

PLANNING COMMITTEE – 15 SEPTEMBER 2016

PART 5

Report of the Head of Planning

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Decisions by County Council and Secretary of State, reported for information

- **Item 5.1 – Former Macknade Garden Centre, Canterbury Road**

APPEAL ALLOWED – COSTS REFUSED

Observations

COMMITTEE REFUSAL – against officer’s recommendation

In his report, the inspector concluded that the harm to both the street scene and the nearby listed buildings was less than substantial and, as such, upheld the appeal and granted Planning Permission. However, in response to a claim for costs from the appellant, the Inspector concluded that, whilst he did not agree with the Council’s decision, he believed that the Council had fully explained the reasons why that decision had been made and, as such, dismissed the appeal claim for costs.

- **Item 5.2 – Alwick, The Street, Borden**

APPEAL DISMISSED

Observations

DELEGATED REFUSAL:

Full support for the Council’s decision, with the Inspector agreeing that the removal of this prominent tree would be harmful to the character and appearance of the conservation area.

- **Item 5.3 – 75 The Street, Newnham**

APPEAL DISMISSED

Observations

COMMITTEE REFUSAL:

This split decision gives full support for the Council’s position; the council had no objection to the proposed rear extension, but refused the application on the harmful effect of the proposed large and unsightly flat roofed dormer. As such, a good decision.

- **Item 5.4 – Evaluna**

APPEAL DISMISSED**Observations****DELEGATED REFUSAL:**

Generally a good appeal decision which supported the Council's position, although some questions were raised by the Inspector concerning the Council's position with regard to need. The Inspector agreed that the impact of the proposed caravans and other structures on site, including boundary fencing, would have a significantly harmful effect on the rural character and appearance of the area, and that the site was isolated from services and facilities and was unsustainable. The Inspector stated that whilst the Council has made progress with the provision of Gypsy sites, she could not conclude that a 5 year supply of sites had been demonstrated given there is not an NPPF-compliant local plan in place, and there is still a degree of uncertainty and potential for unmet need. The Inspector considered that the six pitches proposed would constitute windfall development, which is broadly supported in the emerging plan, and this gave support to the scheme. The Inspector noted that the applicant intended to occupy one of the pitches, but did not consider him to be a Gypsy under the relevant definition, or that the personal reasons advanced could only be met by living on this site. The overall planning balance was that the harm to the character and appearance of the area and the unsustainable location of the site significantly outweighed the benefit of increasing gypsy and traveller pitch provision in the area.