED]

Email: [REDACTED]

Web: <http://dover.gov.uk>



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Title: [REDACTED]

First Name: [REDACTED]

Last Name: [REDACTED]

Email Address: [REDACTED]

Phone Number: [REDACTED]

What do you think we did well, wrong or did not do? Thank you for your response. To be very honest, I am not surprised by this decision as I always expected the decision to be clouded by the ongoing planning application I have adjacent to this barn, application 23/01113. I do however have a number of questions from viewing the planning officers report from the website which I would like answers to please? I would also like this to be treated as a stage 1 complaint and forwarded to planning management! Assessment In the assessment, it clearly states Notwithstanding this, it is also noted that the applicant currently occupies, unlawfully, caravans immediately adjacent to this application site. This unlawful development is subject to an outstanding planning application under consideration. I would also like some clarification on this • Why has this been used in the assessment? This application has nothing to do with agriculture or with the barn, it IS only a temporary application and it is a separate area. I feel that the use of this application has severely clouded the judgement of the planning officer Whilst no elevational drawings have been submitted, the size and scale of the building, with an eaves height of 3.5m, would firstly be excessive in area and limit availability of storage space and machinery manoeuvrability within the building. • Can you clarify on the above as this statement contradicts itself? It states the size would be excessive, then it states it would limit availability of storage space and machinery manoeuvrability within the building? I would like to understand the rationale on this statement? • There is no requirement to submit elevation drawings for a barn, that is the reason why I hadn't submitted them • Under

permitted development, it allows buildings of up to 1000m<sup>2</sup>, the barn in this application measures 250m<sup>2</sup>. In addition, the materials proposed to be used are considered to be inappropriate and somewhat extravagant for its intended use, for purposes proposed in connection with agricultural activities identified. • If a site visit had been made this could have been discussed, looking at buildings in the locality of this site, they match a number of buildings or parts of their structure, which is why they were proposed. Given the above there is insufficient evidence to satisfy officers that the building is reasonably necessary for the purposes of agriculture within the unit, it is a binary test whereby the proposal does not qualify for the proceeding permitted development rights. As such it is unnecessary to undertake the review of the proposal against A.1 (a-k) and A.2. Prior approval is therefore refused and planning permission is required. • Surely for someone to make this Bold conclusion there would have been some communication between the council and myself, request for information to substantiate this decision and visual evidence to confirm the officers satisfaction? Can you please explain why further enquiries weren't made and a site visit wasn't undertaken?

How have you been affected by this? I feel this decision has been made by way of presumptions and possibly speculation into the future use of the building and the temporary application has also been mentioned

Complainant Address: [REDACTED]

On what date were you first aware of this matter? 2024-01-12

What would you like the Council to do to put things right? Just to repeat the questions I would like answers to, please see below bullet points; • Why has there been no requests for additional information to verify what I have submitted within my application? I can supply all that is required and stated that in a previous email! If a copy of my business plan was requested, it would mirror a lot of the information already stated in the application, it also covers a lot more of the activities in their entirety • Why has there not been a site visit? If an officer attended the site, they would clearly see what I have stated is factual on the operation of the farm. How can you make an assessment and give a decision when there hasn't been a site visit and no one has witnessed what activities are being undertaken on site? • I am genuinely undertaking agricultural activities on this site and this barn IS reasonably necessary for that purpose, how, with all of the above taken into account, can a decision be made and go against government legislation without covering all of the facts as far as reasonably practicable? As I have already stated, No contact or request has been made for additional information which would support my activities! • [REDACTED]

[REDACTED] this would have been available if I had been contacted by the council and if it had been requested! Why wasn't this requested? • Why has the application 23/01113 been used to assist in this decision?

Complaint ID: C2024-20

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**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** Re: Dover District Council Complaint - C2024-20 - planning reference - DOV/23/01430  
**Date:** 02 February 2024 13:10:51

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Hi [REDACTED]

I am sorry but I do not agree with your explanation and I am not happy with the application from the start to where we are now!

I feel I have not been treated fairly, my current planning application 23/01113 has been used, not only in the planning history section but also in the summary section, there has also been emphasis on this being unlawful. This was not just as a mention that there is another planning application ongoing, it's part of the assessment. You stated in your previous reply for it to be mentioned in planning history is normal, which I accept, but this has been used in detail in the assessment. As I have stated before, I feel this has clouded the Councils judgement on my application and offered a prejudiced decision

For you to say there was no requirement for a site visit is absurd and I totally disagree. Is this how you deal with all planning applications? I very much doubt it! Whether this is prior notification or full planning, there will always be elements that a site visit will be required to satisfy questions/queries and reduce the need to make assumptions. As I have stated before, I was under the impression the council and planning officers were supposed to be supportive? To advise me to go on the pre application advice link and also to consult a chartered planning advisor will only mean more cost to me, cost that will still not guarantee the application will be accepted. Resubmitting a prior notification (which I shouldn't really have to) and assistance from the councils planning officers would seem more realistic and helpful to me and fulfil the advantages of permitted development for small agricultural businesses as the legislation was written and intended.

I understand from your email signature that you are the planning enforcement Manager and I understand that you will assist members of your team in these circumstances, I would however have expected some communication from the original case office, which I haven't!

I have submitted a FOI request through the councils website and will be progressing this further. Whether that is a level 2 or possibly to the planning inspectorate, I will decide as and when I receive the information requested. Your clouded judgement and determination of this application is seriously affecting the day to day running of my business and the welfare of my animals to which I will be seeking professional advice on any action that can be taken against the council. I have a 5 year business plan in place and your decision to refuse my legal and unprejudiced rights under permitted development without covering all aspects/angles of the application, is seriously affecting my business plan and the success of my business

Thanks for your time

---

**From:** [REDACTED] >  
**Sent:** 02 February 2024 11:22  
**To:** [REDACTED]  
**Subject:** RE: Dover District Council Complaint - C2024-20 - planning reference - DOV/23/01430

Dear [REDACTED]

Thankyou for your email

The Notices sent to you set out why permission and prior approval were both refused. The reasons are elaborated on in the officers report. Matters you have raised have been addressed as far as they can be at this point and as said, I cannot add anything further. I agree, the backwards and forwards of emails is not really moving matters on for you. If you intend submitting any further application, then I really do suggest – as I have already mentioned, that you seek pre-application advice from the Council prior to any submission as this would help inform your submission. You can use this link : [Pre-application Advice \(dover.gov.uk\)](http://dover.gov.uk)

Yours sincerely

[REDACTED]



[REDACTED]  
**Planning Enforcement Manager**  
**Planning and Development**

Dover District Council  
Council Offices, White Cliffs Business Park, Whitfield, Dover  
CT16 3PJ

Tel: [REDACTED]  
Email: [REDACTED]  
Web: <http://dover.gov.uk>



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**From:** [REDACTED]  
**Sent:** Tuesday, January 30, 2024 7:49 AM  
**To:** [REDACTED]

**Cc:** DDC Complaints <DDCComplaints@DOVER.GOV.UK>

**Subject:** Re: Dover District Council Complaint - C2024-20 - planning reference - DOV/23/01430

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Good Morning [REDACTED]

Thank you again for your reply, i do however and respectfully disagree with what you have stated in the points being answered in the stage 1 response.

In order for me to decide my next plan of action, I really would like an answer to how the prior notification was refused. I am considering submitting another prior notification, but before I do this I really need to know the following please?

- Was the barn refused permitted development due to the size and was the size deemed too large as this is not really clear in your response?
- Even though you made comment on the planned materials and I have replied stating the materials planned fit the buildings in the local area, would alternative materials make the application more considerable?

I am happy to change the materials if required and amend the size of the barn, I really need this barn to operate the farm successfully and profitably. At present, I am struggling with the operation of my business through not having a barn to assist. This is why I am aggrieved on not having a site visit as I could have shown the inspector my operation to give them a full understanding of my requirements. The time we have spent reading, writing and responding to emails is more than the time a site visit would have required

If you could answer the points above that would be very helpful. In respect of escalating this to a level 2 complaint, I really don't see any point in this as it doesn't resolve the issue I have with the barn.

My goal is for me to be allowed to build the barn, if this can be completed with both myself and the council happy with the overall look and detail of the barn then I am happy to make any necessary changes to another prior notification application

Thanks

---

**From:** [REDACTED]

**Sent:** 26 January 2024 12:20

**To:** [REDACTED]

**Cc:** DDC Complaints <[DDCComplaints@DOVER.GOV.UK](mailto:DDCComplaints@DOVER.GOV.UK)>

**Subject:** RE: Dover District Council Complaint - C2024-20 - planning reference - DOV/23/01430

Dear [REDACTED]

Thankyou for your email. I do understand you are aggrieved at the Councils decision regarding your prior approval application. I also understand you may not agree with the comments set out in my email. However, the points you repeat below have already been addressed in my Stage 1 response to you. The only point I might add is to say whilst I appreciate you are fully aware of planning processes and procedures you may find it helpful to seek further advice from a chartered planning agent with regards to next steps.

If you remain dissatisfied with my response you can always escalate your complaint to a Stage 2 level, using the following link : [Complaints \(dover.gov.uk\)](https://www.dover.gov.uk/complaints). You will need to clearly set out what it is about my service complaint response you are not happy with.

Yours sincerely

[Redacted signature]



[Redacted name]  
**Planning Enforcement Manager**  
**Planning and Development**

Dover District Council

Council Offices, White Cliffs Business Park, Whitfield, Dover  
CT16 3PJ

Tel: [Redacted]

Email: [Redacted]

Web: <http://dover.gov.uk>



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**From:** [Redacted]

**Sent:** Friday, January 26, 2024 9:23 AM

**To:** [Redacted]

**Cc:** DDC Complaints <[DDCComplaints@DOVER.GOV.UK](mailto:DDCComplaints@DOVER.GOV.UK)>

**Subject:** Re: Dover District Council Complaint - C2024-20 - planning reference - DOV/23/01430

You don't often get email from [Redacted]. [Learn why this is important](#)

Dear [Redacted]

Thank you for taking the time to respond to my complaint, it is appreciated.

I am aware of my options now that a decision has been made but before I decide on what

to do next it would be helpful if you can clarify upon the following points.

I was not surprised with the decision as I felt that my application for temporary residence in caravans on the site next to the agricultural land would somehow be connected to this separate application. The comments made by the planning officer in the report compounded my view of this because it was within the assessment section of the report. Surely by mentioning within the assessment section of the report it has been considered and therefore has some relevance to the overall decision. Could you please explain why my other application is raised in the assessment section of the report and why is it necessary to say that the development was unlawful and that there is no certainty over the permanence of the development.

I am still confused as to why on one hand in the report it states that the building is excessive and then on the other hand it is too small to store machinery and other agricultural items described in the application. Surely the fact that I have this necessary machinery, feed, hay etc it is necessary for the purposes of agriculture? Not all farm buildings/barns are the same size, they are often suited to accommodate the size of machinery and storage requirements, as this one was planned to.

In regard to further information that was offered but not requested, I did not want certain information in the public domain such as my business plan or my additional tenancy agreement. In order to make a well-informed decision it would have been nice if the officer had asked to see sight of it rather than what appears to be presumptions, these documents could have been emailed to the officer straight away. I thought that planning departments were supposed to work with applicants and approach planning proposals in a positive way, is that not the case?

With regards to the information I submitted, I read through similar prior notification applications in the area and surrounding, all of these had minimal information when compared to the information I had supplied and had been agreed.

I understand a decision was made on the facts in front of the officer but is a site visit not a fundamental part of the decision process? How can an officer be sure their decision is correct without carrying out a visit to the farm? If they did then they would see that I am having to store all my feed in the open which is attracting rodents which is causing me a financial loss. Surely this could have been arranged within the 28 days, I am on the other end of a phone or email and the farm is only 5 minutes from the Council's offices.

You have said that I can apply for a Certificate of Lawfulness, would that not be the exact same thing, in both types of applications the Council are considering whether what I have put in the application is permitted development or not.

I am of course very disappointed with the outcome, the barn is a fundamental part of my business which will benefit the rural economy, something I thought the Council were supposed to support?

It would be helpful if you could explain why the officer considered the barn to be excessive and not needed for agriculture because it is not clear in the report. What am I supposed to do leave all that stuff in the open? Also, if I had proposed to build the barn with a covering of corrugated sheet metal, the fact it is located in a National Landscape and other buildings in the locality have either timber cladding or the old and potential asbestos fibre boards, would have been rejected. The external materials I chose were fitting to the location and surrounding buildings

Thank you for your time

[REDACTED]

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**From:** [REDACTED] >

**Sent:** 24 January 2024 12:51

**To:** [REDACTED]

**Cc:** DDC Complaints <[DDCComplaints@DOVER.GOV.UK](mailto:DDCComplaints@DOVER.GOV.UK)>

**Subject:** Dover District Council Complaint - C2024-20 - planning reference - DOV/23/01430

Dear [REDACTED]

**Town and Country Planning Act 1990 – as amended**  
**Town and Country Planning General Permitted Development England Order 2015 – as amended**  
**Stage 1 Complaint – Prior Approval Application reference no : DOV/23/01430 – Dolittle Farm**

I have been asked to respond to your Stage 1 complaint pursuant to your emails to the Complaints team and others. I note the matters you refer to are primarily in respect of application process and procedure relating particularly to consideration and determination of your Prior Approval application, reference no : DOV/23/01430.

I note the points you have made in your correspondence and those questions you have specifically asked. I have provided commentary on process and procedure which I trust will provide you with a response to your questions.

In compiling a report for consideration an officer will always include and refer to matters of fact. In this case, with regards to your query over reference to your planning application on adjacent land, in the officers report, it was pertinent to make factual mention of it. This is normal reporting procedure.

You refer to the specifics of your prior approval application. No indication of land size which has been claimed to form part of the agricultural “unit” elsewhere had been supplied. Officers made an assumption that the entirety of the agricultural unit did exceed 5ha, without any evidence, even so – this was assumption. The size of the building amounted to a 250 sqm footprint and is considered excessive for the agricultural activities described. The low eaves height indicated in your application would not allow farm machinery of any scale to operate within it and any storage of a significant amount of straw/feed etc to be accessed. The Council was not satisfied, as the decision notice indicates, that the development was permitted by the Order. In which case no further details of design and siting were sought. In determining the application, due regard was had to references made to the scale and scope of agricultural activities indicated.

The suitability of materials proposed in the finish of the agricultural building was a

consideration with regard to it being development permitted by the Order. Agricultural buildings are usually utilitarian in their appearance and cladding/roofing materials used are usually simple and more appropriate to the type of use a building will be put to. In such cases perhaps box profile sheet roofing and steel cladding.

As said, the Council was not satisfied that the development proposed was reasonably necessary for the purposes of agriculture being carried out within the "unit". It was not necessary to discuss the proposals further with you as the submission contained sufficient information to describe the proposals. The Council determines such applications on the basis of their content.

The Council's decision was made in cognisance of the details put forward in the application. For the purposes of prior approval applications, the assumption is that in submitting a prior approval application the applicant has satisfied themselves firstly that their development is development permitted by the Order. You mention you were "not surprised by this (*the Council's* sic) decision". It should also be borne in mind that there is a limited time frame within which such applications have to be determined and this alone can dictate how much time can be given to questioning the content of such applications. In which case, with the benefit of hindsight, it could have been prudent to seek advice from the Council before submission, on its views. The Council does operate a pre-application advice service, which is beneficial for informing submissions to the Council : [Pre-application Advice \(dover.gov.uk\)](http://dover.gov.uk)

Alternately, there is also a route to determine whether a development is in itself development permitted by the Order, through the Certificate of Lawfulness process : [Application Forms \(dover.gov.uk\)](http://dover.gov.uk) , which would have been open to you.

In dealing with applications, as a general rule, there is no onus on the Council to seek further information (such as evidence of business accounts) where it is satisfied they have sufficient detail in front of them to determine an application. Equally, there was no requirement for a site visit to be carried out, as the application was considered and determined on matters of fact in its content. As it turned, the Council was not satisfied that the proposed building was reasonably necessary for the purposes of agriculture, it was not development permitted by the Order, in which case, as set out, there was no need to consider the proposal further, pursuant to the provisions of the Order.

In moving forward, it seems to me there are options open to you. You could submit an application for a certificate of lawfulness if you consider the development to be development permitted by the Order. This would need to be accompanied by sufficient evidence. You can seek advice as mentioned above, from the Council on content and quality of a prior approval application (or a planning application). You could apply to the Council for planning permission for an agricultural building - in the normal manner [LINK](#). Alternately you can appeal the Council's decision on the prior approval application to the Planning Inspectorate, pursuant to Section 78(1) of the Town and Country Planning Act 1990 (as amended).

In conclusion, whilst I appreciate the points you have raised, I do not see that the Council's approach in dealing with this application was not in accordance with its statutory duty to process and determine the application it had in front of it. I trust my response has answered the questions you have raised. I have copied in the Council's complaints team so they are aware of my response to you  
Yours sincerely

██████████





**Planning Enforcement Manager  
Planning and Development**

Dover District Council

Council Offices, White Cliffs Business Park, Whitfield, Dover  
CT16 3PJ

Tel: [REDACTED]

Email: [REDACTED]

Web: <http://dover.gov.uk>



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Title: [REDACTED]

First Name: [REDACTED]

Last Name: [REDACTED]

Email Address: [REDACTED]

Phone Number: [REDACTED]

What do you think we did well, wrong or did not do? Thank you for your response. To be very honest, I am not surprised by this decision as I always expected the decision to be clouded by the ongoing planning application I have adjacent to this barn, application 23/01113. I do however have a number of questions from viewing the planning officers report from the website which I would like answers to please? I would also like this to be treated as a stage 1 complaint and forwarded to planning management! Assessment In the assessment, it clearly states Notwithstanding this, it is also noted that the applicant currently occupies, unlawfully, caravans immediately adjacent to this application site. This unlawful development is subject to an outstanding planning application under consideration. I would also like some clarification on this • Why has this been used in the assessment? This application has nothing to do with agriculture or with the barn, it IS only a temporary application and it is a separate area. I feel that the use of this application has severely clouded the judgement of the planning officer Whilst no elevational drawings have been submitted, the size and scale of the building, with an eaves height of 3.5m, would firstly be excessive in area and limit availability of storage space and machinery manoeuvrability within the building. • Can you clarify on the above as this statement contradicts itself? It states the size would be excessive, then it states it would limit availability of storage space and machinery manoeuvrability within the building? I would like to understand the rationale on this statement? • There is no requirement to submit elevation drawings for a barn, that is the reason why I hadn't submitted them • Under permitted development, it allows buildings of up to 1000m<sup>2</sup>, the barn in this application measures 250m<sup>2</sup>. In addition, the materials proposed to be used are considered to be inappropriate and somewhat extravagant for its intended use, for purposes proposed in connection with agricultural activities identified. • If a site visit had been made this could

have been discussed, looking at buildings in the locality of this site, they match a number of buildings or parts of their structure, which is why they were proposed. Given the above there is insufficient evidence to satisfy officers that the building is reasonably necessary for the purposes of agriculture within the unit, it is a binary test whereby the proposal does not qualify for the proceeding permitted development rights. As such it is unnecessary to undertake the review of the proposal against A.1 (a-k) and A.2. Prior approval is therefore refused and planning permission is required. • Surely for someone to make this Bold conclusion there would have been some communication between the council and myself, request for information to substantiate this decision and visual evidence to confirm the officers satisfaction? Can you please explain why further enquiries weren't made and a site visit wasn't undertaken?

How have you been affected by this? I feel this decision has been made by way of presumptions and possibly speculation into the future use of the building and the temporary application has also been mentioned

Complainant Address: [REDACTED]

On what date were you first aware of this matter? 2024-01-12

What would you like the Council to do to put things right? Just to repeat the questions I would like answers to, please see below bullet points; • Why has there been no requests for additional information to verify what I have submitted within my application? I can supply all that is required and stated that in a previous email! If a copy of my business plan was requested, it would mirror a lot of the information already stated in the application, it also covers a lot more of the activities in their entirety • Why has there not been a site visit? If an officer attended the site, they would clearly see what I have stated is factual on the operation of the farm. How can you make an assessment and give a decision when there hasn't been a site visit and no one has witnessed what activities are being undertaken on site? • I am genuinely undertaking agricultural activities on this site and this barn IS reasonably necessary for that purpose, how, with all of the above taken into account, can a decision be made and go against government legislation without covering all of the facts as far as reasonably practicable? As I have already stated, No contact or request has been made for additional information which would support my activities! • [REDACTED]

[REDACTED] this would have been available if I had been contacted by the council and if it had been requested! Why wasn't this requested? • Why has the application 23/01113 been used to assist in this decision?

Complaint ID: C2024-20

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