

# Planning Committee – Supplementary agenda no.1

**A meeting of the Planning Committee will be held on:**

**Date:** 10 April 2024

**Time:** 6.30pm

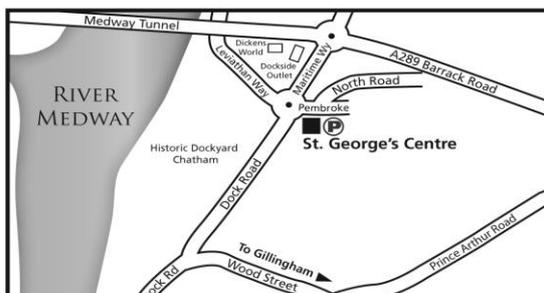
**Venue:** St George's Centre, Pembroke Road, Chatham Maritime, Chatham  
ME4 4UH

## Items

- 8 Additional Information - Supplementary Agenda Advice Sheet (Pages 3 - 6)

For further information please contact Julie Francis-Beard, Democratic Services Officer on Telephone: 01634 332012 or Email: [democratic.services@medway.gov.uk](mailto:democratic.services@medway.gov.uk)

**Date: 10 April 2024**



---

This agenda and reports are  
available on our website  
**[www.medway.gov.uk](http://www.medway.gov.uk)**

---

---

A summary of this information can be made available in other formats from **01634 333333**

---

This page is intentionally left blank

<b>Medway Council</b>
<b>PLANNING COMMITTEE – 10 April 2024</b>
<b>Supplementary Agenda Advice</b>

**Page 6 Minute 678 MC/23/2861 112 Maidstone Road, Chatham**

Additional informative as agreed by Chief Planning Officer, following consultation with the Chairperson, Vice Chairperson and Planning Opposition Spokes:

The applicant is advised that in relation to the Construction Environmental Management Plan (CEMP) required under Condition 5 on the Decision Notice, the following is required within the document to be submitted for approval;

- Where possible, deliveries of materials and storage of materials shall be accessed from Maidstone Road.
- Where deliveries or access is required from Scotts Terrace all residents should receive advance notice.
- Where deliveries or access is required from Scotts Terrace, this shall not occur during school times between the hours of 08:00 to 09:15 or 14:45 to 15:15.
- No materials or equipment shall be stored on the Highway of Scotts Terrace.

**Page 15 MC/23/2527 Lingley House, Elm Ave, Chattenden**

**Application be deferred to enable consultation with Natural England**

The following information will also be included when this planning application comes back to the Planning Committee.

**Representations**

**Cllrs Crozer, Pearce and Sands** have written to object to the application on the following grounds:

- Acknowledge that changes to plans improve buffer to western boundary, reduces number of trees to be felled and provides new hedging along western boundary.
- Recommended conditions still needed to submit details re the changes.
- Changes do not outweigh harm.
- Site is adjacent to a Site of Special Scientific Interest (SSSI) and within an Area of Local Landscape Importance (ALLI).
- Site is within transition area between settlement envelope of Chattenden and wider amenity of Tower Hill and Cookham Wood and transition area blends seamlessly with adjacent woodland promoting green backdrop.

The proposal harms the ALLI and is contrary to policies BNE1, BNE25 and BNE34 of the Local Plan.

- Report accepts impact on SSSI. This is agreed and a new dwelling will have greater impact than the existing garage.
- Condition of SSSI described as unfavourable, declining and thus needs protection rather than allowing development that will cause further harm.
- Hoo and Chattenden Neighbourhood Plan has passed regulation 16 stage and its policies should be given material weight. In this respect the proposal is contrary to Policy H008 3.
- Application should at very least be deferred.

## **Planning Appraisal**

### **Add Section on Neighbourhood Plan.**

The Hoo and Chattenden Neighbourhood Plan has been subject to consultation at regulation 16 and will shortly be the subject of an Examination.

The Plan has not yet been the subject of an examination and a referendum and is not as yet part of the Development Plan. Full weight cannot, therefore, be attributed to the Plan.

Guidance on the weight to be attached to an “emerging NP” is within Para. 48 of the National Planning Policy Framework (NPPF) and depends upon:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer to the NPPF the greater the weight that may be given)

As the Neighbourhood Plan has not been adopted following a referendum as part of the Development Plan there is no legal requirement under the Act to have regard to it. However, as it is emerging there is a requirement in the NPPF to take it into consideration as a material consideration.

The Plan is a material consideration and therefore taking into consideration the above.

- a) The Plan has reached Regulation 16 Stage, which is quite an advanced stage but has not been subject to examination or referendum.
- b) There have been a number of comments submitted in respect of the recent consultation on the Plan which the Examiner will carefully consider during the examination. Therefore, the key aspect relates to
- c) How consistent is Policy H008.3 with the NPPF.

Policy H008 relates to Landscape and the Environment. Part 3 of the Policy states:

*3. Development should take opportunities to enhance and should not harm:*

- a) Designated site, including Ramsar; SSSI and Special Protection Areas.*
- b) Local Woodlands, including ancient woodland.*
- c) Lakes, chalk streams and other water features.*

Paragraph 180 of the NPPF states:

*Planning policies and decisions should contribute to and enhance the natural and local environment by:*

- a) Protecting and enhancing valued landscape, sites of biodiversity or geological value and soils.....*

Paragraph 186 states:

*When determining planning applications, LPA's should apply the following principles:*

- b) Development on land within or outside a SSSI and which is likely to have an adverse effect on it should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest.*

It is clear, therefore, that Policy H008.3 of the Neighbourhood Plan is broadly consistent with the NPPF and reflecting the stage of the emerging plan and that consistency with the NPPF, the Policy should be given moderate weight in the determination of this application.

## **Page 41 MC/21/1694 Deed of Variation, View Road Cliffe Woods**

### **Advice and Analysis**

#### **Additional para 5.7**

5.7. An email has been received (27 March) from Moat Housing to confirm that the site has been discussed with Homes England, who in turn have confirmed that they are aware that the affordable homes concerned are being removed from the S106 and they have raised no issue with the use of recycled capital grant. As the RCG is already with Moat there is no need for more information to be provided to Homes England. The scheme will be presented for full approval at Moats Capital Project

Committee on 15 April. Solicitors and Employers Agents have already been instructed to progress contracts.

### **Risk Management**

On the basis of the above the risk to the LPA is further reduced.