

## Planning Committee

Tuesday, 30 April 2024

7.00 pm

### Present:

Cllr Lee Croxton (Chair)  
Cllr Rajinder Atwal (Vice-Chair)

Councillors: Gary Harding  
Samir Jassal  
Alan Metcalf  
Lyn Milner  
Peter Scollard  
Deborah Croxton  
Jordan Meade

**Note:** Councillors: John Burden and Shane Mochrie-Cox were also in attendance.

Shazad Ghani	Head of Planning
Richard Hart	Team Leader (Development Management)
Faye Hobbs	Team Leader (Development Management)
Katherine Parkin	Senior Planner (Development Management)
Laura Caiels	Assistant Head of Legal Services
Karen Gingles	Committee Service Officer (Minutes)

### 38. Apologies for absence

Apologies for absence were received from Councillor Alison Williams and Councillor Ejaz Aslam. Councillor Deborah Croxton and Councillor Jordan Meade attended as their substitutes.

### 39. To sign the Minutes of the previous meeting

The minutes of the Planning Committee meeting held on Wednesday 7 March 2024 were signed by the Chair.

### 40. Declarations of Interest

There were no declarations of interest made.

### 41. Planning applications for determination by the Committee

#### 41.1 20221064 - Northfleet Harbourside - Land Surrounding Ebbsfleet United Football Club, Stonebridge Road, Northfleet

The Committee considered application 20221064 - Northfleet Harbourside - Land Surrounding Ebbsfleet United Football Club, Stonebridge Road, Northfleet. The application

was an outline planning application with all matters reserved, except for the primary means of access and road layout, for a phased mixed-use redevelopment involving:

- the demolition of existing buildings and structures including site preparation / remediation works
- the development of residential units (Use Class C3)
- Class E uses including floorspace for retail Class E(a)
- food/beverage and drinking establishments (Use Class E(b))
- local services (Use Class E(c))
- indoor sport/recreation/fitness (use Class E(d))
- healthcare space (Use Class E(e))
- creche/nursery uses (Use Class E(f))
- office floorspace (Use Class E(g)(i))
- a new multi-use stadium with associated business and leisure facilities (sui generis)
- hotel (Use Class C1)
- community uses floorspace (Use Class F2)
- The phased redevelopment will include other sui generis uses, delivery of open space and significant realignment of the road network including the A226 Galley Hill Road / Stonebridge Road / Lower Road with hard / soft landscaping, car and cycle parking provisions, infrastructure works, ancillary and associated works.

The Head of Planning introduced the application, reminding Members of Annex 3.9 of the Council's Constitution (Protocol for the operation of the Planning Committee and Planning Procedure), highlighting that no new information shared with Members since the publication of the agenda reports should be considered by the Planning Committee.

The Senior Planner explained that the outline application was for the Committee to determine if the proposed outline proposal was deemed acceptable in principle. The Committee were given a summary of the location of the site and a summary of the occupiers of the site.

The Committee were informed that Robins Wharf and associated land, utilised by aggregate companies was safeguarded under the Kent Minerals and Waste Local Plan 2013-30 and Gravesham Local Plan Core Strategy 2014. The loss of the Wharf was objected to by Kent County Council (KCC) and the Port of London Authority (PLA).

The Team Leader drew members attention to sections 6.335 to 6.457 of the report which outlined the transport matters for consideration relating to highways and access to the site. It was highlighted that key changes were the realignment of the A226 from Galley Hill Road to Stonebridge Road along with the corresponding junctions. Members were also informed of plans to incorporate a bus route from the site to link with Gravesend Town Centre, Ebbsfleet International Station and Darent Valley Hospital.

Members were advised that the relevant highway authorities had all been consulted and they had concluded that the development would have no adverse impact on the local strategic or national highway network (subject to conditions and S.106 contributions to mitigate highway impacts).

In relation to parking provision on site, the Committee were updated that the issue would be addressed through planning conditions and future reserved matter applications. At this stage, however, the applicant needed to demonstrate that sufficient parking provision could

be provided within the site without having an adverse impact on the operation of the surrounding highway network. When measured against SPG 4 (Kent Vehicle Parking Standards (2006)), it was concluded that sufficient parking provision could be provided within the development.

It was noted that the proposed development would result in the loss of the car park for Britannia Refined Metals and the applicant would need to make re-provision for 108 car parking spaces as part of the proposal, either on or off site and this would be secured through the use of a Grampian planning condition.

The Senior Planner updated Members that the outline application included a masterplan and other supporting documents as outlined within the report, which would offer guidance for future development on the site and inform the submission of reserved matters which would allow for matters such as the design of individual elements to be considered in more detail.

The Committee were updated of the proposed residential development areas outlined in the Masterplan (section 3.8 and 3.9 of the report) which included proposed open spaces, local amenities and medical services. The Senior Planner also outlined the types of residential buildings that were proposed for each neighbourhood along with the projected height and massing. The Committee were informed that the development would be phased over a 10 year programme.

The Head of Planning updated Committee on issues pertaining to National Grid and the viability of the development. In relation to viability he explained that a return of 15-20% of gross development value (GDV) was considered the norm for developers. The Financial Viability Appraisal (FVA) for this scheme had shown a return of approximately 6%, which in strict viability terms meant that the proposal could not support any affordable housing. However, the applicant accepted the need for a mix of tenures to meet local housing needs and to deliver a balanced community. Accordingly, the applicant had proposed that regardless of the FVA, they were committed to delivering a minimum of 10% of units as intermediate (shared ownership) affordable housing, with a review mechanism to be included within any planning agreement to capture any future uplift.

Members were updated that Planning were awaiting the finalisation of the Shadow Habitats Assessment. The Head of Planning advised that in event that the Shadow Habitats Regulation Assessment could not be finalised or it is concluded that the proposal would result in adverse effects on the integrity of any of the sites in question, the application would be reported back to Planning Committee for review and redetermination.

The Head of Planning informed the Committee that at 5pm on the day of Committee, a letter had been received on behalf of the Ford dealership and that they had raised issues of procedural unfairness and still had concerns regarding the proposal before Members. Members were advised that until a decision notice was issued further representations could still be made and they would be taken into consideration as part of the decision making process.

The Committee were invited to ask questions for clarification:

- Member expressed concern regarding the loss of car parking spaces at Britannia Refined Metals and where these would be repositioned, as 108 spaces was a significant number. The Head of Planning addressed this issue noting that the recommendation of approval was conditioned to ensure an agreement was reached

between the applicant and Britannia Refined Metals for parking offsite. He explained that due to the phased nature of the development there was potential to provide temporary parking whilst the scheme was conducted. The Team Leader added that the development could not move forward until the applicant had discharged a planning condition providing the lost parking spaces for Britannia Refined Metals

- Members queried the loss of secondary access for Seacon, mentioned in paragraph 6.393 of the report, and whether a written agreement was required. The Head of Planning confirmed that a written agreement would be private matter between the applicant and Seacon.
- The Committee referred to paragraph 6.241 and the issue of overhead power lines above the Marketplace and Stadium Neighbourhood. Clarification was sought on how National Grid's concerns would be mitigated. The Head of Planning informed Members that he had been in discussion with National Grid, who currently had a holding objection. He explained that their concern related to how the Marketplace would be constructed and the use of the proposed development under the pylons in compliance with their safety and operational requirements. As a consequence, National Grid's preferred position was for an Asset Protection Agreement being signed between National Grid and the applicant, prior to a decision being issued.
- It was queried whether the letter received on behalf of the Ford dealership on the day of the meeting required any further action. The Head of Planning advised that the Committee were able to continue with determination, as anyone wishing to provide comment could still make a representation before the decision was finalised and issued.
- Members asked for further information regarding the proposed Mobility Hub mentioned in section 6.341 of the report. The Team Leader provided an overview for the mobility hub and explained the exact details of the mobility hub would be secured through planning conditions.
- Further details were sought regarding the proposed size of the townhouse garages. The Senior Planner informed the Committee that such details were a reserved matter, and the information was not available at this stage. However, all sizing would be required to conform with adopted standards.
- Members observed that the proposed open space named 'Riverwalk' was not appropriate, as the space would be accessible to all and not all users would be able to walk. The Senior Planner notified Members the name had not been fully decided upon at this stage.
- Members asked if the reserved matters of the application would be required to conform to the Borough's Gravesham Design Code when it is adopted. The Head of Planning advised that it would if relevant, but that the application was supported by a number of key documents which underpinned and provided the context for reserved matter applications to be brought forward.
- The Committee noted that the location was permeable with a number of footpaths and cycle routes and wondered how antisocial behaviour would be monitored. The Head of Planning advised that the site would be managed privately.

The Committee heard to views of three registered speakers in favour of the application and had their questions answered.

The Committee heard to views of three registered speakers against the application and had their questions answered.

- Members queried the annual tonnage Robins Wharf currently supported and if the application was approved, whether this would impact the number of HGV lorries using the roads. The speaker did not have exact figures at hand but noted that at least 2000 tonnes of aggregate was shipped from the wharf, exported in 20 tonne loads, so a large number of vehicles would be required. All aggregate was exported by the river with local deliveries in a 20 mile radius by road.
- The Committee questioned whether other local wharfs along the Thames could support aggregate deliveries. The speaker highlighted that removal of a significant wharf would impact the remaining wharfs putting a strain on resources and that there was no guarantee the loss of Robins Wharf could be made up elsewhere.
- The Committee questioned whether other safeguarded wharves had been lost in the area. The Head of Planning confirmed that a wharf at Northfleet Embankment West was the only area in the Local Plan where a wharf was envisaged to be lost.
- The Committee queried the lack of engagement by the applicant as set out by an objector. The Head of Planning confirmed that from the Council's perspective, the correct consultation procedures had been followed. Any discussions undertaken by the applicant in a private capacity, remained a private matter between the applicant and the relevant parties.

The Chair reminded the Committee that the application before them was primarily an outline application, which meant that more detail would be forthcoming as part of reserved matter applications at a later date, if Committee resolved to agree to the officer recommendation.

The Committee were invited to make further comments:

- Members were in agreement that the area in question was in need of improvement and that the development would enhance the area, providing more employment opportunities. Members observed that the development was a unique opportunity on a brownfield site offering great prospects for future generations. It was hoped that the development may draw in large organisations who may chose to take up residency, once they saw the high level of development created.
- Members noted that the application was at the outline stage and the Committee would have future opportunity to consider reserved matters.
- In line with the officer recommendation, it was noted that the application would be referred to the Secretary of State for consideration, as the proposal was a departure from the adopted Development Plan.
- The parking issue relating to Britannia Metals was a concern, however Members appreciated that the matter would be dealt with via a Grampian planning condition. Additional points were made in relation to Highways and Parking with the Head of Planning reiterating that KCC in it's role as the local Highway Authority had considered the location to be a sustainable site and that KCC highways were satisfied with the outline proposals.

During the discussion the Committee heard the views of non-board Members Councillor John Burden and Councillor Shane Mochrie-Cox.

Due to concerns raised by Members, the Head of Planning informed the Committee that the Grampian planning condition pertaining to Britannia Refined Parking could be determined by Planning Committee at a later date. Queries in relation to the officer recommendation were also addressed.

**RESOLVED** that the Head of Planning in consultation with the Chair and Vice Chair is given delegated authority to issue the planning PERMISSION and impose conditions and informatives, subject to:

- The finalisation of the Shadow Habitats Regulations Assessment (in accordance with the requirements of Regulation 63 the Conservation of Habitats and Species Regulations 2017 (as amended)) by the Borough Council in its role as the competent authority and planning permission only be granted if the outcome of that assessment concludes that there is no adverse effect on the integrity of applicable European Sites (i.e. Special Areas of Conservation (SACs), Special Protection Areas (SPAs), proposed SACs, potential SPAs, Ramsar sites - wetlands of international importance (both listed and proposed), and areas secured as sites compensating for damage to a European site).
- National Grid removing their holding objection;
- Completion of a legal agreement under s106 of the Town and Country Planning Act 1990;
- Referral of the application to the Secretary

That the Head of Planning is given delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the Committee nor that such change(s) could reasonably have led to a different decision having been reached by the Committee.

However, in the event that the Shadow Habitats Regulation Assessment cannot be finalised or it concludes that the proposal will result in adverse effects on the integrity of any of the sites in question the application is to be reported back to Planning Committee for review and redetermination.

In the event that National Grid do not remove their holding objection, the application is to be reported back to Planning Committee for review and redetermination.

In the event that the Section 106 Legal Agreement remains unsigned six months after this resolution, the application is to be reviewed by the Head of Planning, in consultation with the Chair of the Committee, and if no progress is being made, delegated authority is to be given to the Head of Planning to refuse the application in the absence of an agreed S106 Agreement.

**Note:** Damian Irvine (On behalf of the applicant) Gordon Pratt and Matthew Trodden (local resident) spoke in favour of the application.

Joanne Baker (on behalf of - The Operators of the Safeguarded Robins Wharf), Bryan Geeke (KCC) and Michael Atkins (PLA) spoke against the application.

**42. 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 9:00pm