

PLANNING COMMITTEE – 17 DECEMBER 2019

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 – Land to the rear of Hales Cottage Tunstall Road Tunstall**

APPEAL ALLOWED

DELEGATED REFUSAL

Observations

To my mind this decision substantially underestimates the likely impact of the development in replacing a small garage with a house, and which fails to recognise the inevitable ongoing pressure to enlarge the approved dwelling. This decision can only have a negative impact in an area where protecting the character of Tunstall as a separate settlement from Sittingbourne is a formal aim of the adopted Local Plan; an aim which can now only be threatened by further unnecessary development proposals.

- **Item 5.2 – Land West of Brown Jug 76 Horsham Lane Upchurch**

APPEAL DISMISSED

DELEGATED REFUSAL

Observations

Full support for the Council's decision with regards to housing in the countryside. The development was contrary to the Local Plan and the Inspector accordingly dismissed the appeal.

- **Item 5.3 – 4 Haysel Sittingbourne**

APPEAL DISMISSED

DELEGATED REFUSAL

Observations

The Inspector agreed with the Council that this domestic extension would have harmed the character and appearance of the area.

- **Item 5.4 – 77 Queenborough Road Halfway**

APPEAL DISMISSED

DELEGATED REFUSAL**Observations**

The Inspector fully supported the Council's decision.

- **Item 5.5 – Land at A2 London Rd/Western Link Faversham**

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

An excellent decision, where the Inspector endorsed the Council's decision for reasons relating to harm to the setting of the adjacent Syndale Conservation Area and harm to the character and appearance of the rural area. The Inspector concluded that despite the lack of a 5-year housing land supply, the harm identified was such that the development would not amount to sustainable development for which the NPPF presumes in favour.

- **Item 5.6 – Land situated at 32 First Avenue Queenborough**

ENFORCEMENT APPEAL DISMISSED**Observations**

An excellent decision on a longstanding enforcement case, where the Inspector gave full support to the Council's action.

- **Item 5.7– Land at Brotherhood Wood Yard Gate Hill Dunkirk**

ENFORCEMENT APPEAL APPELLANT'S COSTS CLAIM REFUSED**Observations**

This is a welcome decision recognising that the Council did not act in an unreasonable manner despite the Inspector finding that the actual enforcement notice was unclear and not capable of correction without injustice to the appellant. The Council's decision to immediately withdraw the notice when the Inspector raised his concerns has clearly played a part in his decision not to award costs to the appellant.

- **Item 5.8 – Murre Conyer Quay Conyer**

ENFORCEMENT APPEAL DISMISSED**Observations**

Full support for the Council's interpretation of the relevant regulations, and for the requirements of the enforcement notice.