

PLANNING COMMITTEE – 5 December 2024**PART 5**

Report of the Head of Planning

PART 5Decisions by County Council and Secretary of State, reported for information

- **Item 5.1 – Fairmeadow, The Barn, Swanton Street, Bredgar, Kent ME9 8AT**

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

The application sought planning permission for the change of use of an “annexe barn” into a residential dwelling. The Planning Inspector identified that the main issues were whether the location of the development was appropriate, the effect on the character and appearance of the area, including the setting of the AONB, and the living conditions of future occupiers. Whilst the proposal was found to be acceptable in respect of its visual impact, the location of the site was considered to be inappropriate for residential development on the grounds that future residents would be dependent on the car and that the proposal is contrary to the spatial strategy. Moreover, the living conditions of future occupiers were deemed to be unacceptable on the grounds that residents would be unduly overlooked by a neighbouring property.

- **Item 5.2 – Land to the southeast of Beauvoir Drive and north of Newman Drive, Sittingbourne, Kent ME10 2TQ**

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

The application sought permission for three dwellings. The Planning Inspector identified that the main issues were the impact on the character and appearance of the area, in particular the existing open space, flood risk and the impact on habitat sites. In relation to the first main issue, it was found that the development would cause the loss of open space and the layout of the dwellings would be at odds with the surrounding area. Moreover, the dwellings would be prominent features within the street scene that would appear out of keeping with the prevailing pattern and character of development. The proposed development was found to fail the flood risk sequential test as inadequate attempts had been made to identify alternative sites and, in the absence of a SAMMS payment being paid or secured, it was found that the impact on habitat sites had not been adequately mitigated. The potential adverse impact on the habitat site meant that the approach set out at paragraph 11d) of the NPPF did not apply. Therefore, the conflict with the development plan led to the appeal being dismissed.

- **Item 5.3 – Light Industrial Units (Disused) on Land Adjacent to Pebble Court Farm, Woodgate Lane, Borden ME9 7QB**

APPEAL DISMISSED**COMMITTEE DECISION****Observations**

The application sought planning permission for the conversion of one building at the site into a dwelling and another into a home office. The Inspector found that the main issue was the suitability of the site for the location of housing. The location of the site was considered to be inappropriate for residential development on the grounds that future residents would be dependent on the car and that the proposal is contrary to the spatial strategy. It was found that inadequate marketing had taken place to demonstrate that there was no demand for the building to be used for the purposes that are prioritised by Policy DM 3 or that the use of the building for those purposes would be undesirable or unsuitable. Various other matters, including the Council's housing land supply position, but overall any benefits arising from the proposal were considered to be significantly and demonstrably outweighed by the adverse impacts. Therefore, the appeal was dismissed.