



**Cllrs. Crozer, Pearce and Sands  
The Independent Group  
on Medway Council  
Hoo & High Halstow Ward**

C/O 17 Grandsire Gardens,  
Hoo,  
Hoo Peninsula,  
Rochester,  
Kent,  
ME3 9LH

**Wednesday 3rd April 2024.**

Sam Pilbeam (Case Officer)  
Local Planning Authority (LPA)  
Medway Council,  
Gun Wharf, Dock Road,  
Chatham, Kent,  
ME4 4TR

**CC: Dave Harris (Chief Planning Officer) and LPA's Planning Committee Members.**

**Re: MC/23/2527 - Lingley House Elm Avenue, Chattenden, Rochester, Kent, ME3 8LZ.**

Dear Local Planning Authority (LPA),

We write to you as the three Independent Councillors for Hoo and High Halstow Ward on Medway Council - representing the communities of Chattenden, High Halstow and Hoo on the Hoo Peninsula. This representation concerns the Planning Application MC/23/2527 - Lingley House Elm Avenue, Chattenden, Rochester, Kent, ME3 8LZ - Construction of a two-storey detached 3-bedroom dwelling, including external works and new vehicular access - Resubmission of MC/23/0631.

This representation has been written following yesterday afternoon's publication of the agenda for the LPA Planning Committee meeting, scheduled for Wednesday 10th April 2024 - where this Planning Application will be determined. We have read the application documents on the planning portal, the representations received and now the Case Officer's report and recommendation.

**We don't support the Case Officer's recommendation of approval and object to this Planning Application. Our reasons for this are explained below.**

#### **Changes made by the applicant.**

We acknowledge that the applicant has made changes to the design. This includes the removal of the garage which adds c.5m to the buffer between the western boundary with Hoo Common and the proposed development. 7 trees will now need be removed/felled rather than 18 (with the original proposal). 6 compensatory new native trees will now be planted (3 along the western boundary and 3 along the southern boundary) and new native hedging will now be planted along the western boundary. However, conditions are needing to be applied (conditions 4, 8, 10 and 12) because the applicant has still failed to submit important details about these aspects. Despite these changes, we believe the proposed development is still harmful and the benefit of one single dwelling does not outweigh this harm.

#### **The Tower Hill to Cockham Wood Site of Special Scientific Interest (SSSI) and the Chattenden Ridge Area of Local Landscape Importance (ALLI).**

The application site is adjacent to a SSSI - this is a nationally designated habitat for its biological and geological interest. The protected wildlife site contains ancient woodland and soils and supports a rich insect fauna. The National Planning Policy Framework (NPPF) provides significant protection for these habitat sites and any adjoining land. The application site is also within an ALLI - this is locally designated for its important and attractive landscape features, particularly the rural settlements and countryside on the Hoo Peninsula.

We agree with the previous application's Case Officer report (MC/23/0631) where it described the application site as part of a transition area between the settlement envelope of Chattenden and the wider amenity of Tower Hill and Cockham Wood, and that this transition area is filled with existing mature vegetation, including a section of the SSSI, which blends seamlessly with the adjacent woodland, promoting a tranquil green backdrop. We believe the proposed development still harms the ALLI and is contrary to policies BNE1, BNE25 and BNE34 of the adopted 2003 Local Plan.

Both the previous application's Case Officer report and the Case Officer report for this Planning Application recognises by intensifying the use of the application site with an additional house and smaller garden area, there would be some additional impact on the SSSI. We agree with this and believe there will be greater disturbance caused to the SSSI from a new dwelling as proposed, compared to the existing garage. The condition of the SSSI is described as "Unfavourable, Declining", which is a call for protection rather than permitting development that will exacerbate its worsening condition.

#### **The Hoo and Chattenden Neighbourhood Plan and policies.**

The Hoo and Chattenden Neighbourhood Plan has recently passed the Regulation 16 consultation stage and has reached Examination whereby, although not yet adopted, the policies contained within this plan carry material weight (between limited weight to moderate weight - \*see the attached appendix). There's no reference to the Neighbourhood Plan in the Case Officer's report and weighting for this Planning Application. Policy H008 3. explains that proposed development should take opportunities to enhance and should not harm designated sites (including SSSIs) and local woodlands (including ancient woodland). Due to the increase in disturbance, we believe the proposal is contrary to the Neighbourhood Plan and policies.

The determination of this planning application should be deferred and rebalanced with the Neighbourhood Plan policies - the limited weight or moderate weight from these policies may be enough to tip the balance to refusal. Because the policies contained within an adopted Neighbourhood Plan would carry significant weight (as stated previously by the Chief Planning Officer), we believe the policies contained within a Neighbourhood Plan that has reached Examination (such as Hoo & Chattenden's) should carry moderate weight.

#### **Conclusion.**

Because of the reasons stated above, we object to this Planning Application and believe the proposed development will harm the SSSI and ALLI - the benefits of a single dwelling does not outweigh this harm. The Hoo & Chattenden Neighbourhood Plan policies haven't been taken into account for the purposes of the tilted balance and therefore the Planning Application should be deferred in any case in order for this to take place. We believe this is a reasonable position.

Thank you and yours faithfully,

*George Crozer*

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**\*The following appendix has been provided as part of this representation - see the separate PDF document - Herefordshire Council. Neighbourhood Planning Guidance Note. Material Weight of Neighbourhood Development Plans. April 2020. Page 3. Stage and Material Weight Table.**