

Planning Committee

Wednesday, 18 May 2022

7.00 pm

Present:

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

Councillors: Brian Francis
Gary Harding
Leslie Hills
Samir Jassal
Bob Lane
Emma Morley
Elizabeth Mulheran

Shazad Ghani	Service Manager (Planning)
Richard Hart	Team Leader (Development Management)
Katherine Parkin	Senior Planner
Amanda Grout	Planning Officer
Laura Caiels	Principal Lawyer – Place Team
Carlie Simmonds	Committee Services Manager

1. Apologies

An apology for absence was received from Cllr Tony Rice and Cllr Leslie Hills attended as his substitute.

2. Minutes

The minutes of the meeting held on Wednesday, 6 April 2022 were signed by the Chair.

3. Declarations of Interest

No declarations of interest were made.

4. Planning applications for determination by the Committee

4.1 20220224 - Land junction with Davis Avenue and Rosebank Gardens, Northfleet, Gravesend, Kent DA11 8RZ

The Committee considered planning application 20220224 in relation to land junction with Davis Avenue and Rosebank Gardens, Northfleet, Gravesend, Kent.

The application was for the erection of a single storey dwelling with associated works.

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

The Officer stated that planning permission had previously been granted on the site in 2004 for residential development however this was never implemented and had expired. Due to the passage of time and changes to the adopted Development Plan and national planning policy since, the previous permission was not a material planning consideration. A further application had also been submitted and refused by the Committee in April 2021. The only change from the previously refused application was the removal of a detached car port in the garden. It was considered that the adverse impacts of the development would significantly and demonstrably outweigh the benefits and would provide a minimal contribution towards increasing housing numbers in the area. On that basis, the Officer's recommendation was for refusal.

The Committee was invited to ask any questions for clarification.

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

The Committee expressed concern that the proposed dwelling would result in an incongruous development of a poor design that does not integrate with its surroundings. The proposed dwelling was being promoted as a disabled dwelling however no off-street parking would be available for a disabled user. The Committee acknowledged the benefit of providing an additional dwelling to the local housing market, and the benefit of meeting the needs of a disabled user. However, the Committee determined that such benefits did not outweigh the harm identified.

Resolved that the application to be **REFUSED** Planning Permission on the following grounds:

1. The proposed dwelling will result in a prominent and cramped over-development of the site that would be incongruous with the character and appearance of the layout of the residential properties in the surrounding area. The proposal is therefore considered to be contrary to the requirements of Policies CS15 and CS19 of the Gravesham Local Plan Core Strategy 2014, and paragraphs 119, 124, 126, and 130 of the National Planning Policy Framework 2021.
2. The proposed dwelling will result in a lack of off-street parking space suitable for a disabled user, and no passing place or pedestrian visibility splays for the users of the existing rear access and No. 1 Davis Avenue in particular. The proposal would therefore conflict with pedestrian and highway users, and the requirements of saved Policies T1, T5 and P3 of the Gravesham Local Plan First Review 1994, Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraph 130 of the National Planning Policy Framework 2021.

INFORMATIVES:

1. SUBMITTED DRAWINGS AND DOCUMENTS
2. STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-TAKING

Note: Mr Edwards (in favour of the application) addressed the Committee.

4.2 20220246 - 28 Park Road, Gravesend, Kent DA11 7PR

The Committee considered planning application 20220246 in relation to 28 Park Road, Gravesend, Kent.

The application was for outline planning permission with all matters reserved for the demolition of the existing building and erection of 1 no. one storey dwelling and 4 no. three bedroom dwellings.

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

The Planning Officer advised that a similar outline application had previously been submitted and refused in November 2021. The current application was similar and did not address the previous reasons for refusal. A balanced approach needed to be taken, however it was considered that the adverse impacts of the development would significantly and demonstrably outweigh the benefits and would provide a minimal contribution towards increasing housing numbers in the area. On that basis, the Officer's recommendation was for refusal. The proposed reasons for refusal, as set out in the report, were similar to those shared by the Planning Inspectorate who recently dismissed an appeal (APP/K2230/W/21/3272575) for the erection of a pair of semi-detached dwellings with associated parking, landscaping and access at Land east of 58 Dover Road, Five Ash Road, Gravesend, Kent. The appeal was attached at appendix 1 to the report for Members' background information.

The Committee was invited to ask any questions for clarification.

The Committee heard the views of a public speaker against the application.

The Committee queried why the applicant had submitted an outline application, rather than a full application. The Officer advised that this is mainly done where the applicant seeks to gain approval for the principle of development, prior to incurring further costs.

The Committee considered that the proposals would:-

- result in a prominent and cramped over-development of the site that would be out of character with the area;
- result in a detrimental impact on the amenities of neighbouring occupiers in terms of loss of privacy, overlooking and the increase of noise and disturbance;
- have a detrimental impact on the amenities of future occupiers of the dwellings as the proposal failed to provide adequate private amenity space; and
- failed to secure adequate access for residents and emergency/refuse vehicles.

Resolved that the application to be **REFUSED** Planning Permission, for the following reasons:

1. The outline proposals are considered to constitute an overdevelopment of the garden which would result in a comparatively cramped form of development and would be incongruous considering the existing pattern of development and the character of the residential gardens which comprise the area. It is therefore harmful to the character and appearance of the site and the wider locality and would contravene Policies CS14, CS15 and CS19 of the Gravesham Local Plan Core Strategy September 2014 which ensure new development will integrate well with the surrounding local area. At a national level the proposed development would also contravene paragraph 130 of the NPPF (2021) which states developments will function well and add to the overall quality of the area and are sympathetic to local character including the surrounding built environment.
2. Due to the proximity and relationship of the proposed properties and access road to the rear elevations and rear gardens of Nos, 54 to 84 Woodfield Avenue located to the west, the proposal would result in a detrimental impact on the amenities of the occupiers of the properties in terms of loss of privacy, overlooking and the increase of noise and disturbance, contrary to Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 and paragraph 130 of the National Planning Policy Framework 2021.
3. The proposal would fail to provide adequate private amenity space and would result in a detrimental impact on the amenities of future occupiers of the dwellings, contrary to Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 and paragraph 130 of the National Planning Policy Framework 2021.
4. The proposal fails to secure adequate access for residents and refuse vehicles, as well inadequate cycle provision and therefore is contrary to Policy CS11 of the Gravesham Local Plan Core Strategy September 2014.
5. The proposal fails to secure a contribution towards strategic mitigation measures within Special Protection Areas, and in the absence of this contribution or adequate information to inform an Appropriate Assessment, the development fails to comply with the requirements of the Habitat Regulations and Section 14 (specifically paragraphs 180 and 181) of the National Planning Policy Framework 2021 and Policy CS12 of the Gravesham Local Plan Core Strategy September 2014.

INFORMATIVES

1. DRAWINGS AND DOCUMENTS

For the avoidance of doubt, the decision to refuse this application was taken in relation to the following forms, plans and documents comprising the application:

Planning Application Form;
 OS Plan;
 Drawing No. SC_28ParkRd_SiteLocationPlan_V1 – Site Location Plan; Drawing No. SC_28ParkRd_ExistingBlockPlan_V1 – Existing Block Plan; Drawing No. SC_28ParkRd_ExistingMasterPlan_V1 – Existing Master Plan; Drawing No. SC_28ParkRd_ExistingSections – Existing Sections;
 Drawing No. 0744.MP.0902 – Proposed Master Plan 1;
 Drawing No. SC_28ParkRd_ProposedSections – Proposed Sections. and Drawing No. 0744.T.0901 – Turning/Manoeuvring.

2. 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.

In this instance, pre-application guidance was given and not taken into consideration and the application is contrary to local and national planning policy and the planning objections could not be overcome by amendments to the scheme or through the imposition of acceptable and appropriate planning conditions.

Note: Mrs Wilson speaking on behalf of Ms Boarer (against the application) addressed the Committee.

5. Appointment of Appeals Sub-Committee

The Committee considered the wishes of the political groups in relation to the appointment of Members to the Appeals Sub-Committee.

Resolved that an Appeals Sub-Committee be appointed as shown below:

Labour:	Conservative:
Cllr Lyn Milner (Chair)	Cllr Gary Harding
Cllr Christina Rolles (Vice-Chair)	

6. Appointment of Hackney Carriage Sub-Committee

The Committee considered the wishes of the political groups in relation to the appointment of Members of the Hackney Carriage Sub-Committee.

Resolved that a Hackney Carriage Sub-Committee be appointed as shown below:

Labour:	Conservative:
Cllr John Burden (Chair)	Cllr Jordan Meade
Cllr Brian Sangha (Vice-Chair)	

7. 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 8.14 pm.