

Medway Council
Meeting of Planning Committee
Wednesday, 18 June 2014
6.30pm to 8.30pm

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), Mrs Diane Chambers (Chairman), Gilry, Christine Godwin, Griffin, Griffiths, Adrian Gulvin, Hubbard, Iles, Mackness, Royle and Smith
- Substitutes:** Councillors:
Willey (Substitute for Purdy)
- In Attendance:** Joe Alfano, Environmental Protection Officer
Amanda Berger-North, Locum Legal Representative
Chris Butler, Planning Manager - West
Doug Coleman, Senior Planner
Councillor Pat Cooper - Ward Councillor
Michael Edwards, Principal Transport Planner
Councillor Geoff Juby - Ward Councillor
Mark Lawson, Environmental Services Manager
Councillor Tristan Osborne - Ward Councillor
Councillor Adam Price - Ward Councillor
Mark Pullin, Planning Manager - Major Projects
Councillor Tony Watson - Ward Councillor
Ellen Wright, Democratic Services Officer

46 Record of meeting held on 20 May 2014 and Joint Meeting of Committees held on 14 May 2014

The record of the meeting held on 20 May 2014 and the record of the Joint Meeting of All Committees held on 14 May was agreed and signed by the Chairman as correct.

The Chairman drew attention to the supplementary agenda advice sheet and advised the Committee that in accordance with Minute 23 of the Planning Committee on 20 May 2014 (planning application MC/14/0649 – Unit 5 Block T, Pier Road, Gillingham), the specific wording of the additional condition requested by the Committee was as follows:

“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

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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 accordance with the details submitted and interests of general amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.”

47 Apologies for absence

An apology for absence was received from Councillor Purdy.

48 Chairman's Announcements

As this was the first meeting attended by the Chairman in this municipal year, she welcomed Councillor Christine Godwin to the Committee.

The Chairman also welcomed Councillor Iles to the Planning Committee having been appointed to replace Councillor Watson and she thanked Councillor Watson for his service on the Planning Committee.

The Chairman introduced Amanda Berger-North as the legal representative on the Committee to replace Hannah Langford and Joe Alfano, Environmental Protection Officer.

49 Urgent matters by reason of special circumstances

There were none.

50 Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

There were none.

51 Planning application - MC 13/1671 - Deangate Cottage, Dux Court Road, Hoo St Werburgh, Rochester ME3 8RZ

Discussion:

The Planning Manager – Major Projects outlined the planning application and advised the Committee that since despatch of the agenda, a further representation had been received from the applicant querying the content of recommended conditions 3 and 4 and asking that consideration be given to amending these so as to remove the applicants name from the condition, not to tie the use of the track to specific name(s)/property and to allow alternative model of operating to include some evenings during the week but limited to no

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more than six week days per year and no more than 12 two hour evening sessions between 18.30 hours and 20.30 hours, including weekends.

The Planning Manager – Major Projects suggested that if the Committee was minded to approve the application, the personal condition (No.3) should not be amended due to the fact that the reason for the imposition of the condition, as set out in the case papers, would be negated. In terms of the hours of use, (Condition 4), he explained that the suggested variations proposed by the applicant would amount to an over intensive use of the site that would adversely impact on the character of the area. However, he suggested that if the Committee was minded to approve the application, proposed condition 4 could be tightened.

The Planning Manager – Major Projects therefore drew attention to the supplementary agenda advice sheet and suggested that proposed condition 1 be deleted on the basis that the application is retrospective, proposed conditions 3 and 4 be amended as set out on the supplementary agenda advice sheet and the remaining conditions be renumbered. Drawing attention to proposed condition 3 (as amended on the supplementary agenda advice sheet) the Planning Manager – Major Projects also requested that the Head of Planning be granted delegated authority to amend the wording of this condition outside of the meeting to require the submission of the scheme of works for the restoration of the site to be submitted within 3 months from the date of the decision notice.

With the agreement of the Committee, Councillor Watson spoke on this application as Ward Councillor.

The Committee discussed the application, noting the benefits to young people, not only from the immediate area of the facility but Medway wide and having regard to the comments from the applicant on the hours of use.

Decision:

Approved subject to

- a) the deletion of proposed condition 1
 - b) conditions 2, and 4 – 6 as set out in the report for the reasons stated in the report but renumbered 1 and 3 – 5 following the deletion of proposed condition 1
 - c) Condition 3 amended and renumbered as follows with the Head of Planning being granted delegated authority to amend the wording of the condition outside of the meeting to require the submission of the scheme of works for the restoration of the site to be submitted within 3 months from the date of the decision notice.
2. The use hereby permitted shall be carried out only by Mr P Harris while he is living at Deangate Cottage, Dux Court Road, Hoo St Werburgh. The use shall cease and be discontinued when Mr P Harris ceases to live at Deangate Cottage, and the land shall be restored to its former

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condition prior to its use as a junior off road track, in accordance with a scheme of works related to the land restoration of the site that has first been submitted to the Local Planning Authority for its approval in writing. The scheme of works related to the land restoration of the site shall be submitted to the Local Planning Authority no later than 1 month prior to Mr P Harris ceasing to live at Deangate Cottage, Dux Court Road, Hoo St Werburgh. The scheme of works related to the land restoration of the site shall include a timetable for the implementation of the restoration works and shall be fully implemented in accordance with the scheme of land restoration approved in writing, by the Local Planning Authority, pursuant to this condition.

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

52 Planning application - MC/14/0375 - Allotment Site, Goldsworth Drive, Strood, Rochester ME2 3NR

Discussion:

The Planning Manager – West outlined the planning application and advised the Committee of the history relating to this application site.

The Committee discussed the application, noting that this application site had previously been the subject of a site visit.

Decision:

Refused on the grounds set out in the report.

53 Planning application - MC/13/3164 - The Chestnuts, Matts Hill Road, Rainham, Gillingham ME9 7XA

Discussion:

The Senior Planner outlined this planning application and drew attention to an amendment to the 2nd line in the 2nd paragraph on page 55 of the agenda in that the words “character and appearance of the surrounding countryside, the Special Landscape Area and the Area of Outstanding Natural Beauty” be added after the words “the harm to the”.

In addition, he suggested that if the Committee was minded to approve the application, the Head of Planning be granted delegated authority to amend the wording of proposed condition 2 outside of the meeting to require the submission of the scheme of works for the restoration of the site to be submitted within 3 months from the date of the decision notice.

Decision:

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Approved with conditions 1 – 7 as set out in the report for the reasons stated in the report and the Head of Planning be granted delegated authority to amend the wording of condition 2 outside of the meeting to require the submission of the scheme of works for the restoration of the site to be submitted within 3 months from the date of the decision notice.

54 Planning application - MC/13/3171 - The Chestnuts, Matts Hill Road, Rainham, Gillingham ME9 7XA

Discussion:

The Senior Planner advised the Committee that the description of the proposal for this planning application was misleading in the report in that it referred to a stable block. The description therefore required amendment to be as follows:

Variation of condition 1 on planning permission MC/13/0878 (retrospective application for the construction of a utility room and washroom) to allow for its use in relation to the use of the land as a traveller site.

In addition, he suggested that if the Committee was minded to approve the application, the Head of Planning be granted delegated authority to amend the wording of proposed condition 1 outside of the meeting to require the submission of the scheme of works for the restoration of the site to be submitted within 3 months from the date of the decision notice.

Decision:

Approved with conditions 1 and 2 as set out in the report for the reasons stated in the report and the Head of Planning be granted delegated authority to amend the wording of condition 1 outside of the meeting to require the submission of the scheme of works for the restoration of the site to be submitted within 3 months from the date of the decision notice.

55 Planning application - MC/14/0547 - Garage Site Adjacent 6 Hazelmere Drive, Gillingham ME7 2TD

Discussion:

The Senior Planner outlined the planning application and advised the Committee that the applicant for this planning application was Medway Council.

In addition, he advised that since despatch of the agenda, a petition containing 41 signatures had been submitted objecting to the planning application, and the grounds for objections were set out on the supplementary agenda advice sheet.

Decision:

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

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56 Planning application - MC/14/0781 - 42 Silverweed Road, Weeds Wood Chatham ME5 0QX

Discussion:

The Planning Manager- West outlined the planning application and advised the committee that this application had been referred to committee for determination due the level of representations received that were contrary to the recommendations of officers.

In considering this application and the representations received, the Committee noted that concerns regarding competition could not be taken into account as these issues were not planning considerations.

Decision:

Approved with conditions 1 and 2 as set out in the report for the reasons stated in the report.

57 Planning application - MC/14/1067 - 1 Charlotte Drive, Rainham, Gillingham ME8 0DA

Discussion:

The Planning Manager – West outlined the planning application .

Decision:

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

58 Planning application - MC/14/0588 - 2 Ash Close Wayfield, Chatham ME5 9BL

Discussion:

The Planning Manager – West outlined the planning application and drew attention to the specific orientation of the application site as shown during the photographic presentation at the meeting.

With the agreement of the Committee, Councillor Osborne spoke on this planning application as Ward Councillor.

The Committee discussed the application noting the points raised by the Ward Councillor and the Officer's response to questions

Decision:

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Approved with conditions 1 – 3 as set out in the report for the reasons stated in the report.

59 Planning application - MC/13/0102 - Croneens Car Park, Railway Street, Gillingham

Discussion:

The Planning Manager – Major Projects outlined the planning application in detail.

He advised that since despatch of the agenda, one additional letter of objection had been received stating that the site would be better used for affordable housing. In addition, an email had been received from Councillor Stamp questioning why there was no condition relating to replacement pay and display/public car parking provision.

He suggested that if the Committee was minded to approve the application, an additional condition 16 be approved as follows:

16. No development shall take place, and the existing car parking within the site shall remain open and available for use by the general public, until 115 replacement pay and display parking spaces have been provided and made available for use. The replacement parking spaces shall be provided within 300 metres of any boundary of the application site.

Reason: In the interests of amenity in accordance with policies BNE2 and T13 of the Medway Local Plan 2003.

He outlined the location of the proposed replacement car parking provision.

The Committee was also informed that this application had been reported to Committee for determination due to the level of representation received contrary to the Officer's recommendations.

The Committee discussed the application and whilst generally supportive of the proposal, expressed concern that despite the suggested new condition requiring provision of 115 replacement car parking spaces, there was still insufficient car parking provision for users of the facility once it became operational.

The Committee understood the applicant's need to relocate from its existing premises as the premises were considered too small and, although the Committee noted that the application site was close to a mainline railway station and on bus routes, the Committee also had regard to the fact that the existing car park is regularly used by commuters and therefore on work days, car parking provision in the vicinity of the application site would be well used by the public. The Committee also noted that the application site was in close proximity to a local primary school and Gillingham Football Club and that there

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was already tension in the area as residents compete for limited on street car parking provision.

The Committee also expressed concern as to the effect that the development could have on the highway in Railway Street as, located outside the application site, was a hump bridge where motorists were unable to view oncoming traffic. This bridge was in close proximity to the local primary school and a level crossing therefore, any substantial increase in traffic on this road could have implications for highway safety.

Other issues discussed included the size of the proposed building and its affect this would have on the character of the area and the skyline.

The Committee noted the information that had been supplied following spot checks on parking availability but noted that such data related to July 2011 and April 2013 and was therefore over 12 months out of date.

On the basis that this application related to the new build of a facility on what is currently an open space, the Committee expressed the view that this provided an opportunity for the applicants and Officers to have full regard to the future use of the proposed buildings and how such use could fit in with the local community, if necessary reducing the size of the proposed buildings and the creation of increased parking provision. On this basis, it was considered that the application be deferred for further discussions on ways of overcoming the Committee's concerns.

Decision:

Consideration of this application be deferred to enable Officers to undertake further discussions with the applicants to overcome concerns regarding the size of the proposed buildings and the proposed lack of car parking provision for users of the proposed facilities.

60 Planning application - MC/13/3121 - Land rear of 48 Cambridge Road, Strood ME2 3HW

Discussion:

The Planning Manager – West outlined the application and advised the Committee that since despatch of the agenda, the applicants agent had submitted a letter expressing concern regarding the pre-application advice which had been given and the comments and recommendation advice from the case officer during the processing of the application. The applicant's agent had supplied a chronology of discussions with officers and at the agent's request, a copy of this had been appended to the supplementary agenda advice sheet.

He further advised that Councillor Etheridge had been unable to attend the meeting but had requested that her letter of objection be appended to the supplementary agenda advice sheet and therefore this had also been

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circulated. Councillor Etheridge had requested that the application be deferred to enable a site visit to take place.

The Committee discussed the application but did not support the request for a site visit as the photographic presentation adequately showed the application site and the street layout.

Decision:

Refused on the grounds set out in the report

61 Planning application - MC/14/0400 - The Vicarage, 80 Broadview Avenue, Rainham, Gillingham

Discussion:

The Senior Planner outlined the planning application.

Decision:

Approved with conditions 1 and 2 as set out in the report for the reasons stated in the report.

62 Exclusion of the press and public

The Committee agreed to ask the press and public to leave the meeting because the following items contained sensitive information relating to current legal proceedings. The information was considered to be exempt under paragraph 6 of part 1 of Schedule 12A of the Local Government Act 1972.

63 Section 215 Enforcement Report for the period January - March 2014

Discussion:

The Environmental Services Manager reported upon action taken by the Environmental Enforcement Team with regard to Section 215 Notices for the period January – March 2014.

Decision:

The Committee noted the report and expressed its appreciation to the Environmental Enforcement Team for the work that they undertake on Section 215 enforcement.

64 Derelict Buildings Report for the period January - March 2014

Discussion:

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In the absence of the Derelict Buildings Officer, the Planning Manager – Major Projects reported on action taken during the period January – March 2014 and highlighted specific properties where improvements had been made.

Decision:

The Committee noted the report and expressed their appreciation to the Derelict Buildings Officer for the work undertaken on targeting key buildings within Medway.

65 Enforcement Report for the period January - March 2014

Decision:

It was noted that all issues raised by individual members of the Committee had been dealt with prior to the meeting and therefore this report was noted.

Chairman

Date:

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