

Planning Committee

Wednesday, 4 January 2023

7.00 pm

Present:

Cllr Brian Sangha (Chair)
Cllr Harold Craske (Vice-Chair)

Councillors: Brian Francis
 Gary Harding
 Samir Jassal
 Elizabeth Mulheran
 Tony Rice
 Lyn Milner
 Frank Wardle

Note: Councillors John Burden and Lee Croxton were also in attendance.

Shazad Ghani	Service Manager (Planning)
Richard Hart	Team Leader (Development Management)
Amanda Grout	Senior Planner (Development Management)
Laura Caiels	Assistant Head of Legal Services (Place Team)
Karen Gingles	Committee Service Officer (Minutes)

41. Apologies for absence

Apologies for absence were received from Councillors Bob Lane and Emma Morley. Councillors Frank Wardle and Lyn Milner attended as their substitutes.

42. To sign the Minutes of the previous meeting

The minutes of the Planning Committee meeting held on Wednesday 23 November 2022 were signed by the Chair.

43. Declarations of Interest

No declarations of interest were made.

44. Planning applications for determination by the Committee

44.1 20220965 - Land Between 29 and 31 The Street

The Committee considered application 20220965 - Land Between 29 and 31 The Street. The application was for the demolition of the existing garage and erection of a detached 3-bed dwelling with associated parking, amenity space and landscaping. The current site comprised of a detached garage, located to the front and was bounded by brick walls and fencing. To the rear of the garage the site was significantly overgrown. The plot of land was located within the Shorne Conservation Area.

The Planning Officer highlighted that there had been previous applications for this site with the most recent application being refused on appeal. The previous application had been refused due to the proposed design offering a cramped form of development that would have been out of keeping with the character of the area and would have been harmful to the outlook of neighbouring properties. The Planning Officer advised that prior to the submission of the current application, the applicant had not engaged with the Planning department at Gravesham and no pre-planning application was submitted.

The Planning Officer informed Members that the proposed development would result in the delivery of 1 additional new home in Gravesham, so would offer a minimal contribution towards meeting the Borough's local housing need.

The Planning Officer advised the Committee that there was no broad objection to the principle of a residential development on this site. However, as laid out in the report, there were concerns with this proposal which related to the scale and massing of the proposed development, due to the narrow width of the plot. The proposal would result in a cramped form of development which would have an adverse impact upon the character and appearance of the Shorne Conservation Area.

The loss of outlook that would be experienced from the property at No. 31 The Street provided a further indicator that the proposed new dwelling would result in a cramped form of development. In addition, and for the reasons set out in this report, it was considered that there would be an adverse impact to the Thames Estuary and Marshes Ramsar Buffer Zone. The absence of strategic mitigation measures in relation to this issue gave further reason for refusal in relation to this application. Overall, it was considered that this current proposal had not overcome the previous reasons for refusal and was therefore recommended for refusal.

The Committee were invited to ask questions for clarification.

The Chair queried why there had been no engagement from the applicant with no pre-application submitted prior to the planning application. The Planning Officer advised that the Planning office always encouraged a pre-planning application, especially in cases where a previous application had been refused. The Officer was unable to say why the applicant had chosen not to engage in this way.

The Committee heard the views of the registered speakers against the application and had their questions answered:

- Concern had been raised by the public speakers regarding highway safety issues the proposed development could cause. Members queried why the report only had input from GBC Highways Officer and not KCC Highways. The Planning Officer advised that KCC were only consulted when the development was of a larger scale.
- Shorne Parish Council had also received no engagement from the applicant prior to the application being presented.

The Chair informed Members that the Ward Councillor Bob Lane was not present for the meeting but wished to express his views as Ward Councillor. The Service Manager (Planning) was invited by the Chair to read a statement from Ward Councillor Bob Lane.

Following discussion, the Committee raised the following points:

- Following on from the registered speakers concern regarding the proposed development being built over drains and the overall accuracy of measurements on the plans, Members asked for the Planning Officer's feedback. The Planning Officer responded by informing the Committee that any concerns regarding footings and drainage would fall under the remit of Building Control. The Planning Officer continued and clarified that the Planning Office only assess plans put forward by an applicant and deemed the plans to be valid and to scale.
- It was agreed that there was no objection to the principle of residential development on the site, however the proposed development was not considered acceptable. It was noted that had a pre-application been sought prior to submission of the planning application before Planning Committee, a more suitable proposal may have been presented.
- Members praised the Planning Officer for an excellent report.

Resolved that application 20220965 be **REFUSED** for the following reasons:

1. The proposed development, by virtue of its scale, massing and siting, would provide a cramped form of development on this plot that would be out of keeping with the character of development within this locality and would be harmful to the outlook of neighbouring properties. For these reasons the development would also be harmful to the character of the Shorne Conservation Area. As such the proposed development would be contrary to Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014), Saved Policy TC3 of the Gravesham Local Plan First Review (1994), as well as Section 12 of the National Planning Policy Framework (2021) and the Shorne Conservation Area Appraisal SDP (2017).
2. The proposal fails to secure a contribution towards strategic mitigation measures within Special Protection Areas. In the absence of such contributions the development fails to comply with the requirements of the Habitat Regulations and Section 15 of the National Planning Policy Framework (2021) and Policies CS10 and CS12 of the Gravesham Local Plan Core Strategy (2014).

INFORMATIVES:-

1 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-TAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2021, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

In this instance pre-application advice was not sought and the proposal as submitted is contrary to local and national planning policy and cannot be supported.

2 DRAWINGS AND DOCUMENTS

For the avoidance of doubt, the forms, plans and documents upon which this decision is made comprise:

- Planning Application Form;
- Planning and Heritage Statement (August 2022);
- Drawing No. 001 Rev A – Site Layout;
- Drawing No. 002 Rev A – Existing and Proposed Site Layouts;
- Drawing No. 003 Rev A – Proposed Plans and Elevations; and
- Drawing No. 004 Rev A – Proposed Street View

Note: Carole Kennerly (Resident), Susan Lindley (Parish Councillor for Shorne) and Jason Connor (Resident) spoke in favour of the application

44.2 20220831 - 17 Darnley Road Gravesend Kent DA11 0RZ

The Committee considered application 20220831 - 17 Darnley Road Gravesend Kent DA11 0RZ. The application was for the subdivision of the existing dwellinghouse to create three self-contained units with associated amenity space. The conversion would provide 1no. two bedroom 3 person unit, 1no. bedsit and 1no. one bedroom two person unit.

The application site is located on the edge of Gravesham town centre, within the urban boundary of Gravesend and within the Darnley Road Conservation area. It was noted that the adjoining property to the north, No. 15 had already been converted into 3no. flats and the one to the south was in use as a funeral directors.

The Planning Officer informed the Committee that the proposed development would cause minimal alterations to the structure of the property and the proposed plans for flats 1 and 3 met the Nationally Described Space Standards. There was no national standard for bedsits, however the bedsit (Flat 2) met the Gravesham Residential Layout requirement for minimum floorspace of 30sqm. All bedrooms within the building exceeded the minimum space standards.

The Planning Officer highlighted that the proposed development of this site would result in the delivery of an additional 2 dwellings within Gravesham and would therefore offer a minimal contribution towards meeting the Borough's local housing need.

The Committee were advised that the principle of developing the property was deemed acceptable, the proposed units would exceed the Nationally Described Space Standards both in terms of gross internal floor area and room sizes, plus would be of no detrimental impact on neighbour amenity. It was also considered that the proposal would accord with local and national planning policy and was therefore recommended for approval.

The Committee were invited to ask questions for clarification and raised the following:

- Members queried whether the large windows at the front of the property were to be retained, as they were in keeping with the character of the street. The

Planning Officer stated that there were no proposed changes to the frontage of the property or alternations to the front windows.

- Referring to an image within the report, showing the frontage of the site, Members queried if there was a dropped kerb at the boundary of the property. The Planning Officer assured the Committee that there was not a dropped kerb outside this building and if this was wanted in the future, an additional planning application would be required.

The Chair advised the Committee that he called in this application, as GBC Policy stated that there needed to be a balance and consideration given to the development of single family units into multiple dwellings. Due to the borough's housing need, where appropriate, development into flats offered more dwellings towards the local need.

The Committee heard the views of a registered speaker in favour of the application and had their questions answered:

- Concern was raised regarding fire safety and escapes. The speaker responded by stating that the flats would be built to building standards and fire regulations and all flats were within easy access to the main stairwell to exit the building.
- Members noted the existing wrought iron railing along adjoining boundary with the neighbouring property and queried whether another railing of the same style could be installed as a boundary treatment at the front of the site. The speaker advised that there were plans to build a wooden clad bike shed and bin store at the front of the flats but there would be no other changes to the boundary treatment, so as not to impact on the conservation area. The Planning Officer explained that within the conditions there were soft and hard landscaping conditions. The Chair addressed the Committee stating that as Ward Member, his experience of the area was that a railing boundary treatment would not be consistent with the remainder of the street scene and the applicant proposed to add a cycle and bin store, which would require access.
- Members queried whether the flats were accessible for those with disabilities. The Speaker advised that consideration was given to the accessibility from the outset and aimed to make the development as accessible as possible. He informed the Committee that the ground floor family unit offered a reasonable provision in this regard.

Following discussion Members agreed that the property lent itself well to a development of this type being within close proximity to the train station and town centre. The new occupants would also use the town centre amenities thereby adding to the local economy.

Resolved that application 20220831 be **APPROVED** Planning Permission, subject to the following conditions:

CONDITIONS

1. STANDARD TIME LIMIT

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. APPROVED PLANS

The development hereby permitted shall be carried out only in precise accordance with the following schedule of approved plans:

Planning Application Form;

Covering Letter;

Rooflight Photograph;

Location Plan;

Drawing No. 22-1321-01 C - Existing Site Location and Existing Floor Plans and Elevations; and

Drawing No. 22-1321-02 C - Existing Site Location and Proposed Floor Plans and Elevations.

Reason: For the avoidance of any doubt and in the interest of proper planning in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

3. MATERIALS

Notwithstanding the details included on the application form and approved plans the materials to be used in the construction of the external surfaces of the development hereby permitted, specifically the dormer window, shall match those used in the existing building.

Reason: To ensure a satisfactory visual relationship between the existing and the new development in accordance with Local Plan: Core Strategy Policy CS19.

4. CYCLE STORAGE

Prior to the first occupation of the development hereby approved and notwithstanding details on the approved plans details of secure, covered and accessible cycle storage facilities (comprising a minimum of 1 space per flat) to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage facilities shall be provided prior to first occupation of the development and shall be retained for such purposes at all times thereafter.

Reason: In order to encourage options for sustainable travel in accordance with Local Plan: Core Strategy Policy CS19.

5. REFUSE DETAILS

Prior to the first occupation of the development hereby approved and notwithstanding details on the approved plans details of the refuse arrangements shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall ensure adequate provision for

non-recyclable waste, food waste and recyclable waste and security arrangements for the refuse stores. The approved refuse arrangements shall be provided prior to first occupation of the dwelling and thereafter be retained for such purposes at all times.

Reason: In order to ensure the development is served by a suitable refuse storage area in the interest of amenity and in accordance with Local Plan: Core Strategy Policy CS19.

6. HARD LANDSCAPING

Prior to the first occupation of the development hereby approved and notwithstanding the details shown on the approved plans a scheme of hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping works shall be completed in accordance with the approved details prior to the completion of the development or the first occupation of the residential unit whichever is sooner. The scheme shall include:

- proposed boundary treatments;
- hard surface finishes to the pedestrian accesses; and
- Details of any retaining walls, steps, railings, walls, fencing, gates or other supporting structures.

Reason: To protect and enhance the visual amenity and the character of the area and to ensure a satisfactory environment for existing and future residents in accordance with Local Plan: Core Strategy Policy CS19.

7. SOFT LANDSCAPING

Prior to the first occupation of the development hereby approved and notwithstanding the details shown on the approved plans a scheme detailing the proposed soft landscaping shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include the type and species of planting to be carried out, to include their quantity and size as well as arrangements for aftercare. Thereafter the approved soft landscaping scheme shall be carried out in full during the first available planting season following. Any trees or plants that die, are damaged, removed or become diseased within five years from the date that the development is first brought into use shall be replaced with a species of a similar size and species during the next available planting season.

Reason: To ensure that the landscaping is maintained in the long term in the interests of the visual amenity of the development, in accordance with Local Plan: Core Strategy Policy CS19.

INFORMATIVES

1 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2021, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative

way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

This has involved discussions and negotiations during the processing of the planning application in a collaborative manner in order to address the various consultations and neighbour concerns.

2 BUILDING REGULATIONS AND PARTY WALL ACT

This decision DOES NOT imply any consent which may be required under the Building Regulations or under any other enactment or provision. Nor does it override any private rights which any person may have relating to the land affected by this decision, including the provisions of the Party Wall etc. Act 1996.

3 NAMING & NUMBERING

As a result of the changes to this property, it appears that a change has to be made to the national property gazetteer. It is a legal requirement that a property or premises is registered. The Naming and Numbering Certificate, when issued, will reduce location or delivery problems via Royal Mail or other carriers, and importantly for the Police, Ambulance, and Fire & Rescue services. Registration is also necessary to register to vote, for utility connections, and will avoid duplicate addresses. The Naming and Numbering service is provided by the Borough Council. The on-line form is available at the Planning/House Numbering page of the council's web-site <http://www.gravesham.gov.uk/street-naming> . Please submit the application and the requisite fee in accordance with the guidance on the form.

4 DEVIATION FROM THE APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

5. KENT COUNTY COUNCIL HIGHWAYS AND TRANSPORTATION

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of the highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The development hereby permitted requires works to be undertaken in the public highway adjacent to the site. Prior to starting work you must first contact KCC Highways and Transportation on 030000 41 81 81 to ascertain what work is required and the procedure to be followed to progress this to completion

Note: Harry Johnson (Independent Town Planner) spoke in favour of the application.

45. Planning applications determined under delegated powers by the Director (Environment)

A schedule showing applications determined by the Director (Environment) under delegated powers had been published on the Council's website.

Close of meeting

The meeting ended at 8:07pm