

Medway Council
Meeting of Planning Committee
Wednesday, 13 August 2014
6.30pm to 8.35pm

Record of the meeting

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

- Present:** Councillors: Avey, Baker, Bowler, Mrs Diane Chambers (Chairman), Gilry, Christine Godwin, Griffin, Griffiths, Adrian Gulvin, Iles, Purdy, Royle and Smith
- Substitutes:** Councillors:
Pat Gulvin (Substitute for Mackness)
Hicks (Substitute for Carr)
Maple (Substitute for Hubbard)
- In Attendance:** Robin Cooper, Director of Regeneration, Community and Culture
Councillor Pat Cooper - Ward Councillor
Amanda Berger-North, Locum Legal Representative
Michael Edwards, Principal Transport Planner
Dave Harris, Head of Planning
Councillor Geoff Juby - Ward Councillor
Councillor Adam Price - Ward Councillor
Carly Stoddart, Planning Manager - East
Ellen Wright, Democratic Services Officer

209 Record of meeting

The record of the meeting held on 16 July 2013 was agreed and signed by the Chairman as correct.

The Committee noted that in accordance with Minute 149 relating to planning application MC/14/1272 – Land at Chatham Docks, Pier Road, Gillingham, the Head of Planning in liaison with the Chairman and Vice Chairman and, under powers delegated to him agreed the wording of condition 16 as follows:

16. Within one month of the commencement of development a report which sets out the measures taken to ensure that there is appropriate access for people with disabilities both to and within the building shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be installed prior to the first use of the building and shall thereafter be retained.

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Reason - In the interests of accessibility for people with disability and to accord with Policy BNE7 of the Medway Local Plan 2003

210 Apologies for absence

Apologies for absence were received from Councillors Carr, Hubbard and Mackness.

211 Urgent matters by reason of special circumstances

There were none.

212 Chairman's announcements

1. At the invitation of the Chairman, the Democratic Services Officer advised there may be members of the press and public taking photographs, filming or audio-recording and reporting the proceedings. This was permitted under the Openness of Local Government Bodies Regulations 2014, which took effect on 6 August 2014. The Democratic Services Officer asked anyone exercising this right to do so in a way that did not disrupt the meeting and to ensure that any members of the public attending were not filmed or recorded against their wishes. People wishing to make use of this new law were requested to move to the front row of the public gallery.

Following consideration of planning application MC/13/0102 (Croneens Car Park, Railway Street, Gillingham) there was a brief adjournment to enable the public gallery to clear and for those members of the public waiting to hear the debate on other planning applications to take up their seats in the public galley. The above statement was repeated by the Democratic Services Officer prior to commencement of the meeting.

2. The Chairman advised the Committee that there would be a Special Meeting of the Planning Committee on 4 September 2014 to consider the planning application for Lodge Hill.

213 Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

Councillor Pat Gulvin referring to planning application MC/14/0928 (6 Bowman Close, Lordswood Chatham) informed the Committee that as she had spoken

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on this planning application as Ward Councillor on 16 July, she would not take part in the determination of this application at this meeting.

Councillor Purdy referring to planning application MC/14/0928 (6 Bowman Close, Lordswood Chatham) advised that she would withdraw from the Committee for the determination of this planning application as she had a similar application currently being processed in her Ward.

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

Discussion:

The Planning Manager – East outlined the application and reminded the Committee that this application had originally been considered at the meeting on 18 June 2014 but had been deferred to enable the applicants to undertake further work in relation to the proposed parking arrangements.

She drew attention to the Proposals Section of the report and advised that this had been retained as originally submitted. However the Highways Section of the report had been amended to reflect the new parking arrangements. A further condition had also been recommended to secure the car parking arrangements.

During her presentation on this planning application, the Planning Manager – East drew attention to the supplementary agenda advice sheet which set out a proposed amendment to condition 17 relating to the provision of 29 off-site parking spaces.

In addition, she advised that the information contained within the Highways Section required correction to state that 31 parking spaces would be allocated within the site rather than 30 spaces. Therefore the proposed parking for this development would be as follows:

Spaces within the application site	31
Spaces within private car park area adjacent to South Eastern Railway Station car park	20
Spaces within South Eastern Railway Car park secured via scratchcard scheme	20
Total for the development	71

The Committee was informed that since despatch of the agenda, six further letters of representation had been received, details of which were summarised on the supplementary agenda advice sheet.

The Planning Manager – East confirmed that in considering this planning application, Officers had taken into account the use of the existing car park for coaches transporting fans to Gillingham Football Club. It was considered that with the replacement parking to be provided on the former petrol filling site,

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such arrangement could continue to operate. It was however stressed that this arrangement was with the Council and not with the applicants.

The Committee was also advised that appended to the supplementary agenda sheet was an updated parking survey of both the Croneens Car Park and the South Eastern Railway Station Car Park undertaken between 26 June and 13 July.

Referring to proposed condition 16 and the new condition 17 set out on the supplementary agenda advice sheet, it was suggested that if the Committee was minded to approve the application, both conditions be amended to state that the parking arrangements be retained so as to secure the parking provision in the long term.

The Committee discussed the planning application and noted that the Committee's previous concerns regarding lack of parking provision had been addressed. Some Members advised that they continued to have reservations about the size and location of the proposed development and the possible competing demands on parking provision in the locality of the development.

Decision:

Approved with conditions 1 – 15 as set out in the report for the reasons stated in the report and conditions 16 and 17 amended 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 300m of any of any boundary of the application site and shall be retained thereafter.

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

17. No development shall take place until details of the parking arrangements for a minimum of 29 off-site parking spaces to serve the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved parking arrangements prior to the first use or occupation of the building and shall be retained thereafter.

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

215 Planning application - MC/13/3301 - Restoration House, 17 Crow Lane, Rochester ME1 1RF

Discussion:

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The Head of Planning suggested that the Committee defer consideration of this planning application so that further consideration could be given to comments from consultees including Kent County Council Archaeology.

In the light of the fact that the site was not visible from public land and reflecting the issues, including the historical importance of the proposals, the Head of Planning suggested that the Committee may wish to undertake a site visit prior to the report coming back to Committee.

Decision:

Consideration of this application be deferred to enable further consideration of the comments received from consultees and in the meantime, a site visit be undertaken.

216 Planning application - MC/13/3305 - Restoration House, 17 Crow Lane, Rochester ME1 1RF

Discussion:

The Head of Planning suggested that the Committee defer consideration of this planning application so that further consideration could be given to comments from consultees including Kent County Council Archaeology.

In the light of the fact that the site was not visible from public land and reflecting the issues, including the historical importance of the proposals, the Head of Planning suggested that the Committee may wish to undertake a site visit prior to the report coming back to the Committee.

Decision:

Consideration of this application be deferred to enable further consideration of the comments received from consultees and in the meantime, a site visit be undertaken.

217 Planning application - MC14/0939 - Dickens World Ltd, Chatham Maritime, Chatham ME4 4LL

Discussion:

The Head of Planning informed the Committee that since despatch of the agenda, letters had been received from both the agents and objectors with requests that they be circulated to all members of the Planning Committee. The letters were therefore appended to the supplementary agenda advice sheet.

The Head of Planning addressed a number of issues highlighted by both the agent and the objector and the background to the reasons why planning permission MC/2004/2592 had been personalised to Dickens World Leisure Attraction.

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He advised the Committee that the reason for the request to vary condition 50 of planning permission MC/2004/2592 to remove reference to Dickens World Leisure Attraction was to enable a gym to be provided within part of the Dickens World building. He stated that although the Dickens World building was located outside the town centre, officers considered that use of part of Dickens World as a gym would not adversely affect the strategy for or vitality or viability of Chatham Town Centre and other neighbouring centres. Whilst it was acknowledged that planning permission had been granted in 2009 for a gym facility within the development of Jetty 5, to date the area designated for this purpose remained vacant.

The Head of Planning advised the Committee that to remove Dickens World Leisure entirely from condition 50 would lead to the area currently being occupied by them open to any use within Class D2 or Class A3 of the use classes order. However, due to the extent of leisure activities that fall within Class D2 use or for further Class A3 uses to occupy the premises, it was not considered acceptable to give an open ended D2 and A3 consent and remove Dickens World Leisure entirely from the condition. It was considered that a variation of the condition to meet the current circumstances would be more acceptable and therefore it was recommended that should the Committee be supportive of the proposal, condition 50 be suitably worded to include a gym facility.

It was explained that to vary the wording of condition 50, would in effect replace the previous planning permission and the decision notice would be reissued with all original conditions if they were still relevant and required and any further conditions that may be deemed necessary. As a result of this, the reworded condition would now become condition 2.

Decision:

Approved with conditions 1 – 9 as set out in the report for the reasons stated in the report.

218 Planning application - MC/14/1486 - St Andrews Park (Former Cemex Site) Land to the West and East Side of A228 Formby Road, Halling, Rochester ME2 1AW

Discussion:

The Head of Planning outlined the planning application to vary conditions 5, 39 and 40 of planning permission MC/12/1791 and conditions 5, 23, 39 and 40 of planning permission MC/14/0121.

He advised the Committee that all the previous conditions applied under planning permission MC/12/1791 would be either re-imposed or updated to reflect previously discharged information. Furthermore he advised that the original application had included a lengthy Section 106 agreement, details of which were set out in the committee report.

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He advised that under paragraph 6.13.2 of the Section 106 agreement, any subsequent application to vary previously imposed conditions remained bound to the Section 106 contributions previously approved, therefore it was not necessary to issue a new Section 106 agreement or a deed of variation to the Section 106 agreement signed on 28 August 2013.

Decision:

Approved with conditions 1 – 52 as set out in the report for the reasons stated in the report.

219 Planning application - MC/14/1407 - Flanders Farm, Ratcliffe Highway, St Mary Hoo, Rochester ME3 8QS

Discussion:

The Planning Manager – East outlined the application and suggested that should the Committee be minded to approve the application, proposed condition 1 be amended as set out on the supplementary agenda advice sheet.

Decision:

Approved with condition 1 as set out below:

1. The development hereby permitted shall remain in accordance with the following approved plans 917/11/01; 917/11/02; 015612-01; and ICA/1300/05G received on 22 May 2014.

220 Planning application - MC/14/1484 - Corporation Street Car Park, Corporation Street, Rochester

Discussion:

The Planning Manager – East outlined the planning application and advised the Committee that this application would normally have been considered under officers' delegated powers but had been referred to the Committee for consideration at the request of Councillor Adrian Gulvin.

The Planning Manager – East explained that pursuant to conditions 10, 11 and 12 of planning permission MC/13/0971, Officers and Network Rail had explored various options for the surface materials for the retaining walls facing the riverside, Corporation Street and in the subway.

The preferred materials would provide a robust surface that would be graffiti resistant and it was intended that the chosen colour scheme would be provided in a decorative patchwork pattern.

The Committee discussed the application and expressed the view that the proposed design/colour scheme was not sympathetic to the location given the prominence of the structure in a Conservation Area. Whilst it was recognised

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that there were a range of colours that could be used on the walls it was felt that further consideration should be given to the proposals as to the colour to be used and whether the design should be one or more colours.

Decision:

Consideration of the application be deferred to enable Officers to undertake further consideration, in consultation with Network Rail, as to an appropriate colour or colours and design scheme for the walls of the railway station facing Corporation Street, the riverside and the subway.

221 Planning application - MC/14/0928 - 6 Bowman Close, Lordswood, Chatham ME5 8LD

Discussion:

The Head of Planning reminded the Committee that this application had been considered by the Committee on 16 July 2014 following which concern had been expressed as to the extent of dog related activities being carried out at the premises taking into account that the applicant's website advertised dog boarding.

The Head of Planning confirmed that the applicants had now confirmed that the dog boarding side of their business had ceased and they had since removed reference to dog boarding from the website. Therefore, the application was purely for dog grooming. It was suggested that if the Committee had concern regarding possible intensification of the business at a future date, an informative be imposed on any decision notice restricting the use of the premises to dog grooming.

The Committee discussed the proposal noting that if approved, the applicant was restricted to having only one dog visiting at one time and that no more than 10 dogs shall visit the premises in any one week period (Monday – Saturday).

A member suggested that if the Committee was minded to approve the application, as this premises was located in a residential area, such approval be restricted to a period of one year with the applicant being permitted to reapply for planning permission at the end of this period. This would enable a period of assessment as to whether the business had any detrimental impact upon neighbours.

Decision:

Approved with conditions 1 – 4 as set out in the report for the reasons stated in the report but with such conditions being renumbered 2 – 5, new condition 1 and, an informative as set out below:

1. The use hereby permitted shall be discontinued and the land restored to its former condition on or before 14 August 2015 in accordance with a

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scheme of work to be submitted to and approved in writing by the Local Planning Authority.

Reason: To allow the Local planning Authority an opportunity to assess the effect of the permitted development on the amenities of the surrounding area in accordance with Policy BNE2 of the Medway Local Plan 2003.

Informative:

The applicant is reminded that this permission relates to the dog grooming business as set out in the application documents and plans only. No dog boarding at the premises has been approved and if this was undertaken in addition to the dog grooming then this would require the benefit of further planning permission.

222 Planning application - MC/14/0564 - Mayfield, The Street, Upper Halling, Rochester ME2 1JD

Discussion:

The Planning Manager – East outlined the planning application.

Members discussed the arrangements for refuse disposal from the properties but noted that outline planning permission for this development had been granted in 2010, prior to the Committee strengthening its policies on the provision of refuse arrangements for households.

A member drew attention the number of representations regarding the condition of Bradley Road and was advised that the road was a private road and not adopted as a public highway.

Decision:

Approved with conditions 1 – 6 as set out in the report for the reasons stated in the report.

223 Planning application - MC/14/1577 - Bank View, Albany Road, Rochester ME1 3ET

Discussion:

The Planning Manager – East outlined the planning application and referred in particular to the representation received in respect of the loss of car parking should the application be approved. She confirmed that Officers had considered the application having regard to the unrestricted parking available in Albert Road and felt that the loss of one or two parking spaces in return for an off street parking area and garage to accommodate at least 4 cars would not cause a severe increase in on-street parking pressure.

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Decision:

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

224 Performance Monitoring April - June 2014

Discussion:

The Head of Planning reported on performance for the period 1 April – 30 June 2014 and advised the Committee that this was the first quarter performance monitoring since the introduction of a new structure within the Directorate.

The Head of Planning drew attention to various areas of the performance statistics and in particular the level of appeals which had been upheld during this quarter (61%) as compared to the level of appeals upheld in the same quarter in 2013 (32%). The Head of Planning outlined a number of the appeal decisions which had contributed to the increase in appeals allowed between January – March and April – June 2014 and advised that whilst some cases had been balanced, there were a number of decisions which were cause for concern around the reasons why the Planning Inspector had upheld the appeal. He advised that these particular issues would be raised with the Planning Inspectorate. It was however evident that when refusing a planning application, the production of evidence to support such refusal grounds was important.

The Committee noted that Development Management had also introduced an electronic customer satisfaction survey, the results of which would now be reported as part of the quarterly performance statistics.

Decision:

The Committee noted the report.

Chairman

Date:

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