

2.2 REFERENCE NO – 25/502450/FULL		
PROPOSAL - Erection of a metal beacon on a square timber pole.		
SITE LOCATION - The Leas, Minster-on-sea, Kent, ME12 2NL		
RECOMMENDATION Delegate to the Head of Planning to grant planning permission without conditions.		
APPLICATION TYPE Full – Minor		
REASON FOR REFERRAL TO COMMITTEE – Council Owned Land		
Case Officer – Ian Harrison		
WARD Minster Cliffs	PARISH/TOWN COUNCIL Minster-on-Sea	APPLICANT - Minster-on-Sea Parish Council AGENT - N/A
DATE REGISTERED 03 July 2025		TARGET DATE 28 August 2025
BACKGROUND PAPERS AND INFORMATION: The full suite of documents submitted and representations received pursuant to the above application are available via the link below: - https://pa.midkent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SXSH67TYLCN00		

1. SITE LOCATION AND DESCRIPTION

- 1.1. The application site is located to the north of The Leas, between the highway and the Coast Path that extends along the northern coast of the Isle of Sheppey, landside of the sea wall.
- 1.2. The site measures 61 square metres and comprises of a sloping area of grass land. The site forms part of the Local Green Space that extends along the coast at this part of the Isle of Sheppey, from The Leas to Hen's Brook.
- 1.3. The site now contains the development that is the subject of this application.
- 1.4. The site is within the designated Coastal Change Management Area but outside of the designated Erosion Zones. The site is part of a designated Local Green Space. The site is outside the designated Built-Up Area Boundary of Minster and is, therefore, in the countryside for the purposes of planning policy. The site is within

the Special Protection Area 6km Buffer Zone that is applicable to The Swale. The site falls within Flood Zone 1, i.e. it is at the lowest risk of flooding. The site lies approximately 1km to the west of the Sheppey Cliffs and Foreshore SSSI

2. PLANNING HISTORY

- 2.1. There is no planning history applicable to this site.

3. PROPOSED DEVELOPMENT

- 3.1. Planning permission is sought for the erection of a metal beacon that measures, at most, 1.23 metres tall and 1.4 metres wide. The beacon sits on top of a square timber pole that measures 6.3 metres tall. A commemorative plate is attached to one side of the structure reflecting that it was installed as part of the activities that took place to mark the 80 year anniversary of V.E. Day.

4. REPRESENTATIONS

- 4.1. One round of consultation has been undertaken, during which letters were sent to neighbouring occupiers and a notice was displayed at the application site. Full details of representations are available online.
- 4.2. One letter of representation supporting the proposal was received. This was from Minster-on-Sea Parish Council, who are also the applicants. They support the application on the grounds that the development does not interfere with drainage, has been installed to commemorate the 80th anniversary of Victory in Europe day, follows the standardised design that has been used across the country, would be of use to any future historic celebration or remembrance taking place at the Leas and would act as a visual focus to allow people time to reflect and pay tribute. The Parish Council have advised that, since it's installation, they have received numerous positive comments about its design, its functionality and its appeal for photo opportunities. The Parish Council consider that it has created a simple, yet effective point of interest for those visiting the Leas, whilst actively being a future point of celebration. The Parish Council advised that their VE celebration and Dunkirk celebration both centred around the lighting of the beacon, drawing crowds on both days and bringing together the community of Minster-on-Sea.

5. CONSULTATIONS

- 5.1. SBC Assets Manager – No comment.
- 5.2. SBC Greenspaces Manager – No objection.

6. DEVELOPMENT PLAN POLICIES

Bearing Fruits 2031: The Swale Borough Council Local Plan 2017 (the Local Plan).

ST1 Delivering sustainable development in Swale
ST3 The Swale settlement strategy
ST6 The Isle of Sheppey Area Strategy
CP2 Promoting sustainable development
CP4 Requiring good design
CP5 Health and wellbeing
CP6 Community facilities and services to meet local needs
CP7 Conserving and enhancing the natural environment – providing for green infrastructure
DM3 The Rural economy
DM6 Managing transport demand and impact
DM7 Vehicle parking
DM14 General development criteria
DM17 Open Space, Sports and Recreation Provisions
DM18 Local Green Spaces
DM19 Sustainable design and construction
DM21 Water, flooding and drainage
DM23 Coastal Change Management
DM28 Biodiversity and geological conservation

Supplementary Planning Guidance/Documents -

Landscape Character Assessment and Biodiversity Appraisal (LCA&BA), 2011.
Parking Standard Supplementary Planning Document, 2020.
Open Spaces and Play Area Strategy.
Isle of Grain to South Foreland SMP Review 2010

National Planning Policy Framework (the NPPF)

National Planning Practice Guidance (NPPG)

Kent Mineral and Waste Local Plan 2024-39 (KM&WLP), 2025 & the Kent Mineral Sites Plan (KMSP), 2020.

7. ASSESSMENT

7.1. The main considerations involved in the assessment of the application are:

- Principle
- Landscape, Visual and Design Considerations
- Ecology
- Living Conditions
- Other Matters

7.2. Principle

- 7.2.1. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 sets out that the starting point for decision making is the development plan unless material considerations indicate otherwise.
- 7.2.2. The NPPF provides the national policy context for the proposed development and is a material consideration of considerable weight in the determination of the application. The NPPF states that any proposed development that accords with an up-to-date local plan should be approved without delay. At the heart of the NPPF is a presumption in favour of sustainable development and for decision-taking this means approving development that accords with the development plan.
- 7.2.3. Development in the Countryside and Settlement Strategy
- 7.2.4. The site is outside the Built-Up Area Boundary of Minster and, for the purposes of the Council's Settlement Strategy, the proposal represents development in the countryside. Policy ST3 indicates that development at this site should only be approved if it is supported by national planning policy and able to demonstrate that it would contribute to protecting and, where appropriate, enhancing the intrinsic value, landscape setting, tranquillity and beauty of the countryside, its buildings and the vitality of rural communities. As it represents the erection of a structure where no development previously existed, it can only be concluded that the development does not protect or enhance the intrinsic value of the countryside. However, regard has to be had to the context of the site which, despite its designation, is viewed largely in the context of the adjacent settlement and, as such, plays a limited role in any landscape. The surrounding area attracts activity to the extent that it cannot be viewed as tranquil in that sense, albeit there is a sense of tranquillity to be taken from the coastal environment and this would not be affected by the proposal. Policy ST6 also states that the settlements of the Isle of Sheppey should be the focus of development.
- 7.2.5. Policy DM3 addresses various matters that are of limited relevance to this proposal, but it is considered relevant that it requires development to be sympathetic to the rural location and appropriate to their context and result in no significant harm to the historical, architectural, biodiversity, landscape or rural character of the area. These matters will be considered below.
- 7.2.6. Policy DM3 addresses tourism and leisure by stating that development should provide for an expansion of tourist and visitor facilities in appropriate locations where identified needs are not being met by existing facilities in the locality or where able to increase facilities available to local communities as well as visitors. The proposal is not a tourist facility or a leisure facility per se but falls closest to that category of development than any other and it is considered that it does provide a landmark for

visitors and something to see, whether those persons are from the local area or further afield. The development is not considered to conflict with fundamental elements of Policy DM3 that control the type of development that is supported and therefore, subject to the assessment that is undertaken below, the development is not considered to be prevented by that policy.

- 7.2.7. For the reasons given, there would be a conflict with the development plan by virtue of the proposal representing development in the countryside and being in conflict with Policies ST3 and ST6. However, the harm arising in this regard is limited.

Coastal Change Management Area (CCMA)

- 7.2.8. The site is within the designated CCMA where, as far as it is relevant to this development, Policy DM23 states that planning permission will be granted provided that the development does not result in an increased risk to life or a significant increase in risk to property and represents water-compatible development. Paragraphs 184 and 185 of the NPPF set out that policies should be clear as to what development is acceptable in such an area and how a development will be considered to be appropriate, including considering factors such as the lifetime of the development, the character of the coast, wider sustainability benefits and not hindering a route around the coast. Paragraph 186 goes on to state that temporary permissions should be considered if there is a potentially unacceptable risk to people and the development.
- 7.2.9. The site is within Section 4a03 of the Isle of Grain to South Foreline Shoreline Management Plan area, which indicates that the intention is to "Hold the Line". This is therefore considered to be a low risk site and, as such, it is relevant that Planning Practice Guidance indicates that a comparatively wide variety of developments can occur and, whilst the list of examples does not include developments of this type specifically, it is considered that the proposed development would align with the types of development that can occur.
- 7.2.10. In relation to the criteria within the NPPF, it has not been demonstrated that the development will be safe over its planned lifetime, however noting that the abovementioned Shoreline Management Plan indicates that this section of the coast will be retained and given the nature of the development, it is not considered that there would be an impact on coastal change arising from the development and there is no reason to conclude that the structure would be at risk of coastal change or that people would be put at risk by the development. Furthermore, the character of the coast would not be compromised by the development, there would be wider sustainability benefits as will be set out elsewhere in this report and the proposal would not hinder the provision of a coastal route. Therefore, whilst not according wholly with the requirements of the NPPF, it is not considered that there is likely to be harm arising from that element where there is conflict.

- 7.2.11. With respect to Policy DM23, as set out above, it has not been demonstrated that there would not be any increased risks to life or property as a result of the development but there is no basis to assume that there would be any undue risk from the proposal in these respects. Moreover, noting that paragraph 7.6.58 of the Local Plan and the NPPF Technical Guidance describes water-compatible development as including *“amenity open space, nature conservation and biodiversity, outdoor sports and recreation and essential facilities such as changing rooms,”* it is considered that the development can reasonably fall within the ambit of being water-compatible. Although there is a technical policy breach as the risk arising from the development has not been detailed, this risk would be handled through other means, such as the management, maintenance and insurance of the structure by the Parish Council.
- 7.2.12. It is noted that Planning Practice Guidance states that a vulnerability assessment may be required but, in this case, the vulnerability of the development is considered to be able to be assessed without such an assessment being submitted and therefore, noting that the guidance states that an assessment may required rather than must or should, it is considered reasonable and proportionate to this case to proceed without requiring a vulnerability assessment. Whilst the guidance repeats the preference for development to be time-limited, in this case it is considered that the risk would be sufficiently low and managed through other controls such that a condition is not required to be imposed in this regard.
- 7.2.13. Overall, whilst not wholly according with the requirement to demonstrate that the development would not be at risk, it is considered that the risk would be very low and managed through appropriate stewardship and, therefore, the policy conflict is considered to be limited and appropriate to be given limited weight. .

Community Benefit

- 7.2.14. Policy ST1 states that development proposals will, as appropriate, promote health communities through the location of development to achieve safe, mixed uses and shared spaces and through maintaining the individual character, integrity, identities and settings of settlements. Moreover, Policy CP5 states that development will Create social interaction and safe environments through mixed uses and in the design and layout of new development. In addition, the supporting text within the local plan (page 20) states that a core objective is to develop culture to support regeneration, employment growth, communities and environmental management. Policy ST6 states that development in the Isle of Sheppey area should include effective heritage protection, integration and enhancement a priority, whilst conserving and enhancing the historic and special interests of the town, coast, rural area and landscapes. Whilst there are no heritage assets at the site, it is considered that the development relates to the reflection of the history of the Isle of Sheppey and further afield.

- 7.2.15. The NPPF identifies that a social objective is one of three key objectives of achieving sustainable development, the definition of this objective is *“to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being.* In addition, paragraph 98 of the NPPF states that *“to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should....plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.”*
- 7.2.16. The development is small scale but was provided to create a focal point for commemorating a landmark historic event. It is considered that developments of this type play a role in terms of social interaction and cultural identity that is of benefit to the local community. This is considered to accord with the aims of the abovementioned local plan policy and the abovementioned extract of the NPPF. It is considered appropriate to afford substantial weight to the social gain arising from the development.

Local Green Space

- 7.2.17. Policy DM18 states that within designated Local Green Spaces planning permission will not be granted other than for specific types of development including, the construction of a new building that provides essential facilities for outdoor sport or recreation or other uses of land where preserving the openness of the Local Green Space and not conflicting with its purpose.
- 7.2.18. Describing the purpose of the structure as recreational is not entirely reflective of its intention but it is considered that it is logical for such a structure to be provided in an area of recreational land use. It is not essential to the functioning of the recreational use of the land, but it does provide a focal point and point of visual interest that would be likely to increase the use of the recreational area. However, by representing development where none previously existed and being sited in a large swath of generally undeveloped land, it is considered that there is a minor impact on openness that conflicts with the abovementioned policy.
- 7.2.19. The NPPF states decisions for managing development within a Local Green Space should be consistent with national policy for Green Belts. The NPPF sets out that development should be viewed as being inappropriate unless it is for one of 5 exceptions, one of which is *“the provision of appropriate facilities.....including buildings.....for outdoor recreation....as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.”*

- 7.2.20. Having regard to the purposes of the Green Belt and applying them instead to the Local Green Space designation, the development would not conflict with four of the five stated purposes as it would not represent unrestricted sprawl, would not cause the merging of neighbouring towns, would not effect the setting or special character of a historic town and would not have reduce the likelihood of urban regeneration. As set out above, the beacon represents development within the countryside and, albeit to a small degree, the development does not safeguard the countryside from encroachment.
- 7.2.21. Moreover, albeit to a very small degree, the proposal would not preserve openness as it represents the provision of development where none previously existed.
- 7.2.22. The proposal does not, therefore accord with any of the exceptions that are listed within the NPPF and, as a result, the proposal would be considered inappropriate in the context of the NPPF policies that are applicable to the Green Belt and, in turn, are required by the NPPF to be applied to Local Green Spaces.
- 7.2.23. Paragraph 153 of the NPPF states that *“when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”*
- 7.2.24. In this instance, the harm that is caused to the openness of the Local Green Space is small by virtue of the structure representing a post with a beacon atop. Whilst the section of the designated Local Green Space immediately north of The Leas is generally free from development and this structure does, therefore, represent an anomaly, the harm is limited by virtue of the size and scale of the structure. The harm still has to be given substantial weight, as set out within the abovementioned extract of the NPPF. Similarly, the policy conflict of the proposal representing inappropriate development would have to be given significant weight, albeit the conflict is again limited by virtue of the scale and nature of the development.
- 7.2.25. Weighed against this harm is the benefit of the proposal which is considered to be that which is set out in the Community Benefit section above. This need not be repeated. In this instance it is considered that the benefit of the proposal clearly outweighs the harm that is caused by the development as a result of the application of Green Belt policies to this development within a Local Green Space and in all other respects. Consequently, it is considered that the proposal can be found acceptable in the context of national policies in relation to the Local Green Space. For similar reasons, whilst the proposal would not accord with Policy DM18 and a small degree of harm would arise from that conflict, the harm is considered to be

outweighed by other aspects of the development plan which support developments of this kind.

7.3. **Landscape, Visual and Design Considerations**

- 7.3.1. Local Plan Policies CP4 and DM14 and the NPPF attach great importance to the design of the built environment and that design should contribute positively to making places better for people.
- 7.3.2. As a result of the site being in the countryside, Policy DM24 is applicable. This policy states that *“the value, character, amenity and tranquillity of the Borough's landscapes will be protected, enhanced and, where appropriate, managed”*. However, as the site is not within a National Landscape or an Area of High Landscape Value, only Parts B (Non-Designated Landscapes) C (All Landscapes) are applicable. In this regard, it is noted that the site is located within Landscape Character Area 16 (Minster and Water Farmlands) of the Council's Swale Landscape Character and Biodiversity Appraisal.
- 7.3.3. The application site is viewed as an area of coastal green space between the development of Minster to the south and the sea. It has little to no relationship with the wider landscape character area that it is included within and does not share any of the characteristics of the that landscape, which has been assessed to be in poor condition. From this basis, it is considered that the proposal would not cause harm to the landscape that it forms a part of and, in the context of its edge of settlement, coastal path setting, the development is considered to be visually acceptable and not harmful. In terms of height, scale and appearance, the development has followed a conventional design and is considered to be acceptable. The proposal is therefore considered to accord with the abovementioned policies and the corresponding elements of the NPPF.

7.4. **Ecology**

- 7.4.1. The Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations') affords protection to certain species or species groups, commonly known as European Protected Species (EPS), which are also protected by the Wildlife and Countryside Act 1981. This is endorsed by Policies CP7 and DM28 of the Local Plan, which relates to the protection of sites of international conservation importance including Special Areas of Conservation (SAC), Special Protection Areas (SPA) or Ramsar Sites.
- 7.4.2. Section 40 of the Natural Environment and Rural Communities Act (2006) states *“For the purposes of this section “the general biodiversity objective” is the conservation and enhancement of biodiversity in England through the exercise of functions in*

relation to England” and “A public authority which has any functions exercisable in relation to England must from time to time consider what action the authority can properly take, consistently with the proper exercise of its functions, to further the general biodiversity objective.” Furthermore, the NPPF states that ‘the planning system should contribute to and enhance the natural environment by minimising impacts on and providing net gains for biodiversity.’ The NPPF states that ‘if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.’

- 7.4.3. In terms of the Local Plan, Policy DM28 sets out that development proposals will conserve, enhance, and extend biodiversity, provide for net gains where possible, minimise any adverse impacts and compensate where impacts cannot be mitigated.
- 7.4.4. The development has occurred and it is not known that any protected species were impacted by the proposal. It is not likely that any would have been present at the site given the nature of the site and its context. No objection is therefore raised to the development on this ground.
- 7.4.5. The site is not within any areas that are designated for their biodiversity or ecological features and, due to the scale of the development, the nature of the structure and the operations required to erect it, it is not considered that the development would have had or will have any impacts on protected habitats. In reaching this position, it is noted that the nearest Special Protection Area is the Outer Thames Estuary SPA which is beyond Minster Beach and the nearest SSSI is 1km to the east. The development is therefore hereby screened out from needing an Appropriate Assessment. The development would not generate recreational activity associated with the occupation of dwellings and, as such, no SAMMS payment is required in this case.

BNG

- 7.4.6. This application was submitted after the commencement of Mandatory Biodiversity Net Gain and, as such, the 10% biodiversity net gain requirement of the Environment Act 2021 could have been applicable. However, the exemptions relating to the small scale of the development and the application being retrospective are both applicable and, therefore, a net gain would not be required.

7.5. **Living Conditions**

- 7.5.1. Policy DM14 of the Local Plan and the NPPF requires that new development has sufficient regard for the living conditions of neighbouring occupiers.

- 7.5.2. The development, by virtue of its scale and position, has no impact on the light, privacy or outlook from any neighbouring residential properties that would justify the refusal of the application.
- 7.5.3. The occasional use of the beacon as a focus for events might generate traffic and activity that would inevitably have an impact on living conditions within neighbouring properties. However, those impacts would be limited in terms of frequency, scale and duration such that this is not considered to a basis to conclude that the impact of the development would be unacceptably harmful.

7.6. **Other matters**

- 7.6.1. The development has no impact on archaeological interests or heritage assets and is not at risk from flooding or likely to cause risks of flooding elsewhere.
- 7.6.2. Any impacts on carbon neutrality and air quality arising from the use of the beacon would be limited and as such, any conflict with policies DM6 and DM19 arising from this would be negligible and outweighed by the benefits and support from other policies as are set out elsewhere.
- 7.6.3. As per the assessment of the impact of the development on living conditions, the occasional use of the beacon would be likely to cause traffic and parking within the immediate vicinity of the site. However, these events would be infrequent and inevitably be managed by the event organisers such that any impacts would be limited in scale, duration and frequency. Outside of organised events, it is unlikely that the beacon on its own would represent a trip generator to a degree that traffic or parking demand would be materially altered. No objection is therefore raised on these grounds and the development is not considered to conflict with policies CP2, DM6 and DM7.
- 7.6.4. As set out above, the development is considered to align with the use of the informal open space that the site forms a part of and, as such, the proposal is not considered to conflict with policy DM17 which relates to Open Space.

7.7. **Planning Balance (Benefits and Harm) and Conclusion**

- 7.7.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.7.2. In this case there are areas where the development does conflict with policies of the development plan. In particular, the proposal represents development within the

countryside, outside the Built-Up area boundaries and within a designated Local Green Space. There is also a conflict with elements of national and local policy relating to the Coastal Change Management Area. However, the harm arising in these respects is considered to be outweighed by the social benefits of the proposal and the associated accordance with other policies of the development plan. The social benefit is considered to be grounds to find the development within the Local Green Space acceptable. Therefore, the development is considered to accord with the development plan when it is considered as a whole. For similar reasons, noting that the proposal represents development that would be inappropriate in the Local Green Space were it not for the Very Special Circumstances that are considered to exist, the proposal is considered to accord with the NPPF when it is taken as a whole. No other material considerations are known to indicate that a decision should be reached other than in accordance with the development plan.

- 7.7.3. For these reasons, it is considered that planning permission should be granted. As the development has already occurred, no conditions are considered to be necessary and, as such, unconditional planning permission can be granted.

7.8. **Recommendation**

- 7.8.1. Grant unconditional planning permission.

