

**PLANNING COMMITTEE – 11 FEBRUARY 2016**

**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 – 2 Ruins Barn Road, Tunstall**

**ENFORCEMENT NOTICE QUASHED AND PLANNING PERMISSION GRANTED.**

**PLANNING APPEAL ALLOWED.**

**Observations**

REFUSED BY PLANNING COMMITTEE:

Members will recall that this retrospective application was recommended for approval by Officers, but refused by Members in accordance with a very strong Parish Council objection. The decision makes it clear that the proposal is not unusual or objectionable.

The matter of confusion over plans appears to stem from the Inspector having a different plan from that which was issued with the enforcement notice, but it has not been possible to find out how that arose.

- **Item 5.2 – 164 High Street, Milton Regis**

**APPEAL DISMISSED**

**Observations**

DELEGATED REFUSAL:

Full support for the Council's decision. The Inspector concluded that the proposal would amount to a poor quality development which would harm the amenities of its occupiers, that it would harm the character and appearance of the area, and that it would harm highway safety and convenience.

- **Item 5.3 – 32 Holmside Avenue**

**APPEAL DISMISSED  
APPELLANT'S CLAIM FOR FULL COSTS REFUSED**

**Observations**

**DELEGATED REFUSAL:**

A welcome decision, where the Inspector agreed with the Council that the development proposed would harm the amenities of occupiers of adjacent dwellings. The appellant's costs claim was refused on the basis that the appellants could not demonstrate that the Council had behaved unreasonably. Quite the opposite in fact – the costs decision sets out the steps Officers had tried to take in advising the appellant.

- **Item 5.4 – The Laurels, New Orchard Farm, Upper Rodmersham**

**APPEAL ALLOWED.****APPELLANT'S CLAIM FOR FULL COSTS REFUSED****Observations****APPEAL AGAINST NON-DETERMINATION:**

A perverse and baffling decision to allow an additional dwelling in a remote location, including the erection of two detached double garages, despite the Inspector recognising that relevant policies restrict residential development in the countryside other than in specific circumstances; and of him appearing to accept that this represents sustainable development.

Members might wish to note that this appeal against non-determination was submitted at the earliest possible opportunity and not in relation to any protracted delay in the decision making process.

- **Item 5.5 – 13 Briton Road, Faversham**

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

Full support for our approach to replacement windows in this area; one covered by the Council's 2007 Article 4(2) Direction. This is now the second appeal dismissed on this property in relation to replacing the original sash windows with inferior units.