

**PLANNING COMMITTEE – 15 SEPTEMBER 2022****PART 5**

Report of the Head of Planning

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

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- **Item 5.1 – 55 Parsonage Chase Minster**

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

The Inspector agreed with the Council's view, that the proposed development would be harmful to the character and appearance of Parsonage Chase, contrary to Policies CP4 and DM14 of the Swale Local Plan 2017. The Inspector also agreed with the Council's contention, that the proposed development would not provide satisfactory living conditions for the future occupiers of Plots 5-7, contrary to Policy CP4, and that, in the absence of the relevant ecological surveys, it was not possible to determine the potential impact of the development upon the biodiversity of the site and area, contrary to Policy DM28 of the Swale Local Plan. The appeal was dismissed on this basis. However, the Inspector did not agree with the Council's view that the scheme would harm the setting and significance of the nearby Grade II listed building, Parsonage Farm. The Inspector found that, as the appeal site had already been developed in the past into a bungalow and associated garden area, any link to the original setting of Parsonage Farm had already been lost. Due to the modest size of the development and to the fact that the residential character of the site would be retained, the proposal was not considered to significantly affect the special interest or setting of the listed building.

- **Item 5.2 – Read's Orchard Parsonage Chase Minster**

**APPEAL ALLOWED****DELEGATED REFUSAL****Observations**

The Inspector found that there is currently little opportunity to appreciate the setting of Parsonage Farm (a Grade II Listed Building), or its significance from the appeal site. That the contribution of the appeal site to the significance of the listed building is therefore limited, and any link to the original agricultural setting of the farmhouse would be lost with the housing approved on appeal to the south and west. The Inspector concluded that the proposed development would not harm the setting of Parsonage Farm, resulting in a neutral effect on its significance. The Inspector agreed with the Council that the proposal would represent backland development but other than through the proposed access, similar to a parking area on the north side of this end of Parsonage Chase, it would not be prominent in the street scene nor harmful to the character of the road and as this application sought outline permission only, the Inspector saw no reason why it would not be possible to provide a high quality design that would relate satisfactorily to the existing dwellings on Parsonage Chase, or the major development approved on appeal to the south. Whilst biodiversity net gain had been calculated at

just 0.14%, the Inspector commented that there is no requirement in national or local policy at this time for a higher percentage increase.

- **Item 5.3 – St Thomas Yard Holywell Lane Upchurch**

**APPEAL ALLOWED**

**DELEGATED REFUSAL**

**Observations**

The Council's position in terms of a 5 year site supply had changed significantly between refusing the application and the appeal hearing. The Inspector found that the current unmet need for gypsy & traveller sites within the borough was a matter to which he ascribed considerable weight, that there was a lack of alternative available sites, and that access to medical facilities and education and the best interests of the children on site all weighed in favour of the application.

The Inspector considered that the visual impact of the development, including views from nearby public footpaths, was limited by the presence of surrounding caravans and wider sporadic buildings and that the cumulation of Gypsy sites on this part of the land did not unacceptably impact the rural character of the area. The site entrance works had cut through a bank, but were screened and has mellowed since being undertaken some 6 years ago. Overall, the Inspector concluded that the development did not cause significant harm to the character of the area or landscape, was in accordance with policies DM10, DM24 and DM26 of the Local Plan, and that the lack of alternative sites and personal circumstances also weighed in favour of the application.

- **Item 5.4 – 2 Larkfield Avenue Sittingbourne**

**APPEAL DISMISSED**

**DELEGATED REFUSAL**

**Observations**

The Inspector agreed with the Council's primary case that whilst the dwelling itself was appropriately sited and designed, the private garden would extend towards Dean Road and would be enclosed in a manner that would be harmful to the open streetscene, and would provide a poor level of amenity space for occupants of the dwelling.