

PLANNING COMMITTEE – 15 October 2020**PART 1**

Report of the Head of Planning

PART 1

Any other reports to be considered in the public session

1.1 REFERENCE NO - 20/500400/OUT		
APPLICATION PROPOSAL Outline Application with access matters sought for the erection of up to 5 no. dwellings on the land to the south of Chequers Road, Minster-on-Sea. (All other matters reserved for future consideration.)		
ADDRESS Land South Of Chequers Road Minster-on-sea Kent ME12 3SH		
RECOMMENDATION That Members resolve to amend the resolution passed at the previous Meeting of the Planning Committee		
SUMMARY OF REASONS FOR RECOMMENDATION The resolution of the Planning Committee, namely that planning permission would have been refused if the appeal for non-determination had not been submitted, contained references to the location of the site in an important local countryside gap, as defined in the Swale Borough Local Plan 2017. The site does not lie within an area with this designation		
REASON FOR REFERRAL TO COMMITTEE To seek the authority of the Committee to amend the reason, in order to make an effective case at appeal.		
WARD Sheppey Central	PARISH/TOWN COUNCIL Minster-On-Sea	APPLICANT Mr Richard Alderson AGENT DHA Planning
DECISION DUE DATE 27/03/20		PUBLICITY EXPIRY DATE 09/07/20

1. BACKGROUND

- 1.1 This application was initially reported to the Planning Committee on 25th June this year. A copy of this report is attached as Appendix 1. Members deferred consideration of the application in order to visit the site. The site meeting eventually took place in early September and the application was then considered by Members at the last Meeting on 17th September.
- 1.2 At the last Meeting, Members resolved that, had an appeal against non-determination not been submitted, outline planning permission would have been refused for the following reason:

The development is outside of the built up area boundary and the sites location within the open countryside and located within the Important Local Countryside Gap would cause demonstrable harm to the value, landscape setting and beauty of the countryside, contrary to policies ST1, ST3, ST6, DM24 and DM25 of the Swale Borough Local Plan 2017

- 1.3 The boundaries of Important Local Countryside Gaps are defined in the proposals maps of the Swale Borough Local Plan 2017. The application site does not lie in such an area, and proceeding with the reason as set out above would not therefore be appropriate and might well lead to an award of costs against the Council

2. DISCUSSION

- 2.1 For the sake of clarity, I remain of the view that the application should be approved. Nonetheless, the Planning Committee has resolved that permission ought to be refused and the purpose of this report is to seek to amend the resolution of the Planning Committee and not to unpick the decision.
- 2.2 My recommendation is simply that reference to the Important Local Countryside Gap and its corresponding Local Plan Policy (DM25) is deleted from the reason.
- 2.3 However – it seems to me from the discussion at the Meeting that the Committee included reference to it due to specific concerns relating to the location of the development relative to the built up area and specifically how this site encroached into the largely undeveloped area running from Chequers Road to the north and the Lower Road to the south. It is open to Members to consider amending the wording of the reason in order to clarify this.

3. RECOMMENDATION

- 3.1 I recommend that, had the application not been the subject of an appeal for non-determination, outline planning permission would have been refused for the following reason:
- 1) The development is outside of the built up area boundary and the site's location within the open countryside would cause demonstrable harm to the value, landscape setting and beauty of the countryside, contrary to policies ST1, ST3, ST6, and DM24 of the Swale Borough Local Plan 2017

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

