

Planning Committee

Wednesday, 25 September 2024

7.00 pm

Present:

Cllr Lee Croxton (Chair)
Cllr Rajinder Atwal

Councillors: Derek Ashenden
 Helen Ashenden
 Jo Hart
 Gary Harding
 Peter Scollard
 Tony Rana
 Frank Wardle

Note: Councillors: Councillors David Beattie, Gurdip Ram Bungar, John Burden and Jordan Meade were also in attendance.

Shazad Ghani	Head of Planning
Faye Hobbs	Team Leader (Development Management)
Ethan Bonthron	Career Grade Planner (Development Management)
Lisa Fisher	Career Grade Planner (Development Management)
Laura Caiels	Assistant Head of Legal Services
Karen Gingles	Committee Service Officer (Minutes)

19. Apologies for absence

Apologies for absence were received from Cllr Lyn Milner, Cllr Ejaz Aslam and Cllr Samir Jassal. Cllrs Jo Hart, Derek Ashenden and Helen Ashenden attended as their substitutes.

20. To sign the Minutes of the previous meeting

The minutes of the Planning Committee meeting held on Wednesday 12 June 2024 were signed by the Chair.

21. Declarations of Interest

No declarations of interest were received.

22. Planning applications for determination by the Committee

Order of Agenda

The Chair advised he would deal with the planning applications in the following order:

- 20230102 - 145 Whitehill Road (Land at Tesco Express and Whitehill Open Space)
- 20240200 - The Peacock Public House, 78 Peacock Street, Gravesend

23. 20230102 - 145 Whitehill Road (Land at Tesco Express and Whitehill Open Space)

The Committee considered application 20230102 - 145 Whitehill Road (Land at Tesco Express and Whitehill Open Space). The application was for the construction of a new apartment building for 14 units with a cafe (Use Class E) at ground floor level with improvements to the open space and additional parking provision to the side/rear of the existing Tesco store, to provide additional parking spaces for the Café, Tesco Store and the residential units.

The Career Grade Planner outlined key areas of the report:

- Members were shown the block plan which included the enlarged car parking area for 30 car parking spaces, a net increase of 25 spaces.
- The development had been redesigned to improve its overall appearance, reduce height, bulk and massing as well as safeguarding the amenity of neighbouring residents. The proposed building was three stories in height with various pitch roof elements to break up the building's visual bulk.
- It was noted that the east elevation of the building (facing Whitehill Road) was at a reduced height, this was achieved through negotiation with the applicant to lessen the prominence of the building and to fit in better with the surrounding two-story dwelling houses.
- Windows on the south elevation were oblique to mitigate overlooking onto properties above the parade.
- The development would provide 14 new dwellings, offering a mix of unit sizes. All units met minimum local and national residential layout guidelines. The development was not required to contribute to the delivery of affordable housing, as it fell below the thresholds as set out in policy.
- No objections were received from KCC Highways or GBC Highways, subject to conditions set out in the supplementary report.
- Whitehill open space would be improved to offset the loss of open space. The proposals had the support of GBC's parks and open space team. Plans included a children's play park, an outdoor gym, new seating and soft landscaping improvements. The proposal would also increase biodiversity opportunities through planting of native species.
- A SAMMS payment would be secured through a Section 106 legal agreement. Details of this could be seen in the supplementary report.

The Committee heard the views of two registered speakers in favour of the application and had their questions answered:

- Members noted that the proposed play area was flanked by roads and queried whether fencing would be installed to surround the perimeter. The Head of Planning confirmed that would be dealt with via the landscaping conditions.
- The Committee raised concern regarding the south side of the site, where Whitehill Lane met with Valley Drive, which was a busy section of road. The Head of Planning advised that this was not a consideration for the Planning Committee, as it was an existing highway issue, which would need to be dealt with by KCC Highways as a separate matter. This area was also not within the red line boundary of the application. KCC had not raised this as an issue as part of the application.

Members noted the traffic issue had been raised previously with KCC, at a past meeting of the Gravesham Joint Transportation Board and therefore felt it should be a consideration. After some discussion on the matter, the Assistant Head of Legal Services reiterated that as an existing issue, this could not be taken into account on this planning application, only issues that could be caused by the application would be a consideration. The Head of Planning advised Members that KCC had not objected to the application, and that they did not have of any evidence before them which set out that the development would result in highways issues arising.

- Members asked what could be done within the remit of the application, to manage the additional traffic from the construction of the site. The Head of Planning confirmed this would be dealt with under a construction management plan.
- Members were concerned about the potential blind spot at the triangular point of the plan, where Whitehill Lane met Valley Drive and sought clarification on whether any structure may obscure the view. The speaker confirmed no build structure would be built into the corner of the plot, only landscaping as part of the open space improvements. KCC had required that the visibility splays for the junctions were kept clear to standard.
- Members queried the concept behind the design of the flats. The speaker explained that the design of various pitch heights and block sizes were intended to break up the design rather than an obvious block of flats, to achieve the look of individual houses to look more in keeping to the street scene.

The Committee heard the views of a registered speaker against the application and had their questions answered.

The Committee were invited to make further comments:

- Members noted that since the first refusal of an application for this site in 2019, a great deal of work had been carried out with this application, especially in regard to biodiversity.
- There was concern regarding the building causing a potential blind spot for drivers entering Whitehill Lane from Valley Drive. The Head of Planning confirmed the issue of visibility splays was covered in the officer report with a condition to address the matter, therefore this was not a reasonable reason to refuse the application.

- Members raised concern regarding the worsening traffic situation along Whitehill Road, the Parade area on the north side towards Echo Square and the turning for Valley Drive. The Head of Planning read a paragraph from the National Planning Policy Framework (NPPF) which stated that *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'*. It was reiterated that KCC had not stated that the impact of the development would be severe or raise an issue in respect of highway safety. The application could therefore not be reused on that basis.

The Chair agreed adding that without clear evidence of transport issues then it would be difficult to defend a refusal on those grounds.

The Committee heard the views of Councillor Jordan Meade.

In response the Head of Planning summarised that:

- As part of the decision making process, it was important to weigh up the evidence and reach a planning balance, considering the wider issues set out in the officer report, including Gravesham's under supply of housing plus giving weight to the various factors set out in the report.
- The concern of the traffic issues was noted, however these had to be considered in light of the evidence before Committee. It was highlighted that the traffic congestion issue was not unique to the area and under the NPPF, the traffic issue was not considered severe.
- In response to comments regarding the play area, this was covered by conditions within the report. For example, the request to have a fence around the perimeter of the play area could be included within the delegated decision.
- In regard to concern regarding bulk and massing the Head of Planning explained that the officer report had concluded that the design was considered to be acceptable.

Members queried if the application was refused if it could be appealed with the planning inspector then approving the application. The Head of Planning confirmed that if the Committee were minded to refuse, then reasons for this must be given for the decision notice. The applicant would then have the right to appeal Planning Committee's decision and based on what has been said, the planning inspectorate may well approve the application at a later date, opening up the Council to costs, if it was considered the Committee made an unreasonable decision.

The Chair concluded by reminding Members that if they were to refuse the application there needed to be very good grounds, especially in light of the current housing situation. Strong reasons for refusal were also important for defence in an appeal situation.

RESOLVED that the application be **DELEGATED** to the Head of Planning to grant **PERMISSION** subject to agreeing pre-commencement conditions, the finalisation of planning conditions and completion of S106 legal agreement.

Note: Matthew Wood (on behalf of the applicant) and Mr Breley (Breley Designs) spoke in favour of the application. Sharon Gordon (local resident) spoke against the application.

24. 20240200 - The Peacock Public House, 78 Peacock Street, Gravesend

The Committee were presented with application 20240200 - The Peacock Public House, 78 Peacock Street, Gravesend. The application was for the Conversion of the first and second floor 4-bedroom flat into a 5-bedroom House of Multiple Occupants (HMO).

The Career Grade Planner outlined key areas of the report:

- The entrance to the site was located to the right of the Peacock Public House with the proposed bin store to be located in the courtyard to the front.
- Members were informed of the existing first floor plan and the proposed changes. The changes proposed would reduce the size of the existing lounge area to create a smaller living area, allowing for an additional bedroom to the first floor. There were no proposed internal changes on the second floor and no changes proposed to the external elevations of the property.
- There was no onsite parking provision for the existing 4-bedroom flat and no additional parking for the proposed 5 person HMO in this town centre location. There would however be a cycle store included in the rear courtyard. The HMO residents would be reliant on public transport, active travel and the existing on street parking arrangements.

The Committee heard to views of Cllr John Burden

The Committee were invited to make further comments:

- Members noted it was a shame to lose another public house. The Head of Planning confirmed there was no relationship between the closing of the pub and the HMO application.
- The Chair noted the benefit of having the HMO to provide much needed accommodation in a bid to keep people from sleeping on the street.

The Chair invited comments from non-board Members:

- Clarity was sought to confirm that the application was for the change of use and that the HMO license itself was dealt with separately, which was required for an HMO of 5 or more residents. The Head of Planning confirmed there was a separate regime that dealt with the HMO licensing aspects which fell under the Housing department. The Committee were only to decide if the flat should be converted into a 5 bedroom HMO. Members felt that a number of objections to the proposal, set out in the report, would be addressed under the HMO license once applied for and were not material planning concerns.
- Members felt the HMO was a positive move to offer much needed accommodation in the town centre.

RESOLVED that Planning **PERMISSION** be granted, subject to conditions as set out within this report.

25. 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 8:28pm