

EBBSFLEET DEVELOPMENT CORPORATION

PLANNING COMMITTEE MINUTES

**SUBJECT TO APPROVAL AS AN ACCURATE RECORD AT THE NEXT MEETING OF THE
COMMITTEE**

Date: Monday 15th July 2024

Time: 16:10-18:30

Present: Neil Cameron KC (The Chair)
Valerie Owen OBE (The Vice-Chair)
Councillor David Mote
Councillor Lee Croxton
Fred Maroudas

The Chair opened the meeting and noted that the video would be published on the EDC's website after the meeting.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Rev. Penny Marsh.

2. DECLARATIONS OF INTEREST

The Chair advised that he has worked and been instructed by Kieran Rushe (planning agent for the Ebbsfleet Central East application) and Freeths (solicitors who submitted a written representation to the Ebbsfleet Central East application on behalf of Tarmac).

3. URGENT ITEMS

There were no urgent items.

4. RECORD OF MEETING

The minutes from the Planning Committee meeting held on Wednesday 8th May 2024 were approved.

5. EDC/22/0168 – Ebbsfleet Central East

The Chair advised the committee that handling arrangements have been adopted to ensure a separation between the functions of the Development Corporation as applicant and local planning authority.

Mr Jessop (Head of Development Management – Case Officer), introduced the outline planning application submitted by the Ebbsfleet Development Corporation. He described the site location and wider site context, which includes land with Gravesham and Dartford so policies in both their local plans are applicable. Attention was drawn to a supplementary report.

The outline application process was explained in detail, including the proposed development specification and parameter plans, and considerations including the mix of uses, landscape, open space and ecology, design, transport and accessibility and sustainability. Other considerations in the officer report were also discussed and illustrative images of the proposed development were presented, and the recommended outline consent structure was explained.

Mr Jessop drew the Committee's attention to a late representation received on behalf of Tarmac which related to their concern regarding the trip generation figures used by the applicant in respect of vehicle movements at the existing access to and from their site via the existing roundabout on Thames Way (A226). The application proposes to change this roundabout to a signal control junction. This matter was explained further with reference to paragraphs 7.12.13. and 7.12.14 of the main report.

The Chair confirmed the letter received from Freeths Solicitors on behalf of Tarmac had been circulated to all members of the committee and noted that the Case Officer has confirmed his view that the environmental information provided is adequate. The Chair then asked the Case Officer if the submitted information provides adequate information to describe and assess the likely significant effects of the proposed development, generally but also specifically in respect of transport. The Case Officer, Mr Jessop, answered that the Environmental Statement (ES) had been independently assessed and found to be adequate and sufficient to identify and enable assessment of the likely significant effects of the proposed development, including transport impacts. The Local Planning Authority are therefore satisfied that adequate information has been submitted and that it was not necessary to request additional environmental information under Regulation 25 of the EIA Regulations, although this had been considered when the ES was independently assessed and while there had been requests for clarification, nothing was considered to require a formal request for further environmental information. Reference was made to the ES being in accordance with the EIA Scoping Opinion issued by the LPA which included relevant committed developments including those approved for the Tarmac land. In respect of transport, it was explained that extensive discussions took place between the applicant's transport consultants, KCC Highways and National Highways during pre-app and post submission as regards transport modelling and trip generation rates and it was felt that they had been robustly scrutinised.

It was therefore recommended that the application is approved subject to planning conditions and obligations as set out in the amended recommendation in the Supplementary Report.

Mr Pratt from Kenex (registered speaker) was invited to the table and spoke against the application. Kenex raised concerns on the basis that the application does not comply with the NPPF with regards to promoting sustainable transport. Kenex acknowledge that Ebbsfleet Central East is an important application for development of the area but raise concerns due to it not supporting their vision in respect of the Ebbsfleet southern rail link or their plans for a cross-river tram link. The Chair asked for clarification on

Kenex's objection and invited members to ask any question. Kenex replied that the NPPF should have been complied with in terms of the additional benefits that the scheme will provide for transport link. Cllr Croxton and Cllr Mote both made comments on the tram link and queried whether funding would be available for it.

Ms Bryan, Head of Ebbsfleet Central, (registered speaker) was invited to the table to speak in support of the application and gave a short introduction to the proposal.

Cllr Croxton asked for clarification on the anticipated construction period and the ability of the scheme to be flexible to respond to changing circumstances including being adaptable in respect of design and mix of uses. Ms Bryan answered that given the scale of the development, they do anticipate it to take between 20 and 30 years to build out completely, dependent on the phasing, and that sufficient flexibility is built into the proposed consent structure to respond to market conditions.

Cllr Mote asked if the London Resort NSIP will have any effect on the plans being presented in this area, and whether the development could improve current localised flooding issues on Stanhope Road. Ms Hunt, Director of Development (registered speaker) advised that the NSIP is not an impediment to bringing forward the proposed scheme. In terms of drainage, Ms Bryan explained that this application covers land to the eastern side of the HS1 railway line which is not adjacent to Stanhope Road but advised future development on EDC land to the western side of the railway line could consider this point.

The Vice Chair asked about consultations and feedback received. Ms Bryan explained the applicant undertook extensive consultation prior to submission of the application. Points surrounding archaeological matters were raised and discussed. She also picked up on previous comments made by Kenex and reiterated that the site is sustainably located and the scheme has been developed with consideration of sustainable travel and public transport.

The Chair asked if there was anything in the outline scheme which would preclude the introduction of trams at a later stage or preclude the southern rail proposal. Ms Bryan advised that there is sufficient flexibility in the outline scheme to accommodate such infrastructure if required. Mr Craddy, the applicants transport consultant (registered speaker), discussed these points in greater detail.

The Vice Chair, asked a question on the delivery of spaces. Ms Bryan answered the appropriate provision will depend on how development comes forward, primarily the balance between residential and employment floorspace. The recommended conditions impose minimum floorspaces for uses including retail, community and healthcare uses, as well as open space. Reference was made to anticipated job creation through the development.

The Chair then turned to a general discussion.

Mr Harrison (Head of Design) answered a question regarding the building for healthy life assessment. Mr Jessop responded to a query about the approach to heritage and archaeological assessment and future requirements.

Cllr Mote acknowledged the need for flexibility to ensure the scheme is adaptable during its delivery and considers the scheme could be an exemplary part of Ebbsfleet.

Mr Maroudas echoed Cllr Mote's point on flexibility and advised he was content with the explanation given to the Tarmac trip generation issue and that it was evident that transport had been considered at earliest planning stage.

Cllr Croxton commented that strategically this scheme is a great opportunity for the area, and was complimentary of the proposal. The Vice Chair was complimentary of a very large and complicated scheme and supports the proposed structure. Comments were made in respect of connectivity to the west, the trigger for delivery of healthcare provision, distribution of affordable housing and queried how the various reserved matters applications would inter-relate. Mr Jessop provided an explanation to each point.

The Chair moved to the recommendation as set out in the Supplementary Report and members voted unanimously in support.

6. Eastern Quarry – s.106 Agreement Letter

EDC's Director of Planning and Place introduced this agenda item relating to a request from the landowner of Eastern Quarry for EDC to issue a letter in respect of enforcing a planning obligation. The request is received in advance of the applicable trigger being met as a housebuilder seeking to acquire a parcel of land has been liaising with the landowner to seek some comfort on the approach of EDC. The recommendation is for EDC to issue the letter confirming EDC are not minded to enforce specific obligations in respect of the delivery of infrastructure as outlined in the main report.

Mr Nelson, Henley Camland (registered speaker), explained the role and process of the s.106 agreement and provision of civic buildings at Eastern Quarry. He explained that payments for the sale of the land from the housebuilder would be paid into an account for use towards on-site infrastructure including the temporary school in Alkerden, as opposed to use for other purposes such as repayment of debts.

The Chair sought reassurances that monies from this account would be spent on the delivery of infrastructure and s.106 obligations for the site, such as the temporary school in Alkerden. Mr Nelson explained that there is a need for the temporary school to be in place from September 2025 due to the demand being there, so the money would be directed to that project in the first instance. Mr Nelson advised that all the shares in Eastern Quarry Ltd are owned by Henley Camland. The account is held in the name of Henley Camland 801 and Homes England are the second signatory of the account, so they are unable to make payments out of that account until Homes England have certified and agreed them.

The Chair asked what protection is in place if Homes England asked whether the funds could be used to repay debt, rather than pay for infrastructure. Mr Nelson stated that there is an agreement which sets out how the money is spent and the order in which it's spent, accompanied by a business plan, which shows the delivery of all infrastructure and land first. The only time any debt can be repaid is once there is sufficient money in the account to fund any remaining cost obligations left with it, such as s.106 and infrastructure obligations.

Mr Maroudas sought further reassurances and requested that an undertaking is provided to ensure that the land receipt is solely used for the provision of infrastructure pursuant to planning obligations including provision of the temporary school. A discussion followed regarding the accounts and amendments to the recommendation. Accordingly the officer the recommendation was revised as follows:

“Authority be delegated to the Director of Planning and Place to issue the letter in the form attached at Annex B in consultation with the Chair of the Planning Committee, subject to receipt of an undertaking given by HC801 Ltd that the funding referred to in the letter from Eastern Quarry Limited dated 26 June 2024 is solely used for the provision of infrastructure pursuant to planning obligations including provision of the temporary school.”

Members voted unanimously in support of the revised recommendation.

7. Planning Activity Report Q1 2024-2025

Noted

8. Delegated Items Report

Noted

Meeting closed at 18:30

The following officers were in attendance:

Mr Mark Pullin – EDC Director of Planning & Place
Mr Michael Jessop – EDC Head of Development Management
Mr Simon Harrison – EDC Head of Design
Ms Julia Johnson – EDC Planning Committee Secretary