

Strategic Environment Cabinet Committee

Tuesday, 21 November 2023

19:30pm

Present:

Cllr Shane Mochrie-Cox (Chair)
Cllr Alison Williams (Vice-Chair)

Councillors: Ejaz Aslam
 Rajinder Atwal
 Gurjit Kaur Bains
 David Beattie
 Gavin Larkins
 Jordan Meade
 Karina O'Malley

Tom Reynolds Assistant Director (Inclusive Growth)
Shazad Ghani Head of Planning
Ben Clarke Committee Services Officer (Minutes)

9. Apologies for Absence

No apologies for absence were received.

10. Minutes

No apologies for absence were received.

11. Declarations of Interest

The minutes of the meeting of the Strategic Environment Cabinet Committee held on Monday, 25 September 2023 were signed by the Chair.

12. Design for Gravesham

The Committee was provided with a report that gave them an update on Design for Gravesham, tabling the emerging draft document that would soon go to public consultation. Following the consultation, the final version of the document together with consultation responses would be presented to a future meeting of the Cabinet for approval.

The Assistant Director (Inclusive Growth) directed Members to appendix one which held a draft version of the Design for Gravesham design code and gave Members a summary of the whole document. This version of the code would go to public consultation, subject to the consideration of comments made by Members at tonight's Committee.

The Assistant Director (Inclusive Growth) appreciated that Members may not have had enough time to review the document as it was very large and advised that comments could be provided tonight, in the near future or during the public consultation.

Concern was raised by a Member that some of the points made at the previous Committee meeting had not been addressed:

- Page 48 – At the previous meeting it was asked to highlight the Mosque on the map and amend ‘Culture’ to ‘Culture and Religion’
- The document still had a strong ‘London lens’ feel to it and the images included within the pack did not show Gravesend as residents wanted it; there were still too many high-rise buildings, lack of green space and apartment blocks illustrated. Additionally, the proposed building typology would not fit in with the character of the villages surrounding Gravesend; the Design Code needed to make reference to suitable developments for villages in the Borough
- The presentation still lacked many references to beauty, placemaking and the provision to ensure developments reflected the local character of the borough or what made Gravesham unique

In response to the concerns raised, the Assistant Director (Inclusive Growth) advised that:

- The diagram (pg. 48) had been updated with the annotation ‘culture/community/faith.’ The ADIG noted that he would raise this point again with Levitt Bernstein (LB) and ask that they annotate culture, community and faith buildings separately.
- He accepted the comment around lack of reference to *beauty* in the document and advised that he would ask LB to further consider/reference.
- With regards to the ‘London lens’, the previous comments had been taken on board and the code makes references to Gravesham throughout. However, the comment will be reaffirmed with LB to see if further local/regional examples of best practice regeneration can be added. The ADIG noted that comprehensive community engagement had also been undertaken. Resident’s comments have shaped the vision and objectives for the code and comments are referenced throughout.
- There are a mix of housing typologies illustrated in the code, including lower density projects – this will be reviewed and strengthened.
- The Chair added that each development would be *contextual* to the area where it was being developed.

In further response to the ‘London lens’ comment, the Chair stated that he held similar concerns, and he would be explicit with the architects regarding the need to ensure the code was a Gravesham focused document. This could be achieved as much in the text as well as the illustrations included.

Several Members raised the following points regarding the draft code, for consideration:

- Page 96 of the code used examples of developments in Enfield – they should be replaced as they were unappealing and had no relation to the borough.
- Gravesham was a part of Kent and there should be images of successful developments from across the County in the code.
- There were only two references to beauty in the document, one of which was to do with areas of outstanding natural beauty; the code should make increased reference to how Gravesham defined beauty and what beauty meant for the borough
- The code needed to be thoroughly proofread before it was released to public consultation as there were typos in the document; on page 96, fig41 it made reference to the Copperfield Academy when in fact the image was the former driving test centre which was now private dwellings.

- The quote on page 52 regarding less large lorries driving through Higham was important and should be in the document but there should be greater emphasis in how planning decisions would be implemented in line with the design code and how the design code would change the way the Council operated with regards to planning decisions
- Page 62– Higham and Shorne were missing from the description of Gravesham villages in paragraph 4.2.4
- The section covering history, should be laid out differently reflecting the geography of the borough starting with the industrial heritage of Northfleet and Gravesend and the importance of the river, before covering the rural areas of the borough.
- Page 69 fig70 – The shop front image used was from an unknown area and didn't show the varied and diverse high street that Gravesend had to offer.
- Page 38 – Reference to 'Saxon' when it should be 'Anglo-Saxon'
- There was no reference to the Saxon Shoreway in the document and it was an important area that was underutilised; a section should be dedicated to that area
- Page 15 – The reference to the marshes being an impenetrable zone needed to be clear that at the moment it was not suitable for development but should be encouraged for use by the community. If any development was earmarked or the site was to be made more accessible, then a line should be added stating that it was the developer's responsibility to work with the Environment Agency rather than the Council's
- Page 70 – The Council had been successful over the last few administrations in replacing children playground equipment and making sure all sites had at least one accessible piece of equipment. Due to the previous commitment, point e. should be strengthened to say that developers must provide at least one piece of accessible playground equipment when building a playground
- Page 75 fig94 – Overly municipal bins should not be avoided; the bins that had been around the longest in Gravesend were the municipal bins with Gravesham's coat of arms on and had fared much better than the different types of bins seen over the last few years.
- Page 8 – The images used on this page could be better; the best parts of Gravesham were not showing in the images. The Gurdwara was a significant building and was not visible
- Stone Street parking was going to be removed which included disabled parking spaces; there needed to be disabled parking and improved accessibility in the Town Centre for people with mobility issues; the Town should be a place that everyone could visit without any concern about how to get there
- It would be great to have top high street brands in Gravesham, but it was unlikely, and alternatives should be considered in the document
- Cleanliness and safety were top priorities for anyone visiting towns and there was a lot of graffiti in Gravesend which could deter visitors. A zero tolerance approach to anti-social behaviour was necessary
- The prom should be utilised more; there was a lot of history on the river, and it was a large space
- Concern raised regarding high-rise buildings and how they remind people too much of London. Future planning applications and permissions should acknowledge this.
- Beauty was an important part of the document, but heritage was also important and heritage areas should be kept separate from more modern developments
- There was no mention of Windmill Hill in the document; it needed to be promoted in the document as it was an important part of Gravesham

- Green spaces should be protected and have those protections laid out within the document
- Page 159 – Remove the comment regarding not feeling safe in the Town
- The presentation in the document around areas of outstanding natural beauty should be improved
- Gravesham was a diverse Borough and the pictures of the consultation events in the code were not reflective of that fact; all community groups in the borough had to be consulted during the next public consultation. Additionally, some concerns were raised about the icons feeling ‘tokenistic’
- Page 163 – Remove the quote regarding a resident who moved to Gravesend from Tottenham due to the negative press recently concerning the misinformation spread online about the Charter being reserved for London residents.
- In June 2021, the Overview Scrutiny Committee commissioned a review of Gravesend Maritime Strategy, and a visit was conducted to Rochester Riverside in February 2020 to view their development. The Strategy and the work behind it should be used to help plan development along the river
- Page 143 fig254 – Remove the image of the tapered steps as earlier in the report on page 83 fig121 it said feathered or tapered steps should be avoided; consistency throughout the document was important
- The importance of public/green spaces was highlighted, especially the health and well being benefits these spaces bring.

The Chair responded to the following points:

- The wording in 5.2 of the documents would be reviewed as it was the Councils intention to ensure current and future playground equipment was accessible to all. The Chair added that 5.2a already stated that play space must meet Play England’s recommendations, one of which was that playgrounds had to be accessible to everyone.
- The point raised concerning the Saxon Shoreway was noted.
- A Ward walk had previously been offered to all Members as part of the consultation process; at which, the point about the marshes – their amenity value and accessibility was made.
- The Chair agreed there were good examples of bins already in the Borough and that would be reflected in the report moving forward; the overall aim was to install street furniture that stood the test of time instead of needing to be replaced every few years
- Page 69 fig70 – The Chair agreed with the points raised and had made the same points to Levitt Bernstein throughout the process; instead of shop fronts from different London boroughs, Gravesham’s historic High Street should be used
- Page 62 – Higham and Shorne would be added
- The design code would be used to strengthen the dialogue between the Council and Kent Highways around local issues, like the point raised in Higham.
- The Chair asked that Members provide feedback and further information on beauty and how it could be encapsulated in the document outside of the meeting
- The concern raised around a ‘London lens’ feel to the document were noted and would be discussed with Levitt Bernstein.
- The Chair was happy to remove the comment on page 163 in order to avoid further misinformation spreading online.

In response to Members comments the Head of Planning explained that:

- With regards to the lorry traffic in Higham, the primary issue was related to historic uses and the traffic they generated; Members had to be mindful of the limit to what the document would be able to achieve, as it could only be applied to new development once adopted.
- The role of the code as a supplementary planning document, means that it had to build on existing policy and provide greater clarity with the development plan; the code was not able to replace existing strategies or policies in place. For example, the Charter was an acceptable development under the Local Plan, and nothing could be introduced through the code to prevent such development. However, the code should improve planning outcomes in the future in terms of design as developers would have to consider the code as part of proposed applications

In response to Members comments, the Assistant Director (Inclusive Growth) explained that:

- Public/green spaces are very important to the character and feel of an area and offer many health benefits - and are part of tackling the health inequality in Gravesham.
- A range of different uses, not just retail, had been discussed for the Town Centre and there were already essential shops in the high street. Work was on-going to activate vacant units with creative uses at both St. George's shopping centre and St Andrew's Arts Centre. The river is a vital part of Gravesham's past, present and future, and the river and riverside spaces are promoted as part of the document; further plans for rapid river transport and the pier were referenced. More work was needed to improve the pedestrian and cycle links between the town centre and the riverside leisure area to improve footfall and experience.
- The points around cleanliness and safety were noted and other teams within the Council were aware of these points.
- The perception of safety would continue to be addressed.
- It was noted that reference to the Area of Outstanding Natural Beauty needed to be enhanced
- In terms of community engagement and public consultation events, a multi-platform approach had been undertaken with in person events, outreach and digital questionnaires. Thousands of responses were gathered. A range of stakeholders had been engaged. The ADIG highlighted that he has also met with Gravesham Access Group and the 50+ Forum. The Assistant Director (Inclusive Growth) asked Members to send him details of any groups that they wanted to be engaged with during the next phase of the public consultation of the document
- The point regarding the icons feeling 'tokenistic' would be raised with Levitt Bernstein
- The image with the tapered step will be investigated and removed if necessary, as consistency was important.
- The Maritime Strategy was shared with LB and points were considered around river access, improving partnerships and utilising river assets better; they agreed that the river should be celebrated and made a more prominent feature in the Borough. The Assistant Director (Inclusive Growth) agreed the first phase of the Rochester Riverside scheme could be referenced in the document as a wider Kent development.

The Chair thanked Members for the comments made and the wider discussion.

The report was noted.

13. Draft Developer Contributions Guide

The Committee was presented with an initial draft of the Developer Contributions Guide for discussion and comment.

The Head of Planning advised that the purpose of the document was to provide advice and information to applicants and their advisers when their development had given rise to the need for the Council, acting in its role as the Local Planning Authority to secure mitigation through a section 106 legal agreement or unilateral undertaking. It was also intended to provide the wider public clarity in terms of the Council's role in that regard. In certain circumstances, there were other means of securing planning benefits such as through the imposition of conditions. However, the document concerned mitigation secured through a section 106 legal agreement or unilateral undertaking.

The Chair stated that guide was at its earliest stage and Members comments were being sought; other Councils had similar guides and it helped to codify expectations and set out how the Council wanted section 106 contributions to be spent in the Borough.

In response to a Members question concerning governance, the Chair responded that the document was in its earliest form and only comments were being sought as well as Member engagement. A strategic document would then be created, considered and asked to be ratified at the next meeting of Strategic Environment Committee; as the document was strategic it set the direction of the Council.

The Head of Planning fielded questions from Members and explained that:

- There was not a set formula for overall section 106 contributions to be calculated, but there were different departments/organisations such as KCC, Health Service and Kent Police that all made requests for contributions, and they advised the Council of the methodology that generated their requests. The request is normally set out in a delegated report or planning report. In the future, the document would include signposting of where the section 106 guidance was publicly available
- Members were advised to be mindful that section 106 contributions could not go above and beyond the policy requirements specified in the Local Plan which meant that higher contributions could not be requested for example for carbon offsetting. The document would include a limit to what could be requested
- There was no requirement for the Council to consult on strategic corporate documents with external partners
- The main focus of section 106 contributions tends to focus upon financial contributions, but in some instances actions could be requested to be implemented via a section 106 agreement; one example being seeking parking restrictions

The Chair thanked Members for their feedback.

14. Planning in Gravesham Key Principles

The Committee was presented with an initial draft of "Planning in Gravesham – The Gravesham Borough Council Planning Service Strategy 2023-2028" for discussion and comment.

The Head of Planning advised that Planning in Gravesham, set out the Council's vision and strategic aims and objectives for the planning service in Gravesham to 2028. With the overriding aim of ensuring that a professional, courteous, consistent, and fair service was provided to all users, whilst striving to maintain high standards.

The Chair stated that the document was in a finished state unless something substantial came up at this meeting.

In response to a Members question around the Planning departments readiness to fulfil the requirements set out within the document, the Chair provided an example of recent changes that had been made. The Chair was confident that principles and practices in Planning had changed for the better and the document was meant for the public as well as developers. Planning applications not filled out correctly would not be accepted and support would be given to people when it was needed.

Several Members raised the following points regarding the document:

- The document required further structure with greater categorisation
- Page 3 section 6 – Add a sentence stating that planning applications brought forward by the Council and the Councils developer company, Rosherville, would be held to the same high standards as everyone else applying for a planning application. Additionally, add in a sentence regarding rules for Councillors planning application being treated the same at Planning Committee and rules around them referring applications and declaring interests etc
- Page 3 section 7 – Examples needed to be included in the section to contextualise what timely meant such as a response would be given in five working days etc
- Page 4 'We will not' – The wording required greater clarification on what the Council was able to explain so that the public wouldn't be misled; decision notices often lacked detail that residents wanted but it was acknowledged they had to be written in certain ways to avoid going to appeal
- Page 12 Complaints and Planning Officers – Amend point two: The Council will seek always to protect our Officers **and Councillors** from abuse and harassment in line with our policy and procedures
- The document should be made readily available on the Councils website and include more animations which were easier to understand and highlight the key information that the public needed to be aware of
- The role of the Planning Committee should be added to the document and include points around the political impartiality of Members on the Committee, the training Members received and the procedure for Councillor call ins
- The document should include an area dedicated to guidance around submitting planning applications when a resident lived in a conservation area
- Some Parish Councils believed that their own Planning Committees trumped the powers of the Councils planning Committee in Parishes; a passage should be included advising what weight would be given to the outcome of Parish Planning Committees when the Planning Committee considered the same planning application

In response to the points raised, the Chair explained that:

- Page 3 section 6 – There was already rules about Councillors referring applications to the Planning Committee

- Page 3 section 7 – there was a section missing from the draft which was an error and would be amended
- A user friendly document would be available on the Councils website once it was finalised
- Explanation of the Planning Committees role was already available to the public, but it would be best placed in the strategic document

The Committee held a small discussion on the need for guidance on submitting planning applications when living in a conservation area, where current guidance was available on the website and how to signpost residents to the correct information. The Chair advised that a proper debate was required on this subject and asked that an item be submitted to a future meeting of Strategic Environment Cabinet Committee on conservation areas and the rules surrounding them.

In response to the concern around Parish Councils planning powers, the Head of Planning explained that all consultees including Parish Councils views would be taken into account when determining a planning application as required by regulations, but the decision ultimately rested with Members of the Planning Committee or Officers determining a planning application under delegated powers. That point would be made clear in the document.

An issue was raised by a Member concerning a covenant between a landowner and Vigo Parish Council; the Head of Planning explained that a covenant might say that a landowner couldn't make any changes without Vigo Parish Councils approval but they were still able to submit a planning application to the Council for determination which superseded that covenant.

Members gave thanks to the robust Planning Department and especially Richard Hart and Shazad Ghani for all their hard work and recent successes.

The Chair thanked Members for their debate and subject to those amendments being made, received Member approval to sign off the Planning Service Strategy 2023-2028.

Close of meeting

The meeting ended at 21:22pm.