

Medway Council
Planning Committee – 19 November 2025
Supplementary Agenda Advice Sheet

Page 68 – Planning Application MC/25/0753 St John Fisher School, Maidstone Road, Chatham

Recommendation

Amended Recommendation B

Add 4 - A contribution of £15,000 towards improvements to the public realm in Chatham town centre.

Representations

Two further letters of objection (on behalf of Asda and Tesco) have been received, both attached in full to this supplementary report, in summary raising the following concerns:

- Lack of a complete sequential test assessment
- Lack of compliant/effective retail impact assessment, lower threshold in emerging policy should be afforded significant weight
- Cannot be certain that there would not be a significant impact
- Impact on heritage assets needs to be correctly addressed
- Permission should not be granted without a mechanism in place to secure (offsite) BNG.

Planning Appraisal

Principle – new retail store location section of the report – the application has been assessed, and it is considered that adequate information has been provided to reach a decision on a sequential test assessment. The report also sets out why a retail impact assessment is not considered essential. The draft Local Plan is at an early stage, Regulation 19 consultation has been carried out but the Plan has not yet been submitted for examination. There have been objections to Policy T17, and as such there are unresolved objections to this policy. Paragraph 49 of the National Planning Policy Framework (NPPF) states:

Local planning authorities may give weight to relevant policies in emerging plans according to:

- 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 this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

Given the stage of the plan, and the objections to the Policy, it is considered that, as set out in the report, only limited weight can be given to this policy.

Biodiversity Net Gain (BNG) section of the report – BNG is secured by the statutory biodiversity gain condition under paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The details of how BNG would be secured are agreed pursuant to this, post-decision. This statutory condition is the method for securing acceptable details and would not be discharged until a suitable mechanism was in place to achieve this (for example, this may be a receipt for offsite units from a registered habitat bank or a separate arrangement which may require a S106 or covenant). Agreement is not required in advance of a decision on the main planning application.

S106 Matters section of the report - A contribution of £15,000 towards improvements to the public realm in Chatham town centre has now been agreed and is added to the S106 requirements.

Conclusions and Reasons for Approval section of the report – it is acknowledged that, whilst the proposals are considered less visually harmful than the existing site development, they would result in some harm (less than substantial) to heritage assets. It is also recognised that, in accordance with paragraph 212 of the NPPF, great weight which should be given to the conservation of heritage assets and that, in accordance with paragraph 213, any harm should require clear and convincing justification. Paragraph 215 confirms that where development proposals will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, with paragraph 216 confirming that the effect on the significance of a non-designated heritage asset should be taken into account in determining the application, a balanced judgement being required having regard to the scale of any harm or loss and the significance of the heritage asset.

In the current case the school has been relocated to a new site and the redevelopment of the site is reasonable and welcomed in this context, with the removal of the existing buildings highly welcomed. The proposed retail store would be well linked to the town centre, accessible by a range of transport means and provide public benefit from its services. In these circumstances, the low level of harm to heritage assets is considered to be outweighed by the benefits of the scheme.