

DOVER DISTRICT COUNCIL
(Land on the south side of Old Dover Road, Capel-le-Ferne)

TOWN COUNTRY PLANNING DIRECTION NO. 1 1985

Town and Country Planning General Development Order 1977 (as amended)

Article 4

Schedule 1

Class II (1)

DOVER DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1971

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1977 (as amended)

WHEREAS the Council of the District of Dover being the appropriate local planning authority within the meaning of Article 4 of the Town and Country Planning General Development Order 1977 (as amended) are satisfied that it is expedient that development of the descriptions set out in the Schedule hereto should not be carried out on land on the south side of Old Dover Road Capel-le-Ferne near Folketone in the County of Kent being land shown and edged red on plan number 066/84 annexed hereto unless permission therefor is granted on application made under the Town and Country Planning General Development Order 1977 (as amended)

AND WHEREAS the Council are further satisfied that development of the said descriptions would be prejudicial to the proper planning of their area and would constitute a threat to the amenities of their area and that the provisions of paragraph (3)(b) of the said Article 4 should apply to this direction

NOW THEREFORE the said Council in pursuance of the powers conferred upon them by the said Article 4 hereby direct that the permission granted by Article 3 of the Town and Country Planning General Development Order 1977 (as amended) shall not apply to development on the said land of the description set out in the Schedule hereto

THIS DIRECTION is made in pursuance of the provisions of paragraph (3)(b) of the said Article 4 and shall remain in force until 18th July 1985 being six months from the date of this direction and will then expire unless it has been approved or disallowed by the Secretary of State for the Environment before that date.

THIS DIRECTION may be cited as the Dover District Council (Land on the south side of Old Dover Road Capel-le-Ferne) Town and Country Planning Direction No. 1 1985

Given under the Common Seal of
the District Council of Dover
this 18th day of January
One thousand nine hundred and
eighty five

THE COMMON SEAL of the COUNCIL)
was hereunto affixed in the)
presence of:-)



Chief Executive
Dover District Council

SCHEDULE

Development permitted under Article 3 of the Town and Country Planning General Development Order 1977 (as amended) subject to the limitations contained in the description of that development in Column 1 of Schedule 1 to the said Order being development comprised within Class II (1) of the said Order namely "the erection or construction of gates fences walls or other means of enclosure not exceeding one metre in height where abutting on a highway used by vehicular traffic or two metres in height in any other case, and the maintenance improvement or other alteration of any gates fences walls or other means of enclosure so long as such improvement or alteration does not increase the height above the height appropriate for a new means of enclosure" and not being development comprised within any other class

DOVER DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1971

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDERS 1977-1981

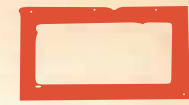
STATEMENT OF REASONS FOR MAKING A DIRECTION UNDER ARTICLE 4
RESTRICTING DEVELOPMENT PERMITTED BY ARTICLE 3 AND SCHEDULE 1 CLASS II(i)

LAND ON THE SOUTH SIDE OF OLD DOVER ROAD, CAPEL-LE-FERNE

1. The land, the subject of the Direction, comprises approximately three quarters of a mile of the clifftop, south of the Old Dover Road at Capel-le-Ferne. It is mainly open grassland through which runs a coastal footpath (The North Downs Way) affording commanding views of The Warren (a Site of Special Scientific Interest), the Heritage Coast and the English Channel.
2. This stretch of open clifftop is of particular scenic beauty. This has been recognised nationally through its inclusion within an Area of Outstanding Natural Beauty by the Countryside Commission, and also locally through its inclusion within an area of special significance for countryside conservation in the Kent Structure Plan, and more particularly within a Special Landscape Area, as defined in the Kent Countryside Local Plan. Within such areas it is the policy of the Local Planning Authority to afford them long term protection, and to give priority to their landscape over other planning considerations (Structure Plan Policy CC 7 applies). Furthermore, the policy for undeveloped stretches of the coast seeks to prohibit development that will materially detract from its unspoilt scenic quality or scientific value (Structure Plan Policy CC 10).
3. Recently an area of this clifftop has been enclosed by the owner concerned with a concrete post and chain link fence. This has been done in such a way that the coastal footpath is bounded on both sides by this fence. The fence is considered most unsightly, and it has damaged the open grassland character of the clifftop at this point. This fence did not require planning permission, and the Local Planning Authority is most concerned that further sub-division and breaking up of this open clifftop in this manner could take place without any planning control being exercised, to the detriment of the whole area.
4. It was therefore considered expedient and in the interests of the proper planning of the area to make this Direction under Article 4 of the Town and Country Planning General Development Order to ensure that the construction of gates, fences, walls or other means of enclosure came under planning control and required prior planning permission before their construction.

PLAN OF ARTICLE 4 DIRECTION RESTRICTING DEVELOPMENT
MITTED BY ARTICLE 3 AND SCHEDULE 1, CLASS II (i) OF
THE TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT
ORDER 1977. LAND AT CAPEL CLIFFTOP, CAPEL-LE-FERNE.

Shown thus



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From O.S. sheets TR 24/25/2638

Scale 1/2500

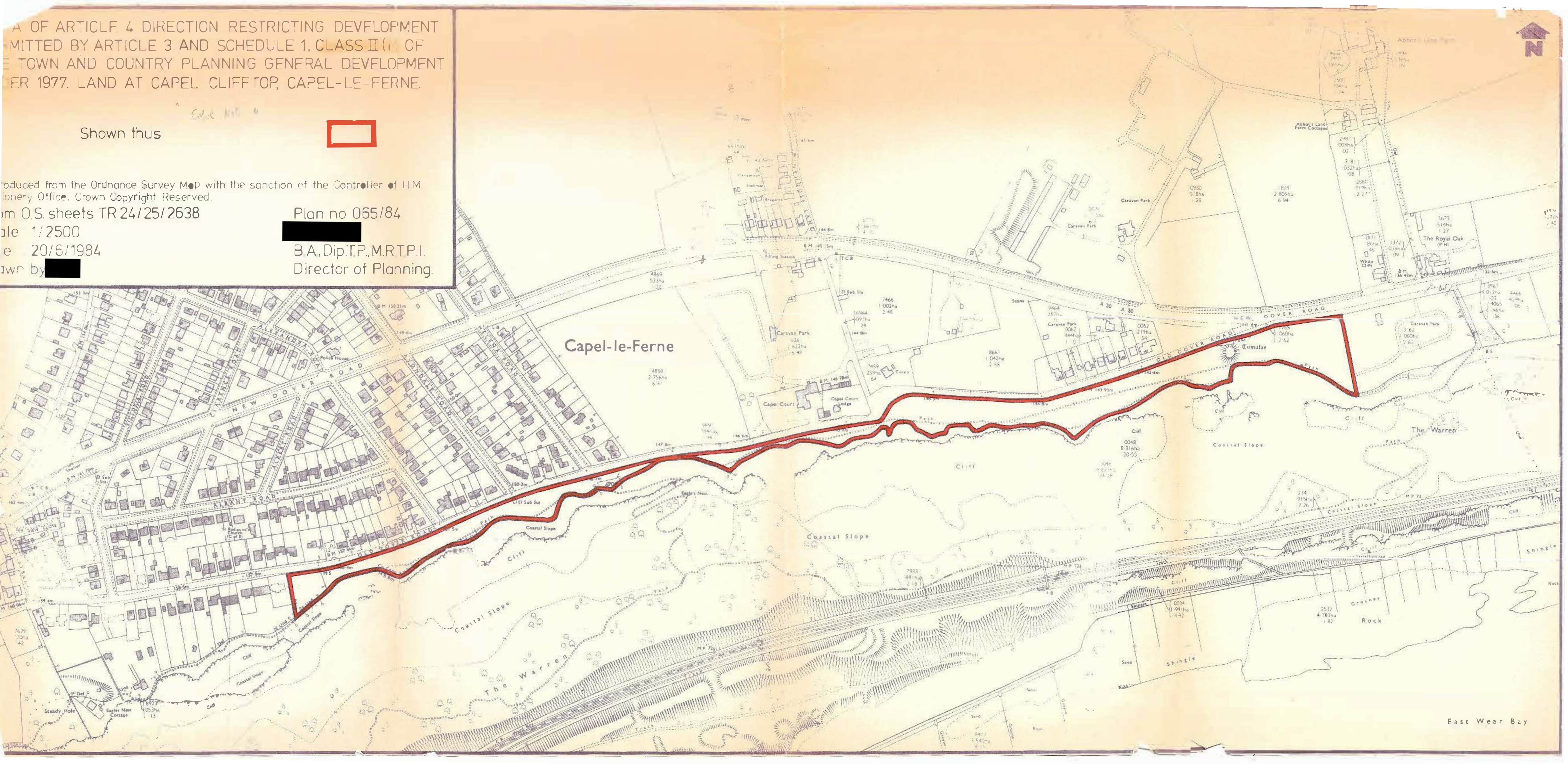
Date 20/6/1984

Drawn by [redacted]

Plan no 065/84

[redacted]

B.A., Dip.T.P., M.R.T.P.I.
Director of Planning.



East Wear Bay