

Planning Committee – Supplementary agenda

A meeting of the Planning Committee will be held on:

Date: 31 March 2021

Time: 6.30pm

Venue: Virtual Meeting

Items

- 12 Additional Information - Supplementary agenda advice sheet (Pages 3 - 12)

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

Date: 31 March 2021

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Medway Council

PLANNING COMMITTEE – 31 March 2021

Supplementary Agenda Advice

**Page 18 MC/20/2782 Land bounded by The Brook Car Park,
Queen Street, Chatham, Kent**

Recommendation

Approval subject to S106:

Add the following contribution

Contribution of £7,500 towards improvements to public transport infrastructure

Amend the following conditions

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing numbers: Site Location Plan P1002 A, Existing Site Plan P1005, Apartment Types 1 2203 - P1115 A, Apartment Types 2 2203 - P1116 A, Apartment Types 3 2203 - P1117 A, Proposed South West Elevation 2203 - 1201 B, Proposed East Elevation 2203 - 1202 B, Proposed South East Elevation 2203 - 1203 B, Proposed North West Elevation 2203 - 1204 B, Proposed Site Section A - A 2203 - P1210 B, Proposed Site Section B - B 2203 - P1211 B, Section Courtyard 1 Block A 2203 - P1212 A, Section Courtyard 1 Block B 2203 - P1213 A, Section Courtyard 2 Block B 2203 - P1214 A, Section Courtyard 2 Block C 2203 - P1215 A, Section Courtyard 3 Block C 2203 - P1216 A, Section Courtyard 3 Block D 2203 - P1217 A, Longitudinal Section 2203 - P1218, Proposed External Materials 2203 - P1220 A, Detailed Typical Elevation The Brook 2203 - P1222, Proposed Landscape Plan Courtyards 2203 - P1230, Proposed Landscape Plan The Brook 2203 - P1231, Proposed Landscape Plan Cross Street 2203 - P1232, Original Boundary Overlap 2203 - SK002, Car Park Access Vehicle Tracking 2203 - SK003, received 3rd November 2020.

And the following revised plans: **Site Block Plan 2203 - P1003 C, Ground Floor Plan 2203 - P1100 D, First Floor Plan 2203 - P1101 D, Second Floor Plan 2203 - P1102 D, Third Floor Plan 2203 - P1103 D, Fourth Floor Plan 2203 - P1104 C, Fifth Floor Plan 2203 - P1105 C, Sixth Floor Plan 2203 - P1106 C, Seventh Floor Plan 2203 - P1107 C, Proposed Roof Plan 2203 - P1150 D, received 9th March 2020.**

Reason: For the avoidance of doubt and in the interests of proper planning.

- 18 **No development above ground floor slab level shall take place until** a scheme of acoustic protection against road traffic noise **has been** submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of acoustic protection sufficient to ensure internal noise levels (LAeq,T) no greater than 30dB in bedrooms and 35dB in living rooms with windows closed and a maximum noise level (LAm_{ax}) of no more than 45dB(A) with windows closed. Where the internal noise levels will be exceeded with windows open, the scheme shall incorporate appropriate acoustically screened mechanical ventilation. All works **to each flat block**, which form part of the approved scheme, shall be completed before **any unit in that flat block** is occupied and shall thereafter be maintained in accordance with the approved details.
- 20 **No development above ground floor slab level shall take place until** a scheme of acoustic protection against noise and vibration from the ground floor uses, as well as car park areas, **has been** submitted to and approved in writing by the Local Planning Authority. The scheme must demonstrate that the internal noise levels within the residential units will conform to the indoor ambient noise levels for dwellings identified by BS8233 2014: Guidance on Sound Insulation and Noise Reduction for Buildings, and that levels of vibration do not exceed any applicable guideline levels. All works **to each flat block** which form part of the approved scheme shall be completed before any **unit within that flat block** is occupied and shall thereafter be maintained in accordance with the approved details.

Delete condition 22 and replace with

- 22 **No development above ground floor slab level shall take place until** full details of the following highway improvements have been submitted to and approved in writing by the Local Planning Authority:

Arrangements as outlined in drawing (drawings 19095 - TR001 and 19095 - 010)

The approved details shall thereafter be implemented in full prior to first occupation **of any part** of the development.

Reason: To ensure the development preserves conditions of highway safety, pedestrian safety and the free flow of traffic, in accordance with Policies T1, T2 and T3 of the Medway Local Plan 2003.

Additional conditions as follow

- 23 No part of the development shall be occupied, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority. Thereafter it shall be kept available for such use and no permanent development, whether

or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking and in accordance with Policy T13 of the Medway Local Plan 2003.

- 24 No part of the development shall be occupied until a Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Parking Management Plan shall contain details of how public car park will be maintained and how residents & their visitors will be deterred from parking on street. The Parking Management Plan shall be implemented in accordance with the approved details prior to the first occupation of any residential unit and shall thereafter be retained.

Reason: To ensure satisfactory off-street parking in accordance with Policy T13 of the Medway Local Plan 2003.

- 25 No part of the development shall be occupied until details of cycle storage facilities with the inclusion individual lockers have been submitted to and approved in writing by the Local Planning Authority. The cycle storage facilities for each block shall be implemented in accordance with the approved details and provided prior to first occupation of the block that they relate to and shall thereafter be maintained.

Reason: To ensure satisfactory cycle storage in accordance with Policy T4 of the Medway Local Plan 2003.

- 26 No part of the development shall be occupied, until details of the provision of the electric vehicle charging points (15% active and 75% passive) has been submitted to and approved in writing by the Local Planning Authority. Details shall include the location, charging type (power output and charging speed), associated infrastructure and timetable for installation. The development shall be implemented in accordance with the approved details prior to first occupation of the development and shall thereafter be maintained.

Reason: In the interests of sustainability in accordance with paragraph 110E of the NPPF.

- 27 No development above slab level shall take place until measures to address energy efficiency and climate change have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details and prior to first occupation of each block a verification report

prepared by a suitably qualified professional shall be submitted to the Local Planning Authority confirming that all the agreed measures for that block have been undertaken and will thereafter be maintained on site.

Reason: In the interests of sustainability and to positively address concerns regarding Climate Change in accordance with the NPPF.

Planning appraisal

Background

Page 28

Proposal

The buildings heights referred to in the report should be 7 – 8 storeys where they front onto the Brook and between 4-5 storeys where they front onto Cross Street. All references to building heights throughout report need to be amended accordingly.

All references to the leisure facilities including a gym, swimming pool and games room need to be amended to just specify leisure facilities rather than specify what this will include.

Page 40

Highways

Add the following to report immediately before last paragraph on highways section on page 41

A Road Safety Audit and revised Traffic Assessment have been submitted to address concerns raised by Medway Council's Integrated Transport team. The applicants have sought to address concerns which related to three key aspects

- **Traffic Assessment** – to include the committed developments and carry out an assessment on the junctions (not just outlining the increase in vehicle numbers at individual junctions).
- **Highway Safety Concerns** – In terms of preventing illegal right turn moves
- **Road Safety Audit** – to cover any highway mitigation to cover the above concern and the changes along the Brook (in terms of refuge collection).

In terms of traffic assessment, the applicants revised the modelling to include committed developments (Whiffens Avenue & Kitchener Barracks) and carry out a full assessment of Queen Street/Brook and Slicketts Hill/Brook. It appears the modelling outlines that no severe impact would result from the proposed development. Furthermore, the applicants carried out a review of additional vehicles using Cross Street, which again outlines that no material impact would arise from the proposed development.

In terms of the concerns regarding illegal right turn moves, the applicants have provided drawing 19095-010 which provides a kerbed island within the central hatched area of The Brook, opposite Queen Street junction, to provide a physical deterrent for right turn movements out of Queen Street. Whilst this mitigation has not been reviewed within the Road Safety Audit, at this stage, it is not considered the highway works would result in a Highway Safety issue.

Integrated Transport have requested a contribution of £7,500 towards the improvement to public transport infrastructure and conditions relating to s278 works, parking, parking management strategy, cycle storage and electric charging points. These are set out below.

S106 matters

Page 45 to add the following contribution

Contribution of £7,500 towards improvements to public transport infrastructure

Page 45 add section

Other matters

Amended plans have been submitted following discussions with Kent Police to ensure a more secure layout. The amendments to the plans will not affect the external appearance of the buildings.

**Page 48 MC/20/2806 Manor Farm Quarry, Parsonage Lane,
Frindsbury, Rochester**

Following deferral of the application at the last meeting further information has been received from the applicant and emailed to all members of the Planning Committee. Additional questions were asked by the ward councillor following receipt of this and again the response has been forwarded to all members of the Committee.

**Page 60 MC/20/3204 Avenue Tennis Club, Glebe Road,
Gillingham**

Recommendation

Add the following condition

- 18 The development shall be implemented in accordance with the measures to address energy efficiency and climate change submitted on 23 March 2021 and prior to first occupation of the development a verification report prepared by a suitably qualified professional shall be submitted to the Local Planning Authority confirming that all the agreed measures have been undertaken and will thereafter be maintained on site.

Reason: In the interests of sustainability and to positively address concerns regarding Climate Change in accordance with the NPPF.

Representation

Additional letter received from applicant (copied/appended to this report).

Page 80 MC/20/3057 17-73 Russell House, Russell Court, Luton Chatham

Recommendation

Amend condition 13 for the reason as follow

It is important to ensure that vital access for emergency services, including to adjacent properties, can be achieved. It has been confirmed that although the parking area would be gated, emergency services would still be able to access through the site by the use of a suitable lock on the parking area gates. It is recommended that this is secured by condition.

- 13 Notwithstanding the plans hereby approved any gates to the site shall open inwards to the site, including the vehicular gates to the car park, and these vehicular gates shall only be locked using a method which remains accessible to the emergency services at all times.

Reason: In the interests of highway safety and amenity and to ensure emergency access, in accordance with Policies BNE2 and T1 of the Medway Local Plan 2003.

Page 106 MC/20/3216 65 Norman Close, Wigmore, Gillingham

Representation

Further representation forwarded by Councillor Rodney Chambers, received from neighbouring occupier at 66 Norman Close with photographic evidence of the impact of the proposed extension (in particular) to the first-floor rear extension on their amenity. (copy of email and photographs as per request from Councillor Rodney Chambers appended to this report).

Page 112 MC/21/0407 51 Shepherds Gate, Hempstead, Gillingham

Deferred from this meeting on request of applicant.

Copy of letter to Committee

Dear David and Madeline

Following our discussions last week, I felt that I may not have explained the history of Avenue Tennis fully.

Please see below a letter regarding the Planning Committee Meeting being held on Wednesday 31st March 2021 where the planning application for Avenue Tennis, Glebe Road is being considered.

If you will allow me to explain a few truths regarding the planning application submitted as I feel many statements have been made against this application under false pretences.

The previous owner of the Glebe Road site was Mr Phil Manning, his dream was to provide indoor tennis courts so that children in the local community could be coached all year round and not just when the good weather permitted.

I was a member at Avenue Tennis, Glebe Road and upon extensive conversations regarding his aspirations, Mr Manning offered me the freehold of the site if I could build an indoor tennis centre and make his dreams a reality. I did offer to buy the land, but he insisted I had the 999-year leasehold for £5. We looked at the possibility of making the Glebe Road site an indoor tennis facility but upon obtaining the 442 Club which was located only half a mile up the road, we decided that we would be able to create the best facility that Mr Manning had longed for in the area. Unfortunately, while the planning application for the new tennis centre was going through, Phil Manning passed away.

Once the new Avenue Tennis centre was built and opened, Phil Manning's brothers approached me requesting that I submitted a planning application to build houses on the old site as they had inherited the freehold of the site from Phil. During this period, my family and I were under significant pressure managing the new centre and therefore we were not in a position to progress such a project at that time.

In late 2017 I offered to purchase the freehold from Mr Manning's brothers in order that they could receive an immediate return on their title. They subsequently accepted this offer and with this the 999-year lease and the associated covenant was removed from Land Registry upon completion.

Once we had purchased the freehold and the new centre was exceeding all of our own expectations, we decided to progress matters at the old site in order to recoup some of our investment. The construction of the new centre had exceeded the original budget by some 30%. The old site was a blank canvas in which we decided after a pre-planning meeting with Medway Council to apply for planning permission to construct houses in an area in which housing is very much in short supply. The design and layout of this application was deemed to be respectful and considerate of the surrounding area however, this was very displeasing to local residents and my family and I have received a nonstop barrage of false accusations from the residents of Glebe Road and the surrounding areas. Some of these individuals are members of the new Avenue Tennis club and benefit vastly from the facilities that we have created in memory of Mr Manning.

Mr Oliver Fish has made himself the main organiser in representing the local community who are opposing the redevelopment of the old tennis site. Mr Fish

has personally visited all the local houses in Glebe Road and the adjacent roads to drum up opposition to the planning application that has been submitted. He has also distributed the attached letter to all the residents which is attempting to malign my name and that of my family (Copy Attached).

Mr Fish also states in his letter that we are trying to re-coup on our loss-making new tennis centre, again this is not correct. I have never anticipated the new centre to be profitable and only hope one day it will be sustainable without my family's ongoing financial support.

My aim from the outset was to offer a high standard of tennis coaching to the local children of Medway, the old club in Glebe Road had only 10 junior tennis members whereas now at the new centre we have over 250 children within the tennis program all paying very low membership rates. We also provide tennis scholarships via our registered charity arm to ensure talented children can obtain the level of coaching required irrespective of wealth.

I feel very hurt that Mr Fish can state that my family and I are greedy. We have provided employment for over 150 staff between our local companies. We also sponsor the local football club; Gillingham FC along with supporting the Rochester and District Football League and numerous other local charities and sports clubs. We are also Gold Members of the Medway 100 Club which is operated via the Kent Community Foundation Trust.

There are a number of new developments in Medway that have received planning consent with less parking spaces than this site and with much smaller access roads. We have provided 21 parking spaces so not to add to the parking in Second Avenue. We have made two previous applications that the planning department have put forward for approval, but these have both been rejected by the committee. We have listened to the committee and revised the planning to take account of these concerns. We believe we are simply seeking to make use of the old site which is no longer required and build some very pleasant properties in the local area and at the same time see a small fraction of our build costs returned from the new tennis centre.

I would like to thank you for allowing the time to read this letter and I hope it has cleared up many false accusations that have been wrongly smeared through social media and the press.

Kind Regards,

Colin Jarvis
Chairman

MEMS

Power

Generation

Email forwarded by Councillor Rodney Chambers

Dear Mr Chambers

Sorry to bother you and I think I may be too late but I have just noticed there is a planning meeting on Wednesday 31st March where the proposed application for 65 Norman Close is under consideration. I understand that you have raised this at the request of the residents at No 64 Norman Close.

I see from the documents that the application has been recommended but there are a couple of points I would like to make if that is possible.

It says 'There are similar side extensions on the street and the proposed extension would generally be in keeping with this existing character and would not have a negative impact on the streetscene'. However, that is incorrect as there are no similar side extensions on the street. There are plenty of single storey extensions (our is one of them) but no two storey extensions that extend into the back garden.

Also, it states that an overshadowing test had been conducted but I'm afraid that I don't agree with the findings.

I have attached a couple of pictures showing a before and after image.

We are not objecting to all of the changes just the double extension that extends into the back garden (single story is fine).

As I say I expect this is too late but I have only just noticed that meeting was taking place this week.

Photos attached to email

Before



After



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