

PLANNING COMMITTEE – 5th February 2026

PART 5

Report of the Head of Planning

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

- **Item 5.1 – Unit 1, Jetty Road, Warden, Kent ME12 4NF**

PINS Decision: APPEAL ALLOWED

Committee or Officer Decision: DELEGATED REFUSAL

Observations

Planning permission was sought for single storey front and rear extensions to the shop at the site, a first floor terrace to serve the first floor flat at the site and residential parking to the rear. The main issue was the effect of the development on the character and appearance of the area.

The Inspector found that, whilst deep, the low height and flat roof design of the extension ensured that it would appear subservient to the host building and, noting the scale of other buildings around the site, the size of the extension would appear visually appropriate and not dominant. It was concluded that a sufficient garden would be retained to enable a sense of spaciousness to continue to exist.

Whilst the side elevation would be visible from Sea View Gardens, the Inspector raised no concerns in the impact on that view, again finding the scale of the extension acceptable and mitigated by the provision of fencing to provide greater definition to the plot and be an improvement relative to its current condition. The inclusion of a green roof was also welcomed as it would soften the massing and mitigate the visual impact.

The materials of the extension and the detailing of the balcony was also found to be acceptable.

For these reasons, the development was considered to accord with the local plan and the NPPF and, therefore, the appeal was allowed, and planning permission was granted.

- **Item 5.2 – Webbenditch Cottage, Cold Harbour Lane, Bobbing, Kent ME9 8NN**

PINS Decision: APPEAL ALLOWED

Committee or Officer Decision : DELEGATED REFUSAL

Observations

Planning permission was sought for the erection of a self-build, two bedroom dwelling with associated parking. The main issues were whether the site was a suitable location for housing development having regard to access by sustainable modes of transport and the effect on the Medway Estuary and Marshes SPA. The second of these main issues fell away as a result of the provision of the required SAMMS payment.

In relation to accessibility, the Inspector noted that the site is on a narrow, unlit rural road but close to a lit footpaths which lead to bus stops and the facilities at the Sheppey Way/A249 junction. The ability to reach Newington by bicycle was also noted. From this basis, whilst the Inspector found that there would be a likelihood of car use, it was considered that future occupiers would not be solely dependent. Overall, the Inspector concluded that there are limitations on the choice of modes of transport and the site is not in a sustainable location, but the harm arising from this was modest due to the abovementioned provisions. This was, however, found to be contrary to policies ST1, ST3 and CP2 of the local plan.

The development was found to be acceptable in all other respects and the Inspector weighed factors such as the 5 year housing land supply situation and the securing of the dwelling as a self and custom build dwelling in favour of the proposal. It was also found that the proposal represented the development of brownfield land. In conclusion, the Inspector found that the adverse impacts were modest and did not significantly and demonstrably outweigh its important benefits. Therefore, notwithstanding the conflict with the development plan, the Inspector determined that planning permission should be granted and allowed the appeal.

- **Item 5.3 – Land at The Tractor Shed, Provender Lane, Faversham ME13 0SL**

PINS Decision: NOTICE QUASHED

Committee or Officer Decision : ENFORCEMENT NOTICE ISSUED

Observations

The enforcement notice, which was served on the 21st February 2023, targeted the use of the land at the site for the siting of storage containers. The Inspector found that the containers were not being stored at the site but instead were being kept at the site for storage purposes. The Inspector also identified that the activities occurring at part of the site were different to what was stated in the notice as part of the site was in use as a builders yard and there are other activities occurring at the wider site which indicated that the site should be described as being in mixed use. The Inspector found that altering the notice to address these matters would “fundamentally alter the purpose of the notice, as would finding that a mixed use had occurred.” The Inspector determined that changing the description of the alleged use, as had been suggested, would not be sufficient to encompass all the uses occurring at the site. The Inspector therefore concluded that the enforcement did not specify the alleged breach of planning control with sufficient clarity and therefore the notice was quashed.