



Planning Committee

Wednesday, 26 July 2023

Dear Councillor

You are advised that the attached documents form part of the main agenda papers for this meeting.

Please ensure you bring them with you to the meeting.

Yours faithfully



S Walsh  
Service Manager (Communities)

**List of documents attached**

- b) 20230136 - Land At Worcester Close, Istead Rise, Gravesend, Kent, DA13 9LB (Pages 3 - 6)

This page is intentionally left blank

<b>Application Ref:</b>	20230136
<b>Site Address:</b>	Land At Worcester Close, Istead Rise, Gravesend, Kent, DA13 9LB
<b>Application Description:</b>	Construction of 8 new affordable rent residential units (Use Class C3) with associated vehicular and pedestrian access, car parking, cycle parking, refuse storage and landscaping.
<b>Applicant:</b>	Gravesham Borough Council
<b>Agent:</b>	Mr Jack Lewis, Frankham Projects
<b>Ward:</b>	Istead Rise, Cobham & Luddesdown
<b>Parish:</b>	Non-Parish Area
<b>Decision due date:</b>	9 <sup>th</sup> August 2023
<b>Publicity expiry date:</b>	4 <sup>th</sup> August 2023
<b>Decision Level:</b>	Planning Committee - 26 <sup>th</sup> July 2023
<b>Reason for referral:</b>	Gravesham Borough Council is the applicant
<b>Recommendation: (This has been revised, since the publication of the agenda)</b>	<p>That the Head of Planning is delegated authority in consultation with the Chair and Vice Chair to issue the planning permission and impose conditions and informatives, subject to the completion of the current departure notice period and completion of a unilateral undertaking.</p> <p>That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.</p> <p>Should the Head of Planning consider that a different decision could have been reached by the Committee (having considered any further objections received) the application is to be reported back to the next meeting of Planning Committee.</p>

### **Summary of Reasons for Supplementary Report and Recommendations**

This supplementary report sets out all new representations received from 3<sup>rd</sup> parties as of Tuesday 25<sup>th</sup> July 2023 (since the publication of the agenda) and revises the recommendation to provide additional clarity.

The objections received since the publication of the agenda, do not change the conclusion reached within the main report nor do they necessitate a change to the recommendation.

---

## MAIN REPORT

### 1. Introduction

Following completion of the final Committee Report to Members to consider, additional representations have been received by 3<sup>rd</sup> parties. This Supplementary Report sets out all new representations received up to 25<sup>th</sup> July 2023.

### 2. Publication

#### **Public Consultation**

This application was re-advertised as a departure from Gravesham's Local Plan Core Strategy (2014) by display of site notices and a published advert in the local newspaper. The departure notice consultation period expires 4<sup>th</sup> August 2023.

Following the publishing of the final Committee Report five responses have been received as of 25<sup>th</sup> July 2023.

The representations received have registered objections to the application and for clarity the objections have been separated into material planning considerations (only the material planning considerations are relevant to this decision) and other considerations:

#### **Objections**

##### Material Planning Considerations

###### *Green Belt*

- Loss of Green Belt
- Inappropriate Location - brownfield land more appropriate

###### *Unsustainable Location*

- Capacity of physical infrastructure – Public Drainage
- Deficiencies in social infrastructure – Buses, Schools, Doctors, Dentists, etc.
- No local employment opportunities

###### *Impact on Neighbour Amenity*

- Loss of privacy

###### *Open Space*

- Loss of amenity / open space

###### *Loss of Biodiversity*

- Removal of trees

###### *Impact on Public Right of Way (Bridleway)*

###### *Factual Inaccuracies / Errors in submission*

- Dimensions / Measurements on plans are inaccurate
- Plans do not show extension on no.7 Bramley Close

## Other Considerations

- Pre-Application Consultation Event was not carried out correctly by the applicant (this is not a material planning consideration).
- The departure notice period consultation has not run its course;
  - Statutory Consultation still running
  - Questioning procedural fairness
  - Application should be determined after expiration of consultation period

The concerns raised relating to the pre-application consultation event are listed in the final Committee Report. However, as stated in the Committee Report this consultation event was hosted by the applicant and the process followed is not a matter for Planning Committee to consider, in terms of consideration of this application.

In relation to the 'consultation' for the departure notice, the officer recommendation is for the decision to be delegated to the Head of Planning in consultation with the Chair and Vice Chair, subject to taking into consideration any further objections received and the completion of a unilateral undertaking. This would allow for **any** comments received after Planning Committee and up to 4<sup>th</sup> August 2023, to be taken into consideration prior to any decision being issued. As such the application will not be determined until after the consultation period for the departure notice ends. If new material planning considerations are raised by any objector, that could alter the resolution of Planning Committee reaches, the application will be reported back to Planning Committee for further consideration.

## **Summary**

The consultation period for the departure from the Local Plan Core Strategy (2014) is ongoing and set to expire 4<sup>th</sup> August 2023. Any further comments received following the resolution of Committee on 26<sup>th</sup> July 2023 will be taken into consideration by the Head of Planning in keeping with the recommendation set out within this report, prior to any decision being made and issued.

### **3. Head of Planning Comments**

The majority of the considerations raised in the representations received have already been addressed in the final Committee Report, with the exception of concerns relating to the ongoing consultation period. Concern has been raised regarding procedural fairness, in so far as the application being considered by Planning Committee may result in individuals not commenting any further. It has been and will be made clear to all concerned, that whilst the Committee may reach a resolution in relation to this application on 26<sup>th</sup> July 2023, the application will not be determined until after the departure notice period expires on 4<sup>th</sup> August 2023. As such, all parties will continue to have the opportunity to comment / object on the application as they see fit and any material planning considerations raised, will be taken into consideration prior to the application being determined, with a delegated report being prepared to support any decision that is made and issued.

### **4. Recommendation**

That the Head of Planning is delegated authority in consultation with the Chair and Vice Chair to issue the planning permission and impose conditions and informatives, subject to the completion of the current departure notice period and completion of a unilateral undertaking.

That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from

the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

Should the Head of Planning consider that a different decision could have been reached by the Committee (having considered any further objections received) the application is to be reported back to the next meeting of Planning Committee.