

Report of the Head of Planning

**PART 5**

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

- **Item 5.1 – Orchard Place, Badllesmere**

**APPEAL ALLOWED**

A truly disappointing decision to effectively grant permanent planning permission on grounds of personal circumstances, circumstances which were not even raised at application stage, and for a proposal which differed from that in front of the Council at application stage. The way this decision has been made is rather worrying as it removes any certainty or confidence in the approach that the Planning Inspectorate will take for future similar appeals despite their apparently clear guidance. The decision also puts personal circumstances over planning considerations in relation to a permanent development, which is highly unusual given that the personal circumstances involved here will clearly not persist on a permanent basis, yet the appellant's continued occupation of the site in breach of the 2006 enforcement notice has now essentially been rewarded.

- **Item 5.2 – 18 Bayford Road, Sittingbourne**

**APPEAL DISMISSED, COSTS APPLICATION AGAINST THE COUNCIL REFUSED**

An interesting decision. Members may recall that I had recommended this application for approval, and that I advised Members against refusing planning permission based on the highway impact of the scheme, as Kent Highway Services had not raised objection. Members will note that the appeal was dismissed on the basis of the impact of the development on residential amenity, and that the reason for refusal in relation to highway impact was not upheld by the Inspector.