

Wednesday, 01 September 2021

7.00 pm

Present:

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

Councillors: Aaron Elliott
 Brian Francis
 Samir Jassal
 Bob Lane
 Jordan Meade
 Emma Morley
 Elizabeth Mulheran

Jan Guylar Head of Legal Shared Services
Shazad Ghani Service Manager (Planning)
Richard Hart Team Leader (Development Management)
Ben Clarke Committee Services Officer (Minutes)
Julie Francis-Beard Committee Services Officer (Minutes)

18. Apologies for absence

Apologies for absence were received from Cllr Tony Rice and Cllr Gary Harding.

Cllr Aaron Elliott and Cllr Jordan Meade substituted.

19. To sign the Minutes of the previous meeting

The minutes of the meeting of the Planning Committee held on Wednesday, 21 July 2021 were signed by the Chair.

20. Declarations of Interest

Cllr Sangha declared a significant interest in respect of item 5C - 20210870 12B Lennox Road, Gravesend, Kent as he was the applicant for the planning application. Cllr Sangha agreed to leave the meeting for the duration of the item and Cllr Craske would act as Chair in his stead.

Cllr Mulheran declared an interest as she was the Ward Councillor for Dover Road East.

Cllr Craske declared an interest on behalf of all Members on the Committee as the applicant Brian Sangha was known to the Committee.

21. Planning applications for determination by the Committee

21.1 20210441 - Land East Of 58 Dover Road Five Ash Road Gravesend Kent

The Committee considered application reference 20210441 in relation to land east of 58 Dover Road Five Ash Road Gravesend Kent. The application was for outlined planning

permission with all matters reserved and being for the erection of a pair of semi-detached dwellings, with associated parking, landscaping and access.

The Team Leader (Development Management) informed Members that he would present a joint presentation for items 5a and 5b to avoid replicating information for each item but reminded Members that they will then need consider each application separately on their own merits

The Team Leader (Development Management) brought Members attention to an additional comment received from the applicant on 01 September 2021 in which the applicant, Sean Tofts, advised that one of the neighbour's objection letters had not been correctly portrayed in the report. One of the neighbour's objection letters was not entirely against the application and the applicant had advised that the letter indicated support for the application.

The Team Leader (Development Management) read aloud the neighbours letter to the Committee and conceded that it should be determined as a neutral statement as whilst the application would prefer to not see the site developed no objection was raised subject to garages not having access blocked. The Team Leader (Development Management) apologised to the Committee if it was not made clear in the report.

The Team Leader (Development Management) advised that the applicant was also willing to offer a condition on lighting the alleyway in the event Members were minded to approve the schemes. Furthermore, the applicant raised some non-material planning considerations which would not be considered.

The Team Leader (Development Management) introduced applications 5a and 5b to the Committee and highlighted key points from the reports.

The Committee were informed that the recommendation from Planning Officers was for Members to refuse the application as it was considered that the adverse impacts of the development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the (NPPF) 2021 and established local policy taken as a whole. The full list of reasons for the recommendation for refusal could be found on pages 28-29 of the report for application 5a and found on page 46 of the report for application 5b.

In response to a Members question, the Chair confirmed that an email addressed to all Committee Members, was received from the applicant at 18:31pm this evening but as the information wasn't received in time to be published into the public domain it would not form part of any of the deliberations tonight. Members asked questions of clarification to the Team Leader (Development Management), and he explained that:

- The plans, including the garden sizes were indicative only, the Team Leader (Development Management) pointed out on the presentation slide where the black lines identified the boundaries of the garden sizes. The conclusion from the Team Leader (Development Management), was that the gardens were sub-standard in size; therefore, the email from the applicant advising that his own systems measurements of the gardens were larger than indicated in the report was considered incorrect
- If access to a site was too restricted for a fire engine to enter then Building Control would require other fire safety measures such as the installation of sprinklers. With this application, the access was restricted but in the worst-case scenario there was access to the site from the west through Five Ash Road for fire crews to reach the development.

Gravesham Highways Officer had indicated that they raise no objection to the highways layout for the development.

- All material planning considerations for any planning applications had weight and were important to consider when making a decision on the application however non-material considerations such as increasing/decreasing house prices cannot be taken into account.
- With regard to the garden sizes in the indicative plan, one dwellings garden was measured at 26.5 square metres and the second dwellings garden was measured at 25.4 square metres; the measurements were taken from the submitted PDF plans. There was a degree of flexibility with the black line for the gardens, but it was felt that the development did not offer acceptable living consideration for future occupiers. It was noted that the plans were indicative. .
- As outlined in 6.18 of the report, it was correct that the planned westerly dwelling did not meet the minimum requirements of 79sqm for a 2 bed, 4 person dwelling as well as 2sqm of built-in storage. As such, it was felt that development on the site could not be accommodated.
- The Team Leader (Development Management) confirmed to the Committee that the planning application had been determined as any other planning application would have been and the same software was used for measuring plans. Unfortunately, a scale bar was not included for the proposed block of land, but it still measured correctly in the programme. With regards to rooms with double beds, they would be considered double bedrooms, so the case officer was correct in determining the room sizes.
- The public right of way and the lighting on the boundary of the site was not included within the redline boundary and the Council could not put a condition on land outside the redline boundary.
- The vehicular access to the site is an overgrown piece of land which is unregistered; appropriate notice has been served as part of the planning application, but no one came forward as the owner of the land. However, there was no guarantee that the landowner wouldn't come forward at any point during the future; civil processes would have to be pursued if planning permission was approved for the development in relation to ownership of the alley.

The Committee heard the views of a public speaker in favour of the application.

Following the address by the public speaker, Members had their questions answered:

- The planning application was submitted in outline so that if any issues arose then they could be addressed at the Planning Committee. For examples, the concerns raised about surveillance could be addressed by adding windows to the utilities room or kitchen/dining area which would increase the amount of surveillance already there. The applicant was agreeable to conditions being added to the application for increased surveillance measures to be added
- The applicant did not engage with the Council in the pre planning application process as he felt that the site was generally viewed as a negative area and was recognised as in need of development. The applicant disagreed with the measurements outlined by the Planning Officers; the measurements taken by the applicant were, in his opinion, correct and exceeded the national minimum space standards
- Whilst the applicant did not engage with the Planners and did not go through the pre application process, the system portal had asked if the applicant had received any previous advice which he had; that was the reason why there was a reference number for that portals advice

- The applicant acknowledged that the plans included double beds in the bedrooms, but they were indicative plans only and the Committee was reminded the rooms could be used for single occupancy as many single people slept in double beds rather than single beds
- With regards to concerns over the developments appearance not keeping in line with the local area, the proposed houses were facsimiles of Victorian terraced houses but there were already a number of mixed styles in the area. The applicant advised that the plans were indicative only and was agreeable to any style changes that was felt was needed for the proposed development to keep them in line with the local area
- In hindsight, the application could have been submitted in full rather than in outline, but the applicant felt that the same discrepancies would have been raised; Members attention was drawn to the fact that similar schemes in the area had been granted permission by the Council

The Committee debated the planning application, its positives/negatives and the points raised during the public speaker presentation. Concern was raised regarding garden sizes, bedroom sizes, vehicular access, overshadowing on the gardens, lack of amenity space, potential for anti-social behaviour in the adjacent alleyway, possible increased dangers to women and lack of pre application engagement with the Planning Team.

The Chair summed up the details of the application, concerns raised by Members, the main objections that were originally raised, the applicant's evidence, the Council's duty of presumption in favour of development if the application was policy compliant, maintaining a balance on individual planning applications and the difficulties in determining an outline application. The Chair explained that the planning application could be revisited but it would need to go through the thorough pre application engagement process with the Councils Planning Team.

Resolved that the application be REFUSED.

Note: (a) Mr Sean Tofts (Applicant – in favour) addressed the Committee.

21.2 20210442 - Land East Of 58 Dover Road Five Ash Road Gravesend Kent

The Committee considered the application 20210442 in relation to land east of 58 Dover Road Five Ash Road Gravesend Kent. The application was for outline planning permission with all matters reserved and being for the erection of a detached dwelling, with associated parking, landscaping, and access.

As the Team Leader (Development Management) had already included item 5b – 20210442 in his presentation during the previous item, the Chair queried if there were any separate issues that Members needed to be made aware of.

The Team Leader (Development Management) advised that the application was largely the same with the key difference being there was only one proposed family dwelling with a larger garden, but access and overshadowing were still an issue.

The Committee were informed that the recommendation from Planning Officers was for Members to refuse the application as it was considered that the adverse impacts of the development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the (NPPF) 2021 and established local policy taken as a whole. The

full list of reasons for the recommendation for refusal could be found on page 46 of the report.

The Committee heard the views of a public speaker in favour of the application.

Following the address by the public speaker, Members had their questions answered:

- The applicant agreed with the Chair that each application should be decided on its own merits; the applicant informed the Committee that he had only spoken of similar schemes that had received permission in Gravesend as they were infill sites similar to the site being discussed and were a fair comparison to the application that was proposed
- The proposed 1.8 metre fence was not critical, and the applicant was agreeable to it being shortened; some of the challenges the area currently faced included vermin, fly tipping and anti-social behaviour. The development, proposed fence and proposed bay windows that faced the alleyway, thus increasing surveillance, should alleviate some of those issues. The applicant challenged the concern that vulnerable groups such as women would be in more danger than they currently were as the proposed development had bay windows facing the alley and cameras could be installed on the houses whereas there was currently no surveillance at the site

The Committee debated the planning application, its positives/negatives and the points raised during the public speakers presentation. The Committee raised similar concerns to the ones raised in application 5a. Particular concern was raised by a Member that the officers reason for refusal were not as strong as in previous applications although it was acknowledged that there were still issues with the amount of detail provided by the applicant and the lack of prior engagement with the Planning Team.

The Chair acknowledged that the reasons given for refusal may not be equally weighted but maintained that the lack of detail and planning policy compliancy were important issues when considering balance and the presumption in favour of development.

Resolved that the application be REFUSED.

Note: (a) Mr Sean Tofts (Applicant – in favour) addressed the Committee

21.3 20210870 - 12B Lennox Road, Gravesend, Kent

The Chair left the meeting for the duration of this item and Cllr Craske took over as Chair in his stead.

The Committee considered the application 20210870 in relation to 12B Lennox Road, Gravesend, Kent. The application was for non-material amendment to planning permission reference number 20191027 to allow a change of fenestration to the rear elevation.

The Team Leader (Development Management) introduced the application to the Committee and highlighted key points from the report. Member's attention was drawn to the fact that it was a non-material amendment of changing a door to a window and had no impact on the area or future occupiers.

The Committee were informed that the recommendation from Planning Officers was for Members to permit the application.

The Team Leader (Development Management) fielded questions from Members and explained that:

- The removal of the door did not hinder access or create any fire safety issues as the extension was open plan and there was still a door to the left of the proposed window
- There was a typo on page 52; the incorrect planning application reference number was listed which the Team Leader (Development Management) agreed to amend.

Resolved that the application be PERMITTED.

22. Planning applications determined under delegated powers by the Director (Planning & Development)

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 20:10pm.