



Appeal Decision

Site visit made on 18 December 2023

by N Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th January 2024

Appeal Ref: APP/V2255/W/23/3321274

**Co-Op Sports & Social Club, St. George's Avenue, Sheerness,
Kent ME12 1EJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by M L Harris on behalf of the Co-op Sports & Social Club against the decision of Swale Borough Council.
 - The application Ref 22/503876/FULL, dated 04 September 2022, was refused by notice dated 13 February 2023.
 - The development proposed is a storage compound.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Revised versions of the National Planning Policy Framework (the Framework) have been published since the planning application was determined by the Council. Both main parties have had the opportunity to comment on any relevant implications for the appeal. I have had regard to the latest version of the Framework in reaching my decision.
3. The description of the proposed development provided on the planning application form indicates that the development has already taken place. Therefore, I was able to view the storage compound at the time of my visit.

Main Issues

4. The main issues raised by this appeal are the effect of the proposed development on the: -
 - a) Living conditions of existing neighbouring occupiers;
 - b) Character and appearance of the area; and
 - c) The Coastal Change Management Area.

Reasons

Living conditions

5. The site is located within extremely close proximity to residential properties at both Wheatsheaf Gardens and St Georges Court. There is some vegetation

between the site and properties at Wheatsheaf Gardens. This would reduce the visibility of the site in the outlook from these neighbouring dwellings. Notwithstanding this, St Georges Court hosts first floor openings that provide outlook directly toward the storage compound, although the ground floor flats have outlook toward an existing boundary.

6. The occupiers of neighbour properties should reasonably expect to enjoy an acceptable outlook as part of their residential lives. Unlike the existing carpark or the site's previous use to park cars, its intended purpose is to store members' caravans and boats, amongst other things. These would be larger than most cars. Direct outlook of the compound with its visually cluttered appearance would provide the occupiers a poor outlook. This is not an outlook that the occupiers of neighbouring properties should be expected to endure as part of the enjoyment of their residential lives. Such an outlook would be harmful to the living conditions of existing residential occupiers, even if the harm would be limited to only a small number of flats.
7. Furthermore, the compound is of some size. Activities related to storage at the compound would likely give rise to noise from time to time most likely during the daytime. The site may previously have been used for parking associated with the club. Nonetheless, given the compound's close proximity to adjoining residential properties noise would be extremely likely to increase creating disturbance to existing residential occupiers, even if this would be limited to those movements of members taking and returning their property. This would be harmful to the living conditions of the existing occupiers and would diminish the residential enjoyment the occupiers should reasonably expect to enjoy as part of their home life.
8. For these reasons, I conclude that the proposed development would be harmful to the living conditions of existing neighbouring occupiers. The proposal would, therefore conflict with Policy DM14 of the Bearing Fruits 2031: The Swale Borough Local Plan 2017 (the Local Plan). That policy seeks, amongst other matters, development not to cause harm to the amenities of surrounding uses or areas.

Character and appearance

9. The site lies outside of the built up area boundary and, as such, falls within landscape that is designated as both countryside and an Area of High Landscape Value. It also falls within a designated Important Local Countryside Gap.
10. The local planning authority explains that the development would take place on land that was previously used for formal outdoor sport, although the appellant has advised that the land has been used for vehicle parking by members associated with the club. Either way, the site would not have had a conventionally rural character. Nonetheless, it would have had an open and relatively undeveloped appearance. The proposal would represent a piecemeal erosion and encroachment of the countryside that forms part of the wider rural landscape by virtue of intensifying urban related clutter within the site. As such, the proposal would negatively impact upon the open character of the area. Enclosing the compound with fencing would not ameliorate this visual harm. Consequently, the proposed development would be harmful to the character and appearance of this rural landscape and would undermine those designations that are in place that seek to protect its rural characteristics.

11. The use could generate income for the club and would provide a secure storage facility for member's property. There may also be a value to the community as existing roads and driveways would be less parked up as a result of providing this storage facility. This could bring about a visual benefit for streets in the locality. Nonetheless, these benefits would not overcome my above concerns or justify the proposal.
12. For these reasons, I conclude that the proposed development would be harmful to the character and appearance of the area and those landscape designations that are in place to protect the area. The proposal would, therefore conflict with Policies DM3, DM14, DM24 and DM25 of the Local Plan. These policies seek, amongst other matters, development to be sympathetic to its rural location.

Coastal Change Management Area (the CCMA)

13. The site falls within the CCMA. Policy DM23 of the Local Plan provides a list of appropriate forms of development in such locations. The local planning authority have advised that the proposed use does not fall within the list and as such is not an appropriate development within the CCMA designation area. This would bring the proposal into conflict with Policy DM23. Notwithstanding this, given that I am dismissing this appeal for other reasons it has not been necessary for me to consider this matter in any further detail.

Conclusion

14. Having regard to the above findings, the appeal should be dismissed.

Nicola Davies

INSPECTOR