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## Appeal Decision

Site visit made on 18 August 2025

**by F Wilkinson BSc (Hons), MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 28 August 2025**

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**Appeal Ref: APP/Z2260/W/25/3365495**

**Land to the south east of Preston Road adjoining to Preston Caravan Park, Manston CT12 5AR**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr Godden of Kent Leisure Parks Ltd against the decision of Thanet District Council.
  - The application reference is F/TH/24/1185.
  - The development proposed is change of use of land to form an extension of existing caravan park to accommodate 110 caravans and associated parking, bin stores, hardscaping, landscaping and formation of 1.5m bund.
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### Decision

1. The appeal is allowed and planning permission is granted for change of use of land to form an extension of existing caravan park to accommodate 110 caravans and associated parking, bin stores, hardscaping, landscaping and formation of 1.5m bund at land to the south east of Preston Road adjoining to Preston Caravan Park, Manston, CT12 5AR in accordance with the terms of the application, reference F/TH/24/1185, subject to the conditions in the attached schedule.

### Applications for Costs

2. An application for costs has been made by Mr Godden of Kent Leisure Parks Ltd against the Council. This application is the subject of a separate decision.

### Preliminary Matters

3. The description of the development in the banner heading is taken from the Council's decision notice and appeal form as it more accurately describes the proposal.
4. The appellant submitted a revised proposed site layout plan as part of the appeal which added a note identifying the proposed 1.5m bund. It is clear from the description of development and other plans submitted as part of the application that the bund forms part of the proposal. I am satisfied that the detail shown on the plan does not result in a fundamental change to the application and accepting it would not cause procedural unfairness to any party.

### Main Issue

5. The main issue is the effect of the proposal on the supply of best and most versatile agricultural land.

## Reasons

6. The appeal site is an agricultural field which the appellant's evidence identifies as comprising around 98% Grade 2 land with the remainder being Grade 3a<sup>1</sup>. The site is therefore best and most versatile agricultural land (BMV land).
7. Policy E16 of the 2020 adopted Thanet Local Plan (the Local Plan) does not allow for significant development which would result in the irreversible loss of BMV land unless it can be clearly demonstrated that: 1) the benefits of the proposed development outweigh the harm resulting from the loss of agricultural land, 2) there are no otherwise suitable sites of poorer agricultural quality that can accommodate the development, and 3) the development will not result in the remainder of the agricultural holding becoming not viable or lead to likely accumulated and significant losses of high quality agricultural land.
8. The submitted evidence indicates that most of the agricultural land within the district is BMV land. There is a small area of Grade 5 land, which the appellant identifies as comprising nationally and internationally designated nature conservation sites and Flood Zones 2 and 3. The appeal site is in Flood Zone 1. No Grade 4 land is identified. The appellant states that only around 10% of the available agricultural land is Grade 3. The appellant has undertaken an assessment of potential sites on Grade 3 land. These have been discounted by the appellant for reasons including being in Flood Zones 2 and/or 3; within a Green Wedge which is protected as an important area of open countryside in Policy SP25 of the Local Plan; the impact on more sensitive landscape character areas; a lack of direct access; and proximity to Manston Airport.
9. In my view, the rationale behind the appellant's consideration of alternative sites is reasonable. In the absence of any clear evidence to the contrary, I am persuaded by their reasoning for discounting other areas. In addition, the proposal is for an extension to an existing caravan park which already has the access and facilities to service the additional plots. On this basis, I am satisfied that the appellant has demonstrated that there are no otherwise suitable sites of poorer agricultural quality that could accommodate the proposed development.
10. The proposal would result in the loss of a parcel of land forming part of a larger land holding and would represent a reduction in its size by around 10.5%. I have no clear evidence that the loss of this area would render the remaining land within the holding unviable or unproductive. The appellant considers that the rectangular area of the field beyond the western boundary of the appeal site, which is under different ownership, would be capable of being farmed in the same manner as currently. I have not been presented with any technical evidence to the contrary.
11. Based on the appellant's figures, the proposal would result in the loss of around 0.24% of Grade 2 agricultural land and around 0.07% of all agricultural land in the district. On this basis, I am satisfied that the proposal would not result in a significant loss of high-quality agricultural land.
12. The proposal would increase employment at the caravan park, with the application form identifying an additional five full time equivalent employees. The appellant has provided an estimate of the financial contribution that the proposal would make to the local economy based on figures in a report prepared on behalf of the

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<sup>1</sup> Agricultural Quality of Land at Preston Park, Ramsgate, prepared by Land Research Associates, 24 October 2023.

UK Caravan and Camping Alliance<sup>2</sup> (the 2024 report). The assumptions underpinning the estimate are in line with the figures in the 2024 report in terms of occupancy rate, visitor group composition and off-site spend. I have no clear reason to doubt the applicability of these figures to the proposed development, and the appellant's assumptions therefore appear reasonable in the context of the information in the 2024 report and the proposed site operation. In terms of off-site spend, I am mindful that the caravan park has relatively limited onsite facilities but there is a coffee shop and pub serving food in the village, both of which are within a reasonable walking distance, albeit that a relatively short part of the route does not have a pavement. The estimated financial contribution to the local economy by visitors to the proposed development is not an insignificant amount each year.

13. The importance of the tourism industry is identified by the Council's Tourism Manager in their consultation response on the application, who states that tourism plays a critical role in the local economy. The growing demand for family-friendly accommodation options is highlighted. Caravan parks are identified as remaining a popular choice for visitors and that they play an important role in the district's tourism offer.
14. I am also mindful that Policy E08 of the Local Plan is supportive of proposals for the development, diversification, upgrade or improvement of self-catering accommodation subject to meeting the listed criteria. Paragraph 88 of the National Planning Policy Framework (Framework) is supportive of sustainable rural tourism and leisure developments which respect the character of the countryside.
15. The proposal would increase the availability of tourism accommodation at the caravan park but also within the district and so would positively contribute to the district's visitor economy as well as clearly supporting an existing rural business. I give these economic benefits significant weight.
16. The proposal makes provision for around 19.2% biodiversity net gain which goes above the mandatory requirement. This weighs positively for the proposal.
17. Pulling these points together, while the proposal would involve the loss of a small area of BMV land, I am persuaded by the appellant's assessment that there are no otherwise suitable sites of poorer agricultural quality that would be able to accommodate the development. I am also satisfied that the proposal would not result in the remainder of the agricultural holding becoming unviable. In this context, the aforementioned benefits of the proposal would outweigh the harm that would be caused through the loss of a small area of BMV land.
18. I therefore conclude that the proposal would not unacceptably harm the supply of BMV land. As such, it would accord with Policy E16 of the Local Plan, the requirements of which have been summarised above. There would also be no conflict with the requirements of paragraph 187 of the Framework where it recognises the economic and other benefits of BMV land.

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<sup>2</sup> Pitching the Value 2024 Economic Benefit Report: Holiday Parks and Campsites – Impact Report, prepared by Frontline Consultants

## **Other Matters**

### *Highways*

19. The proposed vehicle parking for each unit would be in line with the Highway Authority's parking standards. Additional parking spaces including for commercial vehicles would also be provided. The Highway Authority has not raised a concern about the scale of additional trip generation. Nor were concerns raised in relation to highway safety. In the absence of any substantive technical evidence to the contrary, I have no reason to conclude that the proposal would result in an unacceptable impact on highway safety, or that the residual cumulative impacts on the road network would be severe.

### *Character and Appearance*

20. Although the area is within an agricultural landscape, it is near to the edge of the urban areas which are apparent in views to and from the site, as are the caravans within the existing site from some vantage points along Preston Road and the public rights of way (PRoWs) near to the site boundary. While more elevated locations within the Manston Plateau Local Landscape Character Area may enable long distance views, that is not the case with the site as views to and from it are foreshortened by the topography, landscape features and urban development.
21. A substantial landscaping belt of indigenous species is proposed around the site boundary along with a soil bund which would provide some early screening while the planting matures. These measures would not be out of place as linear tree belts are a noticeable characteristic of the area, and the appellant states that the bund would have seed planting to resemble the bund surrounding the existing site.
22. The outlook for some nearby residents such as those on Spratling Street would change with the development. However, this would be limited, being separated from the site by a reasonable distance and the proposed landscape buffer which would soften the appearance of the development. The site is sufficiently separate from the village of Manston, with the existing caravan site mainly in between, that the proposal would not harm its character.
23. The character and appearance of the site would change with the introduction of static caravans. However, the effects would be localised, and the proposal would not diminish the key landscape characteristics identified in Local Plan Policy SP26.

### *Living conditions*

24. The proposal would increase the number of caravans at the park and therefore the number of visitors. However, the boundary landscaping proposed together with the separation distance that would be maintained from nearby dwellings mean that the proposal would not give rise to unacceptable noise and disturbance for nearby residents. There is no evidence to suggest that local services would not be able to accommodate the proposed development.
25. I note that these matters did not form part of the Council's case at appeal. While acknowledging them, they are nevertheless insufficient to outweigh or alter my reasoning regarding the overall acceptability of the scheme.

### **Other Considerations – Effect on the Thanet Coast and Sandwich Bay Special Protection Area and Ramsar Site (SPA/Ramsar Site)**

26. The site lies within the zone of influence of the SPA/Ramsar Site. The evidence indicates that the qualifying features of the SPA/Ramsar Site are at risk of disturbance from recreational activities. Additional holiday accommodation near to the coast has the potential to increase recreational visitors. Consequently, when considered in combination with other developments in the area, there would be a likely significant effect on the qualifying features of the SPA/Ramsar Site from the proposal through increased disturbance from recreational activity. Therefore, as the competent authority, it is necessary for me to undertake an appropriate assessment.
27. Considering the conservation objectives, there would be adverse effects on the integrity of the SPA/Ramsar Site from the proposed development through increased disturbance to the qualifying features from recreational activity. It is therefore necessary to consider whether any potential effects could be mitigated.
28. The Council has developed a Strategic Access Management and Monitoring Plan (SAMM) which provides a strategy to mitigate the potential in-combination impacts of new housing development in the vicinity of the SPA/Ramsar Site. This includes the application of tariffs on development to fund the identified mitigation measures.
29. Although the SAMM relates to housing development, new holiday accommodation such as that proposed would give rise to similar recreational pressures and therefore impacts. The completed unilateral undertaking (UU) under section 106 of the Town and Country Planning Act 1990 (as amended) commits the appellant to provide a financial contribution in line with the tariff to mitigate against the impact of the development on the SPA/Ramsar Site.
30. I am satisfied that the measures contained in the UU would adequately mitigate the effects of the proposed development such that there would be no adverse effect on the integrity of the SPA/Ramsar Site either alone or in combination with other plans and projects. The UU would meet the tests set out in paragraph 58 of the Framework and the Community Infrastructure Levy Regulations 2010. Consequently, there would be no conflict with the biodiversity requirements of Policy SP29 of the Local Plan or the Framework.

### **Conditions**

31. I have considered the conditions suggested by the Council. I have amended the wording of certain conditions having regard to the six tests set out in the Framework without altering their fundamental aims.
32. For certainty, the relevant conditions concerning the commencement of development and approved plans are necessary.
33. Conditions are necessary to manage the construction period in the interests of highway safety and to safeguard neighbouring living conditions. In the interests of the character and appearance of the area, a condition is necessary to secure landscaping details and its subsequent implementation. As the development is subject to the mandatory BNG requirements, permission is deemed to be granted subject to the biodiversity gain condition. However, to secure the delivery of biodiversity net gain, a condition is necessary to secure a habitat management and

monitoring plan. These conditions are required pre-commencement as a later trigger for the submission would limit the effectiveness or the scope of measures which could be used.

34. A condition is necessary to secure the vehicle parking areas in the interests of highway safety. To protect air quality, a condition is necessary to secure electric vehicle charging points. To support sustainable transport objectives, a condition for the provision of cycle parking facilities is necessary. In the interests of biodiversity, it is necessary to require the submission of a construction ecological management plan and details of biodiversity enhancement measures. In the interests of the character and appearance of the area, a condition is necessary to ensure that the earth bund is provided at an appropriate time. To ensure the continued availability of holiday accommodation in the area, conditions are necessary to limit the occupation of the caravans to holiday purposes only and to require a register of such details.

### **Conclusion**

35. For the reasons given above the appeal should be allowed.

*F Wilkinson*

INSPECTOR

### **SCHEDULE OF CONDITIONS**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos: 23.1768.PL001 Revision A; 23.1768.PL003 Revision F; 23.1768.PL004 Revision C; 23.1768.PL005 Revision B; 23.1768.PL006; 23.1768.PL007 Revision B; 25.1768.PL012 Revision E.
- 3) The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following details:
  - (a) Routing of construction and delivery vehicles to / from site.
  - (b) Parking and turning areas for construction and delivery vehicles and site personnel, which may require supporting vehicle tracking/swept paths.
  - (c) Timing of deliveries, avoiding network and school peaks where possible.
  - (d) Provision of wheel washing/chassis cleaning facilities.
  - (e) Measures to prevent the discharge of surface water onto the highway.
  - (f) Temporary traffic management / signage.

The construction works shall thereafter be carried out at all times in accordance with the approved Construction Management Plan.
- 4) The development hereby permitted shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include amongst other matters details of: hours of construction working; measures to control noise affecting nearby residents; dust control measures; lighting control measures; pollution incident control and site contact details in case of complaints. The construction works shall thereafter be carried out at all times in accordance with the approved CEMP.
- 5) The development hereby permitted shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved biodiversity gain plan, has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall include:
  - (a) a non-technical summary;
  - (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
  - (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;

(d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and

(e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority,

Monitoring reports shall be submitted to the Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

- 6) The development hereby permitted shall not commence until full details of both hard and soft landscape works, to include: species, size and location of new trees, shrubs, hedges and grassed areas to be planted; the treatment proposed for all hard surfaced areas beyond the limits of the highway; and walls, fences, other means of enclosure proposed; has been submitted to and approved in writing by the Local Planning Authority.

All hard and soft landscape works, including ecological enhancement features, shall be carried out in accordance with the approved details. The works shall be carried out prior to the first occupation/use of any part of the development, or in accordance with a programme of works to be approved in writing by the Local Planning Authority.

Following completion of the landscape and enhancement works, photographic evidence of implementation shall be submitted to and approved in writing by the Local Planning Authority in order to verify the works have been completed in accordance with the approved plans, and to enable the full discharge of this condition. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species as those originally planted, unless written approval to any variation is provided by the Local Planning Authority. All ecological enhancement features shall thereafter be maintained.

- 7) Prior to commencement of each phase of works (including site clearance), a Construction Ecological Management Plan (CEMP - biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP - biodiversity will be based on the recommendations in section 11 of the Preliminary Ecological Appraisal prepared by Native Ecology (November 2023) and include the following:
- Risk assessment of potentially damaging construction activities;
  - Identification of 'biodiversity protection zones';
  - Use of protective fences, exclusion barriers and warning signs;
  - Practical measures (both physical measures and sensitive working practises) to avoid or reduce impacts during construction (may be provided as a set of species or habitat-specific method statements);
  - The location and timing of sensitive works to avoid harm to biodiversity features;
  - The times during construction when specialist ecologists need to be present on site to oversee works;
  - Details of any necessary protected species licences and reference to any other relevant documents e.g., Arboricultural Method Statement;

- Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- Responsible persons and lines of communication; and
- The role and responsibilities on site of an ecological clerk of works or similarly competent person.

The approved CEMP - biodiversity shall be adhered to and implemented throughout the construction period in accordance with the approved details

- 8) Within three months of works commencing, a detailed plan showing how the development will enhance and maintain biodiversity shall be submitted to and approved in writing by the Local Planning Authority. This will include details of durable bat and bird bricks, and hedgehog homes and a timescale for implementation. The approved measures will be implemented in accordance with the approved timescale and retained thereafter.
- 9) The earth bund shown on the approved drawings shall be completed prior to the installation of any caravans.
- 10) Prior to the first use of each phase of the development hereby approved, the Electric vehicle charging points (EVCP) as shown on the approved plans shall be provided. The EVCP shall be maintained and kept in good working order thereafter as specified by the manufacturer.
- 11) Prior to the first use of each phase of the development hereby permitted, the cycle parking facilities as shown on the approved plans shall be provided and retained thereafter.
- 12) The area shown on the approved plans for vehicle parking and manoeuvring areas shall be kept available for such use at all times and such land and access thereto shall be provided prior to the first occupation of each phase of the development hereby permitted.
- 13) The caravan holiday homes (static and touring) shall be occupied for holiday purposes only. No caravan (static or touring) shall be occupied as a person's sole or main place of residence.
- 14) The operators of the caravan park shall maintain an up-to-date register of the names of all owners/ occupiers of individual caravan holiday homes (static and touring) on the site, and of their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority.