

# Planning Committee – Supplementary agenda

**A meeting of the Planning Committee will be held on:**

**Date:** 3 March 2021  
**Time:** 6.30pm  
**Venue:** Virtual Meeting

## Items

9(A) Additional Information - Supplementary agenda advice sheet (Pages 3 - 8)

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

**Date: 3 March 2021**

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**Medway Council**

**PLANNING COMMITTEE – 03 March 2021**

**Supplementary Agenda Advice**

**Page 22      MC/19/0765      Land at East Hill, Chatham**

**Representations**

38 additional representations have been received reiterating previous objections.

**Page 78      MC/20/2839      Land Off City Way (Former Playing Field), Chatham**

**Recommendation**

**Amend** Recommendation to read as follows:

Recommendation - Approval subject to S106 agreement and

- A. Referral to the Secretary of State.
- B. The applicant entering into a Section 106 agreement to secure:
  - 1. Contribution of £15,000 towards improvements to right of way along the southern boundary (Boundary Road to City Way).
- C. And the following Planning conditions:

**Replace** condition 12 to read as follows:

The development shall be implemented, and thereafter maintained, entirely in accordance with the measures set out in the Air Quality Mitigation Statement prepared by Stroma dated March 2021 (Reference 04-20-82925).

Reason: In the interests of the amenities of the adjoining properties and in accordance with Policy BNE24 of the Medway Local Plan 2003.

**Representations**

9 additional representations have been received reiterating previous objections and raising the following:

- Comments that the field is used by the school and dog walkers.
- Timing of highway survey during lockdown/COVID
- Usability and poor condition of the PROW
- Increased litter in the surrounding areas

**Additional** letter attached to this agenda in full from the Interim Assistant Director, Education and SEN, Medway Council.

## **Planning Appraisal**

**Add** the following section after the Climate Change Section:

### *S106 Matters*

The Community Infrastructure Levy Regulations 2010 provide that in relation to any decision on whether or not to grant planning permission to be made after 6 April 2010, a planning obligation (a s106 agreement) may only be taken into account if the obligation is:

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

The obligations proposed, comply with these tests because they are necessary to make the development acceptable in planning terms, they are directly related to the development and are fair and reasonable in scale and kind. The following contributions are sought:

A Section 106 Agreement under the terms of the Town and Country Planning Act 1990 to secure the following developer's contributions:

- i. Contribution of £15,000 towards improvements to right of way along the southern boundary (Boundary Road to City Way)

**Page 118    MC/20/2107                    Bridgeside, Warwick Crescent, Borstal, Rochester**

## **Recommendation**

**Replace** the following words in Condition 6:

'No development shall commence...' with 'No dwelling shall be occupied...'

**Amend** the reason to Condition 8 to include the following words at the start:

'Required before commencement of development to avoid any irreversible detrimental impact to trees in order...'

**Amend** the reason to Condition 11 to include the following words at the start:

'Required before commencement of the development in order...'

**Add** the following words to Condition 13 after the word 'maintained'

'in working order.'

**Replace** the reason to Condition 15 to read as follows:

'Required prior to commencement of development to ensure no long-term detrimental harm to conditions of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.'

**Delete** the following words from Condition 17

',' unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority'

**Replace** the reason to Condition 17 to read as follows:

'Required before commencement of development in order to minimise the impact of the construction period on the amenities of local residents and with regard to Policy BNE2 of the Medway Local Plan 2003.'

**Delete** Condition 18 as it duplicates requirements of Condition 17.

**Renumber** Conditions 19 to 24 to be Conditions 18 to 23.

**Reword** former Condition 19 (New 18) as follows:

Reference to conditions 20 to 22 in the first sentence to be conditions 19 to 21.

Reference to condition 23 in the last sentence to be condition 22.

**Replace** the reason to Conditions 19 to 22 (New 18 to 21) to read as follows:

Reason: Required before commencement of development to avoid any irreversible detrimental impact on human health and/or water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

**Reword** former Condition 23 (New 22) as follows:

Reference to conditions 20 and 21 in the second sentence to be conditions 19 and 20 respectively.

Reference to conditions 21 and 22 in the last sentence to be conditions 20 and 21 respectively.

## **Representations**

The **Environment Agency** have written to withdraw their objection

Please contact: Paul Clarke ([paul.clarke@medway.gov.uk](mailto:paul.clarke@medway.gov.uk))

Our Ref:

Date: 13 January 2021

Chris Kiernan  
Interim assistant director, education and SEN  
Medway Council  
Gun Wharf  
ME4 4TR  
Email: [chris.kiernan@medway.gov.uk](mailto:chris.kiernan@medway.gov.uk)

Dear Medway Council Planning Department,

**Re: Rebuild and relocation of St John Fisher RC Comprehensive School – MC/20/2839**

Medway Council Education Department fully supports the total rebuild of St John Fisher Catholic Comprehensive School. The current buildings are in extremely poor condition despite the best efforts of the school and diocese to maintain them.

The majority of the Local Authority's LCVAP allocation of around £500k per annum, has in recent years been allocated to the school just to keep it operational, but as each year passes the general condition of the fabric of the building declines.

The school was subject to a successful PSPB2 bid to rebuild the block in the worst condition, but that has extended into a full rebuild as the remainder of the school buildings will continue to deteriorate and the fear is that the buildings are becoming dangerous and there is a real risk that some parts of the building may have to be taken out of use for the health and safety of the pupils and staff in the coming years.

Under these extreme circumstances, The DfE has agreed to fund the rebuild on the school's detached playing field on City Way, which would enable the school to function in the current buildings decanting when the new accommodation is ready.

This would also allow the school, which currently operates from two sites, to consolidate onto a single site, making teaching and learning more effective and efficient, as well as removing the cost of maintaining two old and dysfunctional sets of buildings. This would also benefit other Voluntary Aided schools in the area, as more condition and maintenance funding would be available across the estate, rather than concentrating in the main on one school.

Furthermore, the lease on the Maidstone Road site expires in 2023, at which point all pupils would need to relocate onto the Ordnance Street site, which is neither practical nor viable. This new school building provides a fantastic opportunity to improve the learning environment for the pupils, to bring the school together as one, improve community links and make better use of public funds.

Yours faithfully,



Chris Kiernan  
Assistant director, education and SEND

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