Medway Council
Meeting of Planning Committee
Tuesday, 20 May 2014
6.30pm to 8.25pm

Record of the meeting
Subject to approval as an accurate record at the next meeting of this committee

Present: Councillors: Avey, Baker, Bowler, Carr (Vice-Chairman, in the Chair), Christine Godwin, Griffin, Griffiths, Adrian Gulvin, Hubbard, Royle, Smith and Watson

Substitutes: Councillors:
Harriott (Substitute for Gilry)
Hicks (Substitute for Mrs Diane Chambers)
Iles (Substitute for Mackness)
Wildey (Substitute for Purdy)

In Attendance: Chris Butler, Planning Manager - West
Doug Coleman, Senior Planner
Councillor Pat Cooper - Ward Councillor
Michael Edwards, Principal Transport Planner
Dave Harris, Head of Planning
Hannah Langford, Senior Lawyer (Planning and Projects)
Councillor Craig Mackinlay - Ward Councillor
Ellen Wright, Democratic Services Officer

14 Record of meeting
The record of the meeting held on 23 April 2014 was agreed and signed by the Chairman as correct.

15 Apologies for absence

Apologies for absence were received from Councillors Mrs Diane Chambers, Gilry, Mackness and Purdy.

16 Urgent matters by reason of special circumstances

There were none.

17 Chairman's Announcements

The Chairman announced the following:-
1. Members were reminded that on Tuesday 27 May, planning presentations were scheduled on the Solar Farm and the Section 106 agreement for J5 and J6 at Chatham Dockside. To date only six Members had indicated that they were attending the presentations and therefore Members were requested to return their reply slips as soon as possible.

2. Members were advised that there would be a Special Meeting of the Planning Committee on Wednesday 2 July 2014 for the purposes of considering the planning application for the Lodge Hill development.

3. The Committee was advised that at the Annual Meeting of the Council on 14 May 2014, Councillor Christine Godwin had replaced Councillor Colman on this Committee. The Chairman welcomed Councillor Christine Godwin to the Planning Committee.

4. The Chairman informed the Committee that this would be last ordinary meeting of the Planning Committee attended by Hannah Langford – Senior Lawyer (Planning and Projects) as she was soon to leave the employment of Medway Council. The Committee wished Hannah all the best for the future.

18 Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

Councillor Christine Godwin referring to planning application MC/13/2210 – Sectors 10, 11/15 and 13 Island Way West, St Mary’s Island, Chatham Maritime advised the Committee that her husband Councillor Paul Godwin was a Trustee of the Chatham Maritime Trust.

Councillor Harriott referring to planning application MC/14/0110 – Rainham Mark Social Club, 56 London Road, Rainham advised the Committee that as he had spoken on this planning application as Ward Councillor at the meeting on 23 April 2014 he would not take part in the consideration and determination of the planning application at this meeting.

Councillor Harriott referring to planning application MC/13/2210 – Sectors 10, 11/15 and 13 Island Way West, St Mary’s Island, Chatham Maritime advised the Committee that his son was a Trustee of the Chatham Maritime Trust.

Councillor Griffiths referring to planning application MC/13/2210 – Sectors 10, 11/15 and 13 Island Way West, St Mary’s Island, Chatham Maritime advised the Committee that he had been a Trustee on the Chatham Maritime Trust until the Annual Council Meeting on 14 May 2014. Therefore he considered that he no longer had an interest to declare.

Councillor Wildey referring to planning application MC/14/0040 – 32 Coppertree Walk, Lordswood, Chatham informed the Committee that he had discussed this
application with residents and therefore he would leave the meeting and take no part in the consideration and determination of the planning application.

19 Planning application - MC/14/0110 - Rainham Mark Social Club, 56 London Road, Rainham, Gillingham ME8 6YX

Discussion:

The Senior Planner reminded the Committee that this planning application had been deferred from the meeting on 23 April 2014 to enable Officers to undertake further consideration and discussions with the applicant on a number of issues.

He drew attention to the supplementary agenda advice sheet and advised the Committee that since the meeting on 23 April 2014, the Social Club had constructed a 1.5m wide footpath within the 2.5m wide strip which the Club had retained to the side of the application site. He confirmed that the footpath would be completed at each end to the same detail and quality once the construction of the proposed houses was at a suitable stage. He explained that the footpath could only be extended to Patrixbourne Avenue once planning permission had been granted as currently this land was owned by the Council and it would be sold to the applicant subject to planning permission being granted.

With regard to the turning area at the end of Patrixbourne Avenue, the applicant had advised that the proposed access would be 2m wider than the current access therefore making it easier for vehicles to turn than at present. In addition, there would be no cars parking in front of this access as this would be the entrance to the new dwellings.

The Committee considered the application noting the response from the applicant.

Decision:

Approved with conditions 1 – 11 as set out in the report for the reasons stated in the report.

20 Planning application - MC/13/2210 - Sectors 10,11/15 and 13 Island Way West, St Mary's Island, Chatham Maritime, Kent

Discussion:

With the agreement of the Committee, Councillor Mackinlay addressed the Committee as Ward Councillor on this planning application.

The Head of Planning outlined the planning application in detail and suggested that if the Committee was minded to approve this application proposed conditions 4, 6, 7, 8, 12, 19, 20, 21, 22, 23 and 24 be amended and proposed condition 14 be replaced as set out on the supplementary agenda advice sheet.
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The Head of Planning drew attention to various elements of the planning application and, in particular, the level of affordable housing, access routes to the riverside walk, play areas, flood risk measures, ecology and car parking.

The Committee discussed the application and the Head of Planning answered Member’s questions on issues relating to the application site.

Decision:

Approved subject to:

A) The applicant entering into a deed of variation under the terms of Section 106 Town and Country Planning Act 1990 to update the affordable housing section to take account of the changes in legislation and terminology that has occurred since 2005; and

B) Conditions 1 - 3, 5, 9 - 11, 13, 15 – 18 and 25 – 29 as set out in the report for the reasons stated in the report and conditions 4, 6, 7, 8, 12, 19, 20, 21, 22, 23 and 24 amended as set out below and revised condition 14 as set out below:

4. Within 3 months of the date of this decision full details of:

   A) A scheme demonstrating how access to the flood wall will be achieved to enable its future maintenance; and

   B) The location of a compound to facilitate the maintenance of the wall shall be submitted to and approved in writing by the Local Planning Authority. No development in relation to plots 19 - 48 (inclusive) and Plots 214-229 (inclusive), as detail on drawing number 1211_PL_004 Rev C, shall commence until the details submitted pursuant to this condition have been approved in writing by the Local Planning Authority. Thereafter the details as approved shall be implemented in accordance with the approved details prior to the occupation of the residential plots 19 - 48 (inclusive) and Plots 214 - 229 (inclusive). Thereafter the approved details shall be maintained.

Reason: To ensure that adequate access is available to maintain the existing flood defence wall in accordance with Policy CF13 of the adopted Medway Local Plan 2003 and Policy NRM4 of The South East Plan 2009.

6. Prior to commencement of any piling or penetrative foundation methods on site full details of the method for piling foundations or any other foundation designs using penetrative methods and any other proposals involving below ground excavation shall be submitted to and approved in writing by the Local Planning Authority. The piling works / foundation designs using penetrative methods / any other proposals involving below ground excavation as approved pursuant to this condition shall only be
implemented in accordance with the approved details and shall thereafter be maintained.

Reason: To prevent pollution of the water environment in accordance with Policy BNE23 of the Medway Local Plan 2003.

7. Prior to first occupation of any of the residential units, hereby permitted, full details of:

a) the local information leaflet highlighting leisure sites and attractions in the area; and

b) any associated signage required to minimise the impact recreational disturbance, resulting from residents of and visitors to the site, to the Special Protection Area and Site of Special Scientific Interest as specified in the SPA Mitigation Summary Report received on 15 April 2014 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved leaflet shall be supplied to each new dwelling resulting from this development on the first occupation of each residential unit. The approved signage shall be erected prior to first occupation of any of the residential units hereby permitted and shall be maintained.

Reason: To mitigate the impact of recreational disturbance on the surrounding Special Protection Areas and Sites of Special Scientific Interest in accordance with policies BNE35 and BNE36 of the Medway Local Plan 2003.

8. Prior to commencement of the construction of the café building, hereby permitted, fully detailed plans of the design, layout and scale, including any flue details and samples of the materials, of this building shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and maintained in accordance with those approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Medway Local Plan 2003.

12. Prior to the commencement of the part of the development that contains the Class B1 Office block a scheme to minimise the transmission of noise from the use of the premises shall be submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be completed before any part of the development building which contains the Class B1 office use is occupied and shall thereafter be maintained in accordance with the approved details.
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Reason: To ensure that the development does not prejudice the amenities of neighbouring property in accordance with Policy BNE2 of the Medway Local Plan 2003.

14. Prior to first occupation of any part of the development hereby permitted, details of the design and location of the security measures, including CCTV cameras and a date/programme for their implementation on site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and the implementation programme and the approved security measures shall thereafter be retained and maintained in working order.

Reason: To ensure a safe and secure environment in accordance with Policy BNE8 of the Medway Local Plan 2003.

19. The refuse strategy as set out on drawing 1211 Refuse Strategy for Marina Apartments and the accompanying letter dated 23 January 2014 shall be carried out to ensure that on collection day bins are moved from the bin stores to the highlighted bin hard standings. As soon as they are emptied the bins shall be moved back to the refuse stores. This shall occur every collection day.

Reason: To ensure that the development does not prejudice conditions of amenity and highway safety and accord with policy BNE2 of the Medway Local Plan 2003.

20. All dwellings within the development shall achieve a minimum of Code Level 3 of the Code for Sustainable Homes (or an equivalent rating in any subsequent replacing standard that has been agreed in writing by the Local Planning Authority). Prior to the first occupation of each residential unit the developer shall provide the Local Planning Authority with the Code for Sustainable Homes registration number and a design stage certificate confirming the code level that property has achieved.

Reason: To safeguard conditions of amenity within the scheme of development permitted and to promote the development of sustainable forms of development.

21. Prior to occupation of any part of the development full details of the number, location and type of life buoy’s to be provided around the attenuation ponds shall be submitted to and approved in writing by the Local Planning Authority. The life buoy’s shall be installed prior to first use of the landscaping area and subsequently maintained.

Reason: To ensure a safe and secure environment in accordance with Policy BNE2 of the Medway Local Plan 2003.

22. Prior to commencement on the Multi-Use Games Area (MUGA) full details of the type, height and location of boundary treatment around the
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MUGA shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be installed prior to first use of the MUGA and subsequently maintained.

Reason: To ensure a safe and secure environment in accordance with Policy BNE2 of the Medway Local Plan 2003.

23. Before any dwelling is first occupied a scheme identifying the party or parties responsible for the future maintenance of all open spaces, including the Multi-Use Games Area, the Locally Equipped Area of Play and Local Areas of Play but excluding all land falling within the public highway or private curtilages, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be undertaken otherwise than in complete accordance with the agreed details and the development shall thereafter be maintained in accordance with the approved details.

Reason: To regulate and control the development in the interests of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

24. Prior to first occupation of any of the residential units within plots PL336 to 339 (inclusive), PL312 to 335 (inclusive) and PL235 to PL283 (inclusive) full details of sound attenuating slot ventilators to the living room and bedroom windows, including details of the manufacturers technical data relating to noise attenuation of the slot ventilators that demonstrate that a sound reduction of 41dB when closed and 38dB when open is achieved, shall be submitted to and approved in writing by the Local Planning Authority. The details of sound attenuating slot ventilators, as approved pursuant to this condition, shall be fitted to living room and bedroom windows of the each residential units within PL336 to 339 (inclusive), PL312 to 335 (inclusive) and PL235 to PL283 (inclusive) prior to the occupation of each plot within plots PL336 to 339 (inclusive), PL312 to 335 (inclusive) and PL235 to PL283 (inclusive). Thereafter the development shall be maintained in accordance with the approved details.

Reason: To ensure the future occupiers of the units achieve maximum sound attenuation in accordance with Policy BNE2 of the Medway Local Plan 2003.

21 Planning application - MC/14/0571 - Part of Phase 3 and 4 Victory Pier, Pier Road, Gillingham, Kent ME7 1RL

Discussion:

The Head of Planning undertook a detailed presentation on this planning application and advised that since despatch of the agenda, the applicant had provided a précis of the parking provision at Victory Pier, a copy of which was appended to the supplementary agenda advice sheet.

This record is available on our website – www.medway.gov.uk
The Committee discussed the application noting that following the recent planning approval for a hotel in close proximity to this application site, as the proposed hotel was smaller than originally envisaged, a number of car parking spaces had been freed up on the application site.

**Decision:**

Approved subject to:

A) Referral to the Health and Safety Executive (HSE) as the PHADI + consultation system generated an objection to the proposal on the grounds of existing Hazardous Consents remaining on the site. Following a 'resolution to approve' a 21-day period of consultation with the HSE must take place giving the HSE the option to ask for referral to the Secretary of State on the basis of a continued objection to the proposal.

B) Conditions 1 – 5 as set out in the report for the reasons stated in the report.

22 Planning application - MC/14/0657 - Phase 1 and part of Phase 4, Victory Pier, Pier Road, Gillingham, Kent ME7 1RL

**Discussion:**

The Head of Planning undertook a detailed presentation on this planning application and advised that since despatch of the agenda, the applicant had provided a précis of the parking provision at Victory Pier, a copy of which was appended to the supplementary agenda advice sheet.

**Decision:**

Approved subject to:

A) Referral to the Health and Safety Executive (HSE) as the PHADI + consultation system generated an objection to the proposal on the grounds of existing Hazardous Consents remaining on the site. Following a 'resolution to approve' a 21-day period of consultation with the HSE must take place giving the HSE the option to ask for referral to the Secretary of State on the basis of a continued objection to the proposal.

B) Conditions 1 – 4 as set out in the report for the reasons stated in the report.

23 Planning application - MC/14/0649 - Unit 5, Block T, Pier Road, Gillingham, Kent

This record is available on our website – [www.medway.gov.uk](http://www.medway.gov.uk)
Discussion:

The Senior Planner outlined the planning application and advised the Committee that since despatch of the agenda, the applicant had submitted further information in support of the application, details of which were appended to the supplementary agenda advice sheet.

The Senior Planner suggested that if the Committee was minded to approve this application, an additional condition be approved requiring submission of a scheme to the Local Planning Authority ensuring that use of the facility after 11pm be restricted to students only.

The Committee discussed the application and noted that should planning approval be granted, the applicants would be required to apply separately for the licences required to operated the restaurant/bar.

Decision:

a) Approved with conditions 1 – 7 as set out in the report for the reasons stated in the report and an additional condition 8 as set out below:

8. Prior to the commencement of the use, hereby permitted, full details of the security arrangements proposed to ensure that entry to the use after 23:00 hours is restricted to students carrying a KentOne or NUS identification shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be implemented and maintained.

Reason: To regulate and control the development permitted in the accordance with the details submitted and interests of general amenity in accordance with Policy BNE2 of the Medway Local Plan 2003."

b) The Head of Planning be requested to ask that the University notify Ward Councillors of those occasions that the 50 late opening events will take place.

24 Planning application - MC/13/2575 - Orchard Grove, Meresborough Road, Rainham, Kent ME8 8JQ

Discussion:

The Senior Planner outlined the planning application and advised the Committee that should it be minded to approve the application, proposed condition 1 would result in such approval being for a temporary period until 31 December 2018

Decision:

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Approved with conditions 1 – 5 as set out in the report for the reasons stated in the report.

25  Planning application - MC/14/0407 - Land rear of 2 - 10 Beechings Way, 224 - 234 Featherby Road and 1 - 13 Teynham Green, Gillingham Kent ME8 6PT

Discussion:

The Senior Planner outlined the planning application and informed the Committee that should the application be approved, modifications would be undertaken to the highway island in Beechings Way so as to ensure that vehicles could access the application site.

Decision:

Approved with conditions 1 – 14 as set out in the report for the reasons stated in the report.

26  Planning application - MC/13/3182 - Building to the rear of 2 Love Lane, Rochester ME1 1TN

Discussion:

The Planning Manager – West outlined the planning application in detail.

Decision:

Approved with conditions 1 – 7 as set out in the report for the reasons stated in the report.

27  Planning application - MC/14/0040 - 32 Coppertree Walk, Lordswood, Chatham ME5 8TS

Discussion:

The Planning Manager – West outlined the planning application in detail.

Decision:

Approved with conditions 1 – 4 as set out in the report for the reasons stated in the report.

28  Appeals Report for the period January - March 2014
Planning Committee, 20 May 2014

Discussion:

The Committee received a report for information setting out appeal decisions for the period January – March 2014.

Decision:

The Committee noted the report.

Chairman

Date:

Ellen Wright, Democratic Services Officer

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