

Planning Committee – Supplementary agenda

A meeting of the Planning Committee will be held on:

Date: 16 January 2019

Time: 6.30pm

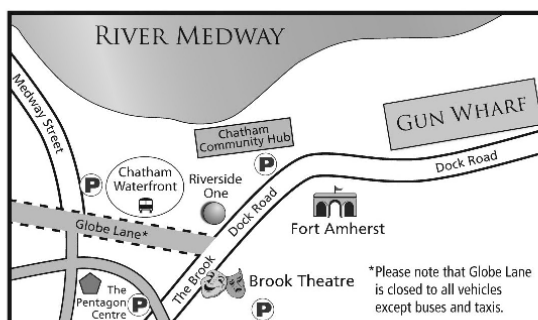
Venue: Meeting Room 9 - Level 3, Gun Wharf, Dock Road, Chatham ME4 4TR

Items

- 14 Additional Information - Supplementary agenda advice sheet (Pages 3 - 10)**

For further information please contact Ellen Wright, Democratic Services Officer on Telephone: 01634 332012 or Email: democratic.services@medway.gov.uk

Date: 16 January 2019



This agenda and reports are
available on our website
www.medway.gov.uk

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

If you have any questions about this meeting and you want to speak to someone in your own language please ring **01634 335577**

বাংলা 331780
中文 331781

ગુજરાતી 331782
हिंदी 331783

ਪੰਜਾਬੀ 331784
Polski 332373

کوردی 331841
একুশক্ষর 331786

ارو 331785
فارسی 331840

Русский 332374
Lietuviškai 332372

Medway Council

PLANNING COMMITTEE – 16 January 2019

Supplementary Agenda Advice

Page 7 Minute 651 Rochester Airport, Maidstone Road,
Chatham

A copy of the Design Manual for Roads and Bridges (DMRB) compliant risk assessment has been made available for Members.

The holding objection from Highways England is still in place.

Page 18 MC/18/1555 Former Redvers Centre, Glencoe Road,
Chatham

Representations

The Planning Agent has written in to address the issues raised on the committee report. The letter has also been circulated in full to Members of the Planning Committee and is attached to this supplementary agenda.

Page 32 MC/18/3007 20 Pattens Lane, Rochester, Kent

Recommendation

Add conditions

1. The use hereby permitted shall be discontinued and the land and property restored to its former condition on or before 1 February 2021 in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

Reason: To allow the Local Planning Authority an opportunity to assess the effect of the permitted development on the amenities of the surrounding area in accordance with Policy BNE2 of the Medway Local Plan 2003.

2. The development shall be operated in accordance with the submitted Planning statement: Ref FL11156 Rev 1.1 incorporating 'Management Plan' and 'Design for Crime Prevention Measures' (received on 17 October 2018) combined with the staff support training schedule

received 21 December 2018 (for those staff resident on the premises at any one time).

Reason: In the interests of amenity protection in accordance with the objectives of paragraph 127(f) of the National Planning Policy Framework 2018 and Policy BNE2 of the Medway Local Plan 2003.

3. The number of children cared for and resident on the premises shall not exceed 5 at any one time.

Reason: To ensure that the development would not prejudice the amenities of the residents nearby in accordance with paragraph 127(f) of the National Planning Policy Framework 2018 and Policy BNE2 of the Medway Local Plan 2003.

Representation

The Planning Agent has written in to advise of the level of qualification required of the staff.

Page 46 MC/18/2871 73 Holcombe Road, Rochester, Kent

Deferred at the request of the Head of Planning for further consideration



One Jubilee Street, Brighton, BN1 1GE

Councillor Tashi Bhutia
Councillor Nick Bowler
Councillor David Carr
Councillor Mrs Diane Chambers
Councillor Gary Etheridge
Councillor Dorte Gilry
Councillor Glyn Griffiths
Councillor Peter Hicks
Councillor Dan McDonald
Councillor Mick Pendergast
Councillor Martin Potter
Councillor David Royle
Councillor Habib Tejan
Councillor Stuart Tranter
Councillor Les Wicks
Thomas Stubbs – Planning Officer

Date: 10th January 2019

Our Ref: AB/ra

Dear Councillors,

RE: FORMER REDVERS CENTRE, GLENCOE ROAD, CHATHAM – CONSTRUCTION OF RESIDENTIAL DEVELOPMENT COMPRISING SIX 3X THREE BEDROOM HOUSES AND SIX 1X BEDROOM AND TWELVE 2X BEDROOM APARTMENTS – RESUBMISSION OF MC/17/4420

I write with reference to this application which is to be debated and discussed at your Planning Committee to be held on 16th January 2019. After much deliberation, your Planning Officer has reached a recommendation for refusal as stated below:

1. The layout provides a streetscene of Redvers Road which will be dominated by car parking for flats and results in a disjointed streetscene with a lack of activity within the streetscene and thereby would not result in the improvement to the local environment.
2. The proposal fails to agree terms of a Section 106 to mitigate the development which would have a detrimental impact on facilities and services within the locality.

The purpose of this letter is to address those suggested Reasons for Refusal and to clarify the position.

We are pleased to note that neither this application or previously refused application received any objections from local residents, Southern Water, Southern Gas Networks, UK Power Networks, Kent Police, Kent County Council Ecology, Natural England, the Environment Agency, Highways, or Local Ward Councillors.

**MAKING
PROPERTY
WORK**

SHW&CO.UK

10 January 2019

The Planning Officer has firstly considered the principle of development. The Officer correctly concludes that the development would make use of a vacant Brownfield site in a sustainable urban location and will provide for a mix of flats and dwellings in urban area with good public transport links. As a result, the principle of development is accepted.

Considering amenity, the Officer correctly identifies that the redesign of the flats will result in no detrimental impact regarding daylight which is supported by the updated daylight, sunlight and overshadowing assessment. Furthermore, the proposals provide for dwellings in accordance with national standards in terms of size and provide suitable levels of private amenity space.

As already mentioned, no objection had been raised by Highways. It is worth noting that to address earlier concerns about the level of surface car parking, the number of car parking spaces were reduced. However, this remained within policy requirements and received no objection from Highways.

As alluded to by the Reasons for Refusal means as suggested by the Planning Officer, there are two areas of disagreement: streetscene and Section 106. I will deal with each in turn.

Streetscene

The Planning Officer's report on streetscene states:

"The parking area for the flats has been reduced during the life of this application in an attempt to overcome the concerns from the previous refusal which dominated the proposed Redvers Road streetscene. The originally proposed semi-detached house has also been amended during the life of the application to two detached dwellings with car ports. It will be an improvement on the originally submitted layout, the layout when considered against the originally approved scheme still shows a lack of presence and activity along a disjointed Redvers Road streetscene. The original approval provides 36 metres of frontage in the form of four houses. The current application provides two dwellings within a 28 metre section. It is considered that a better streetscene can be provided"

The Applicant considers that the streetscene witnessed by the proposals subject to this application are not significantly harmful to the streetscene. To support this view, enclosed with this letter are additional plans by the architect highlighting the appearance of the previously approved scheme and that of the current application. The previous approved scheme introduced a bin store and dwarf wall along the Redvers Road streetscene. In addition, the side walls serving one of the dwellings introduced a flank wall which is disjointed with the streetscene and introduces a hard boundary. As shown in the submitted plans, the revised application introduces a mix of brick and railings across Redvers Road which also allows for planting of vegetation to soften the appearance further. The development actually provides for a more active frontage by way of being more open in nature and is seen as a positive response.

An additional plan has been submitted which highlights the area of disagreement, which the Planning Officer highlights to represent 8 metres (in terms of the difference between the previously approved scheme and that of the current application). As shown on the plans, one of the significant benefits is the change to the wall and railings which would result in cars being unseen from the street which the previous application would have done so. Furthermore, the relocation of the bin store is an enhancement and benefit.

10 January 2019

It should also be noted that whilst in the Planning Officers' Report he asserts that is 'a lack of presence and activity along a disjointed Redvers Road street scene' (consider historically this was previously prominently car parking with a bleak high brick wall and fencing along the entire Redvers Road) where 'It is considered that a better street scene can be provided'.

Prior to this current proposal, previous versions were issued which have, as acknowledged by the Planning Officer, been revised to provide what you now see (which he accepts is an improvement). However, despite requesting advice on numerous occasions we have continually received the same vague response throughout the process of trying to achieve a suitable street scene that meets the Planner's expectations. We therefore cannot be penalised for not providing a street scene that in one person's view is not suitable when having continually sought clarification received minimal meaningful feedback that would ultimately allow an acceptable street scene to have been designed that avoids the current impasse we find ourselves in.

Given that Medway Council is currently unable to meet its 5 year housing land supply, which means that areas of Green Space and locations for development which would otherwise be unacceptable are considered suitable for development. It is therefore in the strong interest of Local Authorities to approve developments in suitable locations to meet their housing requirements in order to retain control over the location of development.

I would also like to note as you will be aware, that essentially, for planning permission to be refused, adverse impacts need to be **significant**. If it cannot be identified that the harm is significant, then planning permission is to be issued without delay.

The attached two plans (which have previously been sent to your Officer) that identify the "difference in opinion" show the street scene comparison and demonstrate that the differences are extremely minor in nature and certainly do not represent **significant harm**, as required under planning law.

The proposed development provides for a mix of dwellings including flats and houses which is a significant benefit to the local community. It is not considered that the minor difference between the approved scheme and that of the new application represents a significant detrimental impact to warrant the refusal of this application on streetscene.

Section 106

To support this letter a separate note has been provided by Robinson Low Francis (RLF) on viability. It causes the applicant much frustration that the same misinformation is being presented against areas of agreement. As set out within the additional letter provided, the area of disagreement is **NOT** related to the purchase price of the land. This has been made clear and has been agreed with the Councils assessors on numerous occasions since policy changed in Summer of 2018. This same misinformation was presented by Dave Harris of Medway Council in his email to me of the 19th December 2018 in which he states:

"the fact that in reality it is not properly viable is simply down to the fact that your client paid too much for the land"

10 January 2019


 SHW

This is wholly incorrect. As set out in the letter by RLF, there are two areas of disagreement which result in a disagreement over viability. **This has nothing to do with purchase price.**

In regards to these areas of disagreement in relation to finance costs, the difference is due to programme assumptions where RLF has allowed a construction programme in accordance with BCIS evidence. Pathfinder has advised on a much longer construction programme (which is unsubstantiated) with sales occurring simultaneously. Sales and construction figures have been included by RLF below market evidence and industry recognised averages to assist reaching agreement, however if these are adjusted to match market evidence and Pathfinder figures it will only serve to worsen the viability.

To assist in demonstrating the above, the attached RLF report (dated 12th November 2018) gives commentary on the figures and highlights the residual land value appraisal.

To reach an amicable conclusion the applicant has agreed to reassess the scheme and redo the viability at the point of completion. The benefit of which will mean that any increase in value will result in higher contributions being paid. In addition, at this stage both the Councillors assessors and RLF are using data and analysis to put forward their assessments. By reassessing the scheme at point of completion, we are using fact as opposed to data and market evidence.

It is considered that this approach is sound and should be found acceptable.

Conclusion

The application in front of you at this Planning Committee had been recommended for refusal based on the impact on the streetscene and a disagreement over the Section 106 agreement.

The additional plans and the Officers report demonstrate that the area of disagreement relates to 8 metres of the streetscene which is a result of providing the surface car parking required by Planning Policy. The scheme provides for a mix of flats and houses to meet the needs of local people and would make a significant contribution to the lack of a 5 year housing land supply within Medway Council.

It is therefore considered that a minor change to the streetscene should not undermine the delivery of 24 units of accommodation at a time of great need.

As set out above and within the supporting statement by RLF, there continues to be miscommunication coming from Planning Officers at the Council. **The disagreement has nothing to do with purchase price.** As set out in the statement by RLF, the areas of disagreement relate to build period in terms of construction costs and its impact on finance (lending costs). The applicant is willing to reassess the scheme at the point of completion whereby these two matters of disagreement will be plain to see. If any additional profit has been made this can be returned to the Council by way of increased contribution.

**MAKING
PROPERTY
WORK**

SHW.CO.UK



10 January 2019

It is considered that the development is in compliance with Planning Policy and is capable of delivering 24 residential units at a time of overwhelming need for housing in the area and would be a positive impact on the character of the area.

Yours sincerely

Alex Bateman BA (Hons) MSc MRTPI
DIRECTOR OF PLANNING
for and on behalf of
Stiles Harold Williams Partnership LLP

**MAKING
PROPERTY
WORK**

SHW.CO.UK

