

**Medway Council**  
**Meeting of Planning Committee**  
**Wednesday, 8 October 2014**  
**6.30pm to 7.30pm**  
**Record of the meeting**

**Present:** Councillors: Avey, Bowler, Carr (Vice-Chairman),  
Mrs Diane Chambers (Chairman), Gilry, Christine Godwin,  
Griffiths, Adrian Gulvin, Hubbard, Iles, Purdy, Royle and Smith

**Substitutes:** Councillors:  
Pat Gulvin (Substitute for Griffin)  
Turpin (Substitute for Mackness)

**In Attendance:** Dave Harris, Head of Planning  
Amanda Berger-North, Locum Legal Representative  
Michael Edwards, Principal Transport Planner  
Madeline Mead, Planner  
Carly Stoddart, Planning Manager - East  
Ellen Wright, Democratic Services Officer

**420 Record of meetings**

The record of the Special Meeting held on 4 September 2014 and the ordinary meeting held on 10 September 2014 was agreed and signed by the Chairman as correct.

Referring to the meeting held on 10 September 2014, the Committee's attention was drawn to the following condition and refusal grounds agreed by the Head of Planning under delegated powers in consultation with the Chairman and Vice Chairman:

**Minute 306 (Planning application MC/14/1401 – 33 Goddington Road, Strood, Rochester ME2 3DE)**

Condition 9 as follows:

9. Prior to first occupation of the annexe hereby approved details of any internal garden separation between the main house and the annexe shall be submitted to and approved in writing with the Local Planning Authority. The details submitted shall include for the removal of part or all of the existing fencing separating the two and shall ensure that the open aspect between the dwelling and annexe is maintained so that the annexe remains and appears ancillary to and part of the main

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dwellinghouse. The approved separation shall thereafter be retained and no fencing or other enclosure, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or not (or any Order amending, revoking and re-enacting that Order) shall be erected within the site.

Reason: In the interests of the amenities of the area, the amenities of the occupiers of both the annexe and dwellinghouse and to ensure that the annexe remains visibly ancillary to the dwellinghouse. All in accordance with Policies BNE1 and BNE2 of the Medway Local Plan 2003.

### **Minute 310 (Planning application – Mc/14/1695 – Land at 35 Powlett Road, Strood, Rochester, Kent ME2 4RD)**

Refused on the following ground:

The proposed development by virtue of its siting, prominence in the street scene, contrived nature, relationship with adjacent properties and access would be out of character with and harmful to the general character of the street scene and area in general and represents poor design. The proposal is therefore contrary to Policies BNE1, BNE2 and H4 of the Medway Local Plan 2003 and to the NPPF 2012.

### **Minute 311 (Planning application MC/14/1697 – 371 – 375 Maidstone Road, Rainham, Gillingham ME8 0HX)**

Refused on the following ground:

The development, by virtue of the contrived nature of the car parking proposed to the rear that is unlikely to be readily and easily used, would result in competition for the off street parking spaces to the front of the shops which would have the knock on impact of either being detrimental to the viability and vitality of the shops within this Local Centre or causing potential customers to the shops or prospective residents or visitors to the proposed flats to park in an inappropriate location to the detriment of highway safety in this location close to a busy roundabout junction. The proposal is therefore contrary to the provisions of Policies H4, R10, T1 and T13 of the Medway Local Plan 2003 and the NPPF 2012.

#### **421 Apologies for absence**

Apologies for absence were received from Councillors Baker, Griffin and Mackness.

#### **422 Urgent matters by reason of special circumstances**

There were none.

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### 423 Chairman's announcements

The Chairman on behalf of the Committee welcomed Madeline Mead, Planner to her first meeting of the Committee.

### 424 Declarations of disclosable pecuniary interests and other interests

#### Disclosable pecuniary interests

There were none.

#### Other interests

Councillor Avey referring to planning applications MC/13/3021, MC/13/3022 and MC/13/3031 all relating to 76 (Mcdonalds Restaurant Ltd) Commercial Road, Strood, Rochester ME2 2AD) advised the Committee that he was not a member of the Strood Town Centre Forum but attended meetings of the Forum. However, he confirmed that he had not been involved in any discussions relating to these three planning applications.

Councillor Adrian Gulvin referring to planning application MC/14/2148 – Garages to the rear of 1 – 3 Lavender Close and adjacent to 2f Mayweed Avenue, Chatham advised the Committee that he wished to speak on this planning application as a Ward Councillor and therefore would remove himself from the Committee and take no part in the determination of this planning application.

Councillor Hubbard referring to planning applications MC/13/3021, MC/13/3022 and MC/13/3031 all relating to 76 (Mcdonalds Restaurant Ltd) Commercial Road, Strood, Rochester ME2 2AD) advised the Committee that although he was a Council representative on the Strood Town Centre Forum, the Forum had a Sub Committee that considered planning applications and he did not take part in this Sub Committee therefore, he had not been involved in any discussions relating to these three planning applications.

Councillor Iles referring to planning applications MC/13/3021, MC/13/3022 and MC/13/3031 all relating to 76 (Mcdonalds Restaurant Ltd) Commercial Road, Strood, Rochester ME2 2AD) advised the Committee that although she was a member of the Strood Town Centre Forum she had not attended any meetings at which these three planning applications had been discussed.

Councillor Turpin referring to planning application MC/14/1925 – 201A City Way, Rochester ME1 2TL advised the Committee that he wished to speak on this planning application as a Ward Councillor and therefore would remove himself from the Committee and take no part in the determination of this planning application.

**425 Planning application - MC/14/2102 - 59 - 61 High Street, Rochester ME1 1LX**

**Discussion:**

The Head of Planning outlined the planning application and drew attention to amendments to the proposal and planning appraisal sections of the report details of which were set out on the supplementary agenda advice sheet. In addition the heading 'Recommendation' at the top of page 36 of the agenda required deletion.

**Decision:**

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

**426 Planning application - MC/14/2011 - 59 - 61 High Street, Rochester ME1 1LX**

**Discussion:**

The Head of Planning outlined the planning application and drew attention to changes to the proposal section of the report and advised that the heading 'Recommendation' on page 42 of the agenda required deletion.

**Decision:**

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

**427 Planning application - MC/14/1635 - 150 - 154 High Street, Rochester**

**Discussion:**

The Head of Planning outlined the application and suggested that if the Committee was minded to approve the application, proposed condition 3 be amended.

**Decision:**

Approved with conditions 1 – 2 and 4 – 9 as set out in the report for the reasons stated in the report and condition 3 amended as set out below:

3. No development shall take place until the developer has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification,

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which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the archaeological interest in the site in accordance with Policy BNE21 of the Medway Local Plan 2003.

### **428 Planning application - MC/14/1699 - 150 - 154 High Street Rochester**

#### **Discussion:**

The Head of Planning outlined the planning application and advised the Committee that the bullet point listed in the report under the heading 'Representations' on page 61 required deletion.

#### **Decision:**

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

### **429 Planning application - MC/14/1731 - Land to the South of 179 - 183 Bush Road, Cuxton, Rochester ME2 1HA**

#### **Discussion:**

The Head of Planning outlined the planning application and drew attention to the planning history for this site. The Committee noted that a similar application had been considered in October 2013, and had been refused. However, this decision had subsequently been overturned by a Planning Inspector at appeal in June 2014.

#### **Decision:**

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

### **430 Planning application - MC/14/1925 - 201A City Way, Rochester ME1 2TL**

#### **Discussion:**

The Planner outlined the application and drew attention to an amendment to the proposal section of the report as set out on the supplementary agenda advice sheet.

She suggested that if the Committee was minded to approve the application, a new condition 5 be approved to ensure that the proposed garage is only used incidental to the enjoyment of the main dwelling and not for any trade or business.

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With the agreement of the Committee, Councillor Turpin spoke on this planning application as Ward Councillor expressing concerns regarding the proposal and the affect that it may have on the adjoining property.

### **Decision:**

Approved with conditions 1 – 4 as set out in the report for the reasons stated in the report and new condition 5 as set out below:

5. The proposed garage shall only be used for purposes incidental to the enjoyment of the main dwelling at 201A City Way and shall not be used for any trade or business.

Reason: To protect the amenities of occupiers of neighbouring properties in accordance with Policy BNE2 of the Medway Local Plan 2003.

### **431 Planning application - MC/14/2148 - Garages to the rear of 1 - 3 Lavender Close and adjacent to 2f Mayweed Avenue, Chatham**

#### **Discussion:**

The Planning Manager East outlined the planning application and advised the Committee that since despatch of the agenda one further letter of representation had been received expressing concern regarding the loss of parking.

With the agreement of the Committee Councillor Adrian Gulvin spoke on this planning application as Ward Councillor and expressed concern as to the effect that the loss of the garages would have upon parking in the area.

The Committee discussed the application having regard to the Parking Study submitted as part of the application process. This study indicated that of the 35 garages on site, 10 were void and 25 were rented of which 13 were rented to people local to the site. A survey of the current use of the 25 rented garages resulted in 15 replies confirming that 9 were used for car parking, 1 for a scrapped car, 2 for motorcycles and 3 for storage.

The Committee discussed the application and sought clarification as to whether the applicant was required to seek planning permission for the demolition of the garages.

In addition, Members expressed the view that should it be minded to approve the removal of the garages to enable the site to be developed, it was considered that the current proposal appeared cramped. It was therefore suggested that Officers liaise with the applicants on the possible reduction in the number of properties proposed to be placed on this site.

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### Decision:

Consideration of this application was deferred to enable Officers to undertake further discussions with the application on the possible reduction of the number of proposed properties to be placed on this site and for clarification as to whether the applicant would be required to seek planning permission to demolish the garages.

### **432 Planning application - MC/14/2305 - 134 Barnsole Road, Gillingham ME7 4JJ**

### Discussion:

The Planner outlined the planning application and suggested that if the Committee was minded to approve this application, a new condition 4 be approved relating to the type of windows to be provided on the first floor northwestern elevation.

### Decision:

Approved with conditions 1 – 3 as set out in the report for the reasons stated in the report and new condition 4 as set out below:

4. The bedroom and en-suite windows on the first floor northwestern elevation shall be fitted with obscure glass and apart from any top-hung light, that has a cill height of not less than 1.7 metres above the internal finished floor level of the room it serves, shall be non-opening. This work shall be carried out and completed before the rooms are occupied and shall be retained at all times thereafter.

Reason: To ensure the development does not prejudice conditions of amenity by reason of unneighbourly overlooking of adjoining property, in accordance with Policy BNE2 of the Medway Local Plan 2003.

### **433 Planning application - MC/13/3021 - 76 Commercial Road, Strood, Rochester ME2 2AD**

### Discussion:

The Planning Manager East outlined the planning application.

### Decision:

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

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**434 Planning application - MC/13/3022 - 76 (Mcdonalds Restaurant Ltd)  
Commercial Road, Strood, Rochester ME2 2AD**

**Discussion:**

The Planning Manager East outlined the planning application.

**Decision:**

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

**435 Planning application - MC/13/3031 - 76 (Mcdonalds Restaurant Ltd)  
Commercial Road, Strood, Rochester ME2 2AD**

**Discussion:**

The Planning Manager East outlined the planning application.

**Decision:**

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

**Chairman**

**Date:**

**Ellen Wright, Democratic Services Officer**

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