

Planning Committee

Wednesday, 2 February 2022

7.00 pm

Present:

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

Councillors: Derek Ashenden
 Helen Ashenden
 Brian Francis
 Gary Harding
 Emma Morley
 Diane Morton
 Elizabeth Mulheran

Note: Councillor Lee Croxton, Councillor Leslie Hills, Councillor Lyn Milner, Councillor Anthony Pritchard, County Councillor Jordan Meade were also in attendance

Shazad Ghani Service Manager (Planning)
Richard Hart Team Leader (Development Management)
Alison Webster Senior Planning Officer
Amanda Grout Planning Officer
Vicky Nutley Assistant Head of Legal Services (Place)
Julie Francis-Beard Committee Services Officer (Minutes)

38. Apologies for absence

An apology for absence were received from Cllr Samir Jassal, Cllr Bob Lane and Cllr Tony Rice. Cllr Helen Ashenden, Cllr Diane Morton and Cllr Derek Ashenden substituted.

39. To sign the Minutes of the previous meeting

The minutes of the meeting of the Planning Committee held on Wednesday, 24 November 2021 were agreed and signed by the Chair.

40. Declarations of Interest

Cllr Helen Ashenden made a voluntary interest in relation to 20211466 as her art group regularly holds exhibitions at TJ's.

41. Planning applications for determination by the Committee

41.1 202111305 - 53 Nickleby Road Gravesend Kent DA12 4UQ

The Committee considered 20211305 in relation to 53 Nickleby Road Gravesend Kent DA12 4UQ. The application was for the retrospective application for erection of an outbuilding in the rear garden to be used as home gym, games and family room.

The application site is comprised of a two-storey semi-detached dwelling on the northern side of 53 Nickleby Road, a residential street of similar architectural character.

The Team Leader (Development Management) introduced application 20211305 to the Committee and highlighted key points from the report.

- The application for 53 Nickleby Road is located within an urban area of Gravesend and is a residential area characterised by dwellings on generous plots with many having outbuildings towards the rear of their gardens.
- On top of the building there are solar panels which the applicant had not included as part of the application. The solar panel will be dealt with outside this committee and be referred to the Planning Enforcement Team to address.
- As outlined in 5.2 to 5.6 of the report the design of the development is deemed acceptable and there is no conflict with local or national planning policy.
- The flat roofed outbuilding has a height of 2.8m which is 0.8m higher than a boundary fence which could be constructed without the benefit of planning permission and 0.3m higher than an outbuilding which could be constructed without planning permission.
- As set in paragraph 5.11 to 5.14 of the report there would be no adverse impact to the amenity of surrounding properties.
- The recommendation would be to grant permission subject to the following conditions: approved plans and restricting the use of the outbuilding.

In response to Members questions on the clarification of the application, the Service Manager (Planning) explained that:

- The height of the outbuilding fails to meet the height requirement of Schedule 2 Part 1 Class E of the General Permitted Development Order (2015); as it is 2.8m in height, and, therefore, requires planning permission.
- Following a question about whether conditions could be added to stop this outbuilding being used for residential accommodation. The Team Leader (Development Management) explained that yes a condition could be added to keep the outbuilding for the purposes set out in the application.

The Committee heard from Cllr Leslie Hills, a Ward Councillor for Chalk Ward who was against the application:

The following points were raised during the discussion on this application:

- Cllr Hills called in this application for consideration as he had observed the building from the neighbouring property. It had been a building site for several months and was a monstrosity. Cllr Hills observed the site before the roof had been installed and as no planning permission had been submitted for this particular site, Cllr Hills was originally unsure what the building was for intended for.
- Cllr Hills considered this to be inappropriate and an over development within the neighbourhood and Cllr Hills felt it exceeded the height that was mentioned in the planning application.
- Cllr Hills had taken photographs of the site during construction and had submitted these to the Planning Team, but they were not accepted. The Team Leader (Development Management) explained that with retrospective applications, the Committee have to decide not what had been built on the site but what is in the

application and plans in front of them and the application does comply with the planning policy.

- The Chair asked the Team Leader (Development Management) to confirm the actual size of the building and it was confirmed to be: 4.9m deep by 9.78m wide and 2.8m high. The left boundary is 0.6m and the right boundary is 0.4m. If the building had been 2.5m high planning permission would not have been required but because the height is 30cm higher planning permission is required.
- The Team Leader (Development Management) explained that after looking at a photographs of the garden and site, the plan under item 1.2 does show that the guttering is not overhanging.

The Team Leader (Development Management) fielded questions from Members and the following discussions were had:

- Retrospective planning applications seem to be on the increase, is there a way that this could be stopped. The Chair thanked the Member and suggested the council look at these type of planning applications and what could be done to stop so many coming through Planning.
- Members expressed a concern and suggested conditions be added to this application.
- The Vice Chair summed up the application and the concerns of Cllr Hills. As the height of the outbuilding is only 2 inches over the permitted height there seems to be no reason why planning permission could not be permitted but conditions would need to be added to application.

The Chair thanked the Ward Councillor and the Officers for the detailed report.

Resolved that application 20211305 be delegated authority to Service Manager (Planning Services) in conjunction with the Chair of the Planning Committee subject to the rewording of Condition 2.

Approved with conditions: Unanimous

Note: (a) Ward Councillor Leslie Hills spoke with the leave of the Chair.

41.2 20211466 - TJ's 15 Milton Road Gravesend Kent

The Committee considered 20211466 in relation to TJ's 15 Milton Road Gravesend Kent. The application was for the demolition of the existing 2 storey outrigger and erection of a replacement two storey outrigger linked to a first floor extension to the existing function room including the change of use of the new first floor accommodation to 6no.en-suite letting rooms ancillary to the existing public house including the relocation of the existing toilets and provision of disabled toilet facilities.

The Senior Planning Officer introduced application 20211466 to the Committee and highlighted key points from the report.

- The site is located on the outskirts of the town centre within the Harmer Street Conservation Area.
- There is a two storey outrigger to the rear and a single storey detached building in the garden.

- As there is evidence that this property, with an outrigger to the rear, was shown on a historic map from 1845 this is now identified as a non-designated heritage asset and is described as being a building of townscape merit in the conservation area appraisal. The outrigger as a whole makes a positive contribution to the conservation area and is a rare survivor.
- Plans showed the demolition of the existing outrigger and the replacement with a 2 storey rear extension which would double the length of the existing one.
- The application had been refused before in 2021 and the reasons for refusal were the loss of the historic outrigger with no justification, the scale of the proposal being out of proportion with the neighbouring extensions and the impact on the adjacent listed building and conservation area.
- No objections were raised to the ancillary use of letting rooms.
- The revised application is more or less the same scheme however a structural report has now been submitted. This report detailed repairs that needed to be made but does not justify the demolition of this rare surviving outrigger.
- A subsequent supporting statement detailed that it is not financially viable to retain the outrigger but does not provide evidence through a detail structural survey or viability assessment.
- The proposed development would assist to expand the existing business and derive both social and economic benefits, but they are not outweighed by the significant harm of this proposal.

In response to Members questions on the clarification of the application, the Senior Planning Officer explained that:

- This application is a non-designated heritage asset.
- Some repairs or strengthening could happen to the outrigger rather than demolition.
- The Chair asked when the structural report was received from the applicant. The Senior Planning Officer said the day before the agenda was to be published.
- Following a question about “what is an outrigger” the Senior Planning Officer told the Committee an outrigger is an extension at the rear of the property. This outrigger would not have been built with the original building and was built in the 1800’s.

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:

- Following a question from the Chair regarding the refusal of the previous planning permission, had there been any engagement with Officers and what action did the agent and applicant take to bring this new application forward. The agent explained that it was not considered a detrimental scheme to the street view and strongly believed this application would not cause any concern to the conservation area.
- A new disabled toilet had been included in the new application.

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:

- TJ’s is a community asset with enhanced facilities and expectations that are suited to a variety of people. It is centrally located.

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 Senior Planning Officer explained the new proposal would be double the length of the current building and would be visible when walking down East Crescent.
- The proposed development would be 20m deep whereas the existing outrigger is currently 10m deep.

The Committee heard from Cllr Lee Croxton, a Ward Councillor for Riverside Ward. The following points were raised during discussion on this application:

- Cllr Croxton explained he was speaking on behalf of all three Ward Councillors and that they all supported this application and are doing anything they can to support this application and support our heritage.
- If the outrigger was demolished and rebuilt, it would not be seen from the landscape or road.
- There have been a number of public houses within the area that have sadly closed, and this public house remains a historic commercial enterprise. This application will provide a long term commercial future for the public house otherwise it could go out of business and become a derelict site. This particular area used to be the hub of the town but the area has now moved, commercially, in a different direction.
- This application does include improved facilities such as new disabled toilets.
- This particular historic building does have a future in the town.

The Committee heard from County Councillor Jordan Meade also a Ward Councillor for Woodlands Ward. The following points were raised during discussion on this application:

- This property is of significant historic and cultural importance to the town and will be celebrating 200 years next year.
- To reject this application would be a complete travesty on heritage grounds as demolishing the outrigger would not be seen from street level. Outriggers are simply extensions to buildings.
- The addition of installing a disabled toilet is beneficial to this application and the town.
- Cllr Meade complimented the architects on the application and preserving the heritage of Gravesham and making it something Gravesham could be proud of and making a positive contribution and appearance to the conservation area.

The Committee heard from Cllr Anthony Pritchard, a Ward Councillor for Woodlands Ward:

The following points were raised during discussion on this application:

- The applicants still want to maintain this property as a public house. The appearance of the front will not change and very few people will actually see the area where the outrigger would have been.
- If this application is not granted then there is every chance that the business will close, be abandoned and probably fall down and then the heritage will be completely lost.

The Senior Planning Officer fielded questions from Members and the following discussions were had:

- The Senior Planning Officer explained there was no lift in the plans so the 6 en-suite letting rooms would not be wheelchair accessible and the agent confirmed that the application did not include accessibility for disabled people to the rooms.

- The Chair asked as it is deemed as a non-designated heritage asset was a detailed structural survey and viability assessment report submitted. The Service Manager (Planning) confirmed that the agent spoke to the case officer before coming to the Committee but they were not willing to delay the application to wait for these reports.
- The Chair summarised the application; it is a non-designated heritage asset that seeks to address the Corporate Plan and become a vibrant business in the town centre and community. There is a benefit of regenerating that area and retaining public houses. TJ's has continued trading and just wishes to expand the business. The Officer recommendation is clear, but each Member is entitled to reach their own decision. With the increase in residential properties in the area this application would provide letting rooms for people, entertainment facilities and could increase tourism. Good quality affordable places for people to stay are required.
- The Chair asked the Service Manager (Planning) whether it would be advisable if they could defer this application and wait for the structural survey and viability report. The Service Manager (Planning) explained that Members should make a decision on the application before them now, as no-one will know what the structural survey will say and if deferred the application could be completely different from the one being decided tonight.
- The Chair listened very carefully to the community, the registered speakers, Ward Councillors, Borough Councillors and a County Councillor and this application would create a future for the town, where people would be proud to live, work and entertain. The new facilities for people with disabilities would be a benefit. Although the outrigger will be 10m larger on balance the Chair expressed that on this particular occasion and location the application should be approved but with conditions. This was seconded by Cllr Francis.
- A Member of the Committee commented that the main building would need to be preserved but with the amount of people supporting this application, on balance, the benefits of regenerating this location and the sustainability of businesses in that particular part of town they would approve this application.
- Cllr Mulheran expressed her concern that decisions were being made without the structural survey and viability report. Buildings could be being demolished which was part of the heritage of the area. There are a lot of important building that cannot be seen from the road, would this mean more could be demolished.
- The Vice Chair explained this property was of great importance and although torn about this property being in a conservation area and the outrigger being demolished agreed with the Chair to approve this application but delegate authority to Officers and the Chair to agree conditions with the applicant.

Resolved that application 20211466 be APPROVED but with delegated authority to the Service Manager (Planning) in consultation with the Chair and Vice Chair in conjunction with the applicant.

Approved with delegated authority to the Chair, Vice Chair and Service Manager (Planning) to agree planning conditions – unanimous.

The Chair thanked the registered speakers, Ward Councillors, Councillors, County Councillor and the Officers for the detailed report.

Note: (a) Guneet Kaur (Agent – in favour) addressed the Committee
(b) Lyn Byers (in favour) addressed the Committee
(c) JonJo O'Connell (in favour) addressed the Committee

- (d) Ward Councillor Lee Croxton spoke with the leave of the Chair
- (e) Councillor Tony Pritchard spoke with the leave of the Chair
- (f) County Councillor Jordan Meade spoke with the leave of the Chair.

41.3 20211473 - Green Hedges The Street Cobham Gravesend

Resolved that the recommendation is for 20211473 to be **GRANTED** Planning Permission, subject to the following conditions:

Time Limit

1. 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.

Approved Plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Planning Application Form received 1st December 2021;
Drawing No. 321(GA)001 Rev 0 – Existing Location & Block Plans received 1st December 2021;
Drawing No. 321(GA)001B Rev 0 – Proposed Block Plan received 16th December 2021;
Drawing No. 321(GA)002 Rev 0 – Existing Site Plan received 1st December 2021;
Drawing No. 321(GA)003 Rev 0 – Proposed Site Plan received 1st December 2021;
Drawing No. 321(GA)010 Rev 0 – Existing Ground Floor Plan received 1st December 2021;
Drawing No. 321(GA)013 Rev 0 – Existing Roof Plan received 1st December 2021;
Drawing No. 321(GA)015 Rev 0 – Existing South West Elevation received 1st December 2021;
Drawing No. 321(GA)16 Rev 0 – Existing North East Elevation received 1st December 2021;
Drawing No. 321(GA)017 Rev 0 – Existing S.West & N.West Elevation received 1st December 2021; Drawing No. 321(GA)018 Rev 0 – Existing Sections received 1st December 2021;
Drawing No. 321(GA)020 Rev 0 – Proposed Ground Floor Plan received 1st December 2021;
Drawing No. 321(GA)023 Rev 0 – Proposed Roof Plan received 1st December 2021; Drawing No. 321(GA)025 Rev 0 – Proposed South West Elevation received 1st December 2021;
Drawing No. 321(GA)026 Rev 0 – Proposed North Elevation received 1st December 2021;
Drawing No. 321(GA)027 Rev 0 – Proposed S.East & N.West Elevation received 1st December 2021;
Drawing No. 321(GA)028 Rev 0 – Proposed Sections received 1st December 2021; and Design, Access & Heritage Statement received 1st December 2021.

Reason For the avoidance of doubt and in the interests of proper planning.

Materials

3. 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 shall match those used in the existing dwelling.

Reason To maintain the character and appearance of the building and to ensure a satisfactory visual relationship between the existing and new development in accordance with adopted Policies CS12, CS19 & CS20 Gravesham Local Plan: Core Strategy (September 2014).

42. 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.

43. Any other business which by reason of special circumstances the Chair is of the opinion should be considered as a matter of urgency.

There is no any other business.

Close of meeting

The meeting ended at 9.00 pm