

**PLANNING COMMITTEE – 21 JULY 2022**

**PART 5**

Report of the Head of Planning

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

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- **Item 5.1 – 31 Forbes Road Faversham**

**APPEAL DISMISSED**

**DELEGATED REFUSAL**

**Observations**

The Inspector dismissed the appeal as he considered the reversing onto and off the road by vehicles would be an inherently unsafe manoeuvre on such a busy road and, if the appeal was allowed, this would have involved the loss of the major part of the front garden to hard surfacing, which would be harmful to the street-scene.

- **Item 5.2 – Brookside Park First Avenue Eastchurch**

**APPEAL DISMISSED AND COSTS REFUSED**

**DELEGATED REFUSAL**

**Observations**

The Inspector agreed with the Councils longstanding policies regarding restricting occupation of holiday accommodation to 10 months of the year, concluding that residential use of the site would result in harm to the character and appearance of the area and prejudice the Council's approach to holiday accommodation. It would be in conflict with Policies CP1, ST6, DM3, DM5 and DM14 of the LP which seek, amongst other things, to restrict the occupation of caravans for recreational use and during certain months of the year to ensure a sustainable pattern of development and to protect the character of the countryside.

The Inspector agreed with the Council's assessment that the site is an unsustainable location outside of the settlement boundary, which would not be suitable for residential accommodation.

The Inspector assessed the level of weight of the Interim Planning Policy Statement for Park Homes Sites (IPP) and noted that the IPP was not publicly examined, was not an adopted policy and did not form part of the development plan. Therefore the Inspector attributed limited weight to the IPP.

The Inspector concluded that the identified harm (harm to the character and appearance of the area; loss of tourism; harm to local infrastructure; and the inappropriate location of the site to access services and facilities) is serious and significantly and demonstrably outweighs the benefits of the scheme when assessed against the policies in the Framework taken as a whole. Thus, the application of the tilted balance in paragraph 11 of the Framework does not indicate that planning permission should be granted.

*Costs*

The appellants submitted an application for a full award of costs against Swale Borough Council arguing that the Council had behaved unreasonably in refusing planning permission in respect of all the refusal reasons. The basis of the claim is largely on the lack of weight provided to the Interim Planning Policy (IPP), dated June 2020. The Inspector noted that the reasons for refusal are reasonable and were adequately justified, noting that the IPP has limited weight, and that the proposals would conflict with the IPP in any event. The application for an award of costs was therefore refused.