

MC/17/4357

Date Received: 18 December 2017

Location: Greatfield Lodge Darnley Road Strood Rochester

Proposal: Proposed part demolition of existing communal facilities block and addition of first floor to create a two-storey building (block 3), addition of new storey to block 1 to create a three/four storey building and extension to front and external staircase to block 2 and other associated works to facilitate conversion of Greatfield Lodge Residential Hostel into 14 one bed and 10 two bed residential self-contained flats including creation of an access road onto the site from Hawthorn Road and inclusion of derelict land to the rear of No. 276 Hawthorn Road to form part of the overall site

Applicant Ms Binta Suleiman

Agent Mr Matthew Scholes
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Ward: Strood South Ward

Case Officer: Doug Coleman

Contact Number: 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 16th October 2019.

Recommendation – REFUSAL:

- 1) In the absence of a Unilateral Undertaking/Section 106 agreement to secure appropriate developer contributions, the proposal would be contrary to Policies S6 and BNE35 of the Medway Local Plan 2003 and Paragraphs 54, 55, 56, 170, 175 and 176 of the NPPF.

Updated report

The above application was considered by the Committee on 19 December 2018. Members resolved to grant planning permission subject to conditions and to the applicant entering into a Section 106 agreement to secure:

- A contribution of £2,496 towards nursery school provision at Bligh Infant School;
- A contribution of £7,488 towards primary school provision at Bligh Infant and Junior Schools;
- A contribution of £11,230.80 towards improvements to Court View Surgery in Darnley Road to accommodate potential new patients arising from the proposed development;
- A contribution of £28,000.00 towards off site provision and/or maintenance of outdoor open space to be spent on improvements to Northcote Recreation Ground, Sycamore Road play area and/or Broomhill Park.
- A contribution of £13,700.40 towards the provision of Street furniture in the grounds of Temple Manor.
- A contribution of £4,200.00 towards waste and recycling to be used to provide adequate facilities to cover the impact of the development.
- A contribution of £5,750.64 towards Strategic Mitigation measures in the Special Protection Areas;
- An agreement that when any future stage of the development is undertaken (of all or any of the land outlined in blue on the submitted site plan) that it will include the provision of a minimum of 25% of affordable homes calculated on the basis of the number of dwelling across the site as a whole, the trigger being when 25 or more dwellings are proposed across the joint sites. Payment for traffic calming measures in the proximity of the proposed access onto Hawthorn Road.
- Payment for the diversion of and improvement to the public footpath linking Darnley Road and Hawthorn Road.

This application was a re-submission of application MC/13/1469, which was approved on 31 January 2014 following the completion of a Section 106 agreement. Work has already commenced to implement that development.

The current proposal differed from the previously approved scheme in so far as it included two additional areas of land, namely:

- A triangular area of land to the north-east, outside of the previous application site and is not owned by the applicant. Attempts have been to be used to provide additional parking for. It was also proposed to divert the public footpath around the site.
- Land between the site and Hawthorn Road to create a new vehicular access.

As the proposal related to additional land outside the application site, a new application was required.

Following the resolution to grant planning permission on 19 December 2018, instructions were sent, a Section 106 agreement was sent to the applicant's solicitor, and there has been ongoing correspondence. However, to date, the Section 106 agreement has still not been completed.

The Council has sought several Planning Extension Agreement (PEA), the last being on 5 August 2019, when it was agreed that Section 106 agreement would be completed by 16 September 2019 and a decision issued by 23 September 2019. The PEA also contained a clause that if the Section 106 agreement had not been completed by 16 September 2019, the application would be reported back to the Planning Committee on 16 October 2019. The Section 106 agreement was not completed by 16 September 2019 and has still not been completed.

In the absence of a Section 106 agreement it is, therefore recommended that the application be refused for the reasons stated.

In the event of planning permission being refused, the development approved under application MC/13/1469 could still proceed.

Background Papers

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess1.medway.gov.uk/online-applications/>