Medway Council
Meeting of Planning Committee
Wednesday, 5 November 2014
6.30pm to 9.05pm

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

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

Substitutes: Councillors: Pat Gulvin (Substitute for Mackness) Hicks (Substitute for Baker)

In Attendance: Amanda Berger-North, Locum Legal Representative Dave Harris, Head of Planning Michael Edwards, Principal Transport Planner Matthew Pinder, Planner Mary Smith, Senior Planner Councillor Tony Watson - Ward Councillor Ellen Wright, Democratic Services Officer

487 Record of meeting

The record of the meeting held on 8 October 2014 was agreed and signed by the Chairman as correct.

It was noted that Cllr Baker had not been at the meeting on 8 October as he had been unwell but that his apologies for absence had not been reported. Therefore, the Committee noted his apologies for absence for the meeting on 8 October. Members of the Committee requested that their best wishes be extended to Councillor Baker for a speedy recovery.

488 Apologies for absence

Apologies for absence were received from Councillors Baker and Mackness.

489 Urgent matters by reason of special circumstances

There were none.
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490 Chairman's Announcements

The Chairman referred to the supplementary agenda advice sheet and drew attention to the information relating to Minute 300 of the meeting on 10 September 2014 relating to planning application MC/14/1760 – Former Temple School, Strood and the current position on the Section 106 agreement and the outcome of negotiations on the imposed conditions. The Committee noted that the Head of Planning would be amending the conditions as set out on the supplementary agenda advice sheet in accordance with his delegated powers.

491 Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

Councillor Adrian Gulvin referring to planning application MC/14/2148 – Garages to rear of 1 – 3 Lavender Close and adjacent to 2f Mayweed Avenue Chatham, advised the Committee that as he had spoken on this application at the meeting on 8 October 2014 as Ward Councillor, he would take no further part in the discussion and determination of this application at this meeting.

Councillor Pat Gulvin referred to a number of planning applications submitted by MHS and advised the Committee that she served on the Charity Board of MHS and had been involved in discussions on the planning applications. She therefore left the meeting for the consideration and determination of the following applications.

- Planning application MC/14/2148 – Garages to the rear of 1 – 3 Lavender Close and adjacent to 2f Mayweed Avenue, Chatham
- Planning application – MC/14/2146 – Garages at Hoopers Place, Rochester
- Planning application – MC/14/2145 – Garages to the rear of 17 – 31 Fleet Road, Rochester
- Planning application – MC/14/2734 – Garage site to the rear of 4 and 6 St Johns Road, Hoo, Rochester
- Planning application – MC/14/2723 – Garage site adjacent to 44 Wall Close, Hoo, Rochester
- Planning application – MC/14/1818 – Land adjacent 23 Symons Avenue, Chatham

Councillor Bowler referred to planning application MC/14/2761 – 62 Seagull Road, Strood and advised the Committee that as the applicant was a Labour Councillor, Members of the Labour Group would leave the meeting for the consideration and determination of this planning application. Councillors Bowler, Gilry, Christine Godwin, Griffiths and Hubbard therefore left the meeting for the consideration and determination of this planning application.
492 Planning application - MC/14/2468 - 387 Maidstone Road, Chatham ME5 9SE

Discussion:

The Head of Planning reported upon the planning application and advised the Committee that since despatch of the agenda, the applicants had submitted a letter in support of the application, a copy of which was appended to the supplementary agenda advice sheet.

Decision:

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

493 Planning application - MC/14/2469 - ASDA 387 Maidstone Road, Chatham ME5 9SE

Discussion:

The Head of Planning reported upon the planning application and advised the Committee that since despatch of the agenda, the applicants had submitted a letter in support of the application, a copy of which was appended to the supplementary agenda advice sheet.

Decision:

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

494 Planning application - MC/14/2470 - 387 Maidstone Road, Chatham ME5 9SE

Discussion:

The Head of Planning reported upon the planning application and advised the Committee that since despatch of the agenda, the applicants had submitted a letter in support of the application, a copy of which was appended to the supplementary agenda advice sheet.

Decision:

Approved with conditions 1 – 10 as set out in the report for the reasons stated in the report.

495 Planning application - MC/14/2766 - 49 Peverel Green, Parkwood, Gillingham ME8 9UH

Discussion:
The Head of Planning outlined the planning application and drew attention to the planning history for this site.

The Committee considered the planning application noting its close proximity to residential properties.

Decision:

Refused for the ground set out in the report.

496  Planning application - MC/14/1788 - 25 Parkwood Green Shopping Centre, Parkwood, Gillingham ME8 9PW

Discussion:

The Head of Planning outlined the planning application and, in doing so, advised the Committee of the location and opening hours of other A5 premises at Parkwood Green Shopping Centre.

The Committee discussed the planning application and noted the specific condition relating to the extraction flue. The Head of Planning advised the Committee that the Council’s Environmental Health Section was satisfied that the proposed flue was sufficient to avoid inconvenience to the residents of the flats above the premises but he confirmed that should there be any issues at a later date, these would be covered by Environmental Health legislation.

Decision:

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

497  Planning application - MC/14/2082 - Land at Malmaynes Hall Farm, between Malmaynes Hall Road and Hoopers Lane, Lower Stoke, Rochester Kent

Discussion:

The Head of Planning outlined the planning application.

Decision:

Approved with conditions 1 – 13 as set out in the report for the reasons stated in the report.

498  Planning application - MC/14/2148 - Garages to rear of 1 - 3 Lavender Close and adjacent to 2f Mayweed Avenue, Chatham Kent

Discussion:
The Senior Planner reminded the Committee that this application had been deferred by the Committee on 8 October 2014 due to concerns regarding the need for further parking surveys and to request a reduction in the number of proposed units on the application site. A query had also been raised as to the need for consent for the demolition of the garages.

The Committee was informed that the demolition of the garages on the site had been included in the current planning application. However, if the owners/developers wished to demolish the garages without first gaining planning permission for any redevelopment proposals then they would need to apply to the Local Planning Authority (LPA) for a determination as to whether or not prior approval would be required for the proposed method of demolition and any proposed restoration of the site. In such cases the LPA could only regulate the details of demolition in order to minimise its impact on local amenity.

In response to the reasons for the deferral of the planning application on 8 October, additional submissions received from the applicant were set out on the supplementary agenda advice sheet as to the pre-application consultations that had been undertaken, confirmation that the proposed units complied with the Council’s Housing Design Standards and the proposed landscaping. For these reasons, the applicant did not wish to reduce the number of proposed dwellings.

The Senior Planner also drew attention to additional parking survey work that had been undertaken since 8 October, details of which were also set out on the supplementary agenda advice sheet. In summary, the displaced parking from the loss of the garages would increase on-street parking by 5% bringing it to an average of 48% in the daytime and 73% at night. It was therefore considered that there was adequate on-street capacity to accommodate cars displaced from the garage site.

The Committee was informed that since despatch of the agenda, one further objection had been received from the adjacent dental surgery, details of which were summarised on the supplementary agenda advice sheet. In response, the applicant had offered to provide 3 parking spaces on the site as suggested by the dentist and to negotiate a licence to give the dental surgery exclusive use of these parking spaces. It was suggested that if the Committee was minded to approve the application and, supported the provision of parking spaces for the dental surgery, a further condition could be imposed.

**Decision:**

Approved with conditions 1 – 14 as set out in the report for the reasons stated in the report and new condition 15 as set out below:

15. No development shall take place until full details of the provision of three parking spaces near the southern side of the King George Road frontage of the site have been submitted to and approved in writing by the Local Planning Authority. The spaces shall be provided in accordance with the approved details and shall be made available for use in connection with
the adjacent dental surgery at all times that the surgery is open. 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 1995 (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: To ensure that adequate parking is available in close proximity to the dental surgery and in the interests of amenity with regard to Policies BNE2 and T13 of the Medway Local Plan 2003.

499 Planning application - MC/14/2146 - Garages at Hoopers Place, Rochester Kent

Discussion:

The Senior Planner outlined the planning application and referred in particular to the current usage of the garages.

In addition, she drew attention to the supplementary agenda advice sheet amending the planning appraisal to include the proposed sizes of the flats.

It was suggested that if the Committee was minded to approve the application, proposed condition 6 be amended and new conditions 15 and 16 be approved as follows:

6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The approved boundary treatment shall be completed before first occupation of the development and shall thereafter be retained.

15. Prior to the first occupation of any of the dwellings hereby approved the area shown on the submitted layout as vehicle parking and turning space shall be provided, surfaced and drained. 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 1995 (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 and turning space.

Reason: In order to ensure that there is adequate parking and turning on the site with regard to Policies BNE2, T1, T2 and T13 of the Medway Local Plan 2003.

16. Prior to the first occupation of any of the dwellings hereby approved the cycle storage area shall be provided in accordance with the approved plans and it shall thereafter be kept available for such use.
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Reason: In order to ensure that there are adequate cycle parking facilities on the site with regard to Policy T4 of the Medway Local Plan 2003.

The Committee discussed the application and a member referring to the parking surveys expressed concern that this location was affected by commuter parking and parking for the King’s School. He therefore requested that a site visit be undertaken.

Decision:

Consideration of this application was deferred pending a site visit.

500 Planning application - MC/14/2145 - Garages to rear of 17 - 31 Fleet Road, Rochester ME1 2QB

Discussion:

The Senior Planner outlined the application and advised the Committee that since despatch of the agenda both Kent Police and Southern Water had submitted representations, details of which were set out on the supplementary agenda advice sheet.

In addition, she drew attention to an addition to the planning appraisal section of the report on the supplementary agenda advice sheet setting out the proposed sizes of the flats and houses.

It was suggested that if the Committee was minded to approve the application, an additional section 106 head of agreement be approved to require a contribution of £292 towards youth activities to meet Every Child Matters objectives. In addition, it was suggested that proposed conditions 14 and 16 be amended and new conditions 19 and 20 be approved as follows:

14. No part of the development shall be occupied until the existing access on to Fleet Road is widened and resurfaced in accordance with the submitted plans and it shall be retained as such to provide access to the development at all times thereafter.

16. Prior to the commencement of the development details of cycle storage for the flats shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be constructed and made available for use prior to the first occupation of the flats, and shall be retained as such thereafter.

19. No development shall commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to and approved in writing by the Local Planning Authority. The development
shall be carried out in accordance with the approved details and shall be retained as such thereafter.

Reason: In order to ensure that adequate provision is made for sewerage disposal.

20. Prior to the first occupation of any of the dwellings hereby approved the area shown on the submitted layout as vehicle parking and turning space shall be provided, surfaced and drained. 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 1995 (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 and turning space.

Reason: In order to ensure that there is adequate parking and turning on the site with regard to Policies BNE2, T1, T2 and T13 of the Medway Local Plan 2003.

The Committee discussed the planning application and a Member requested that a site visit be undertaken to enable the Committee to assess the access and egress to and from the application site. In addition, he referred to the heads of agreement for the proposed Section 106 and suggested that if the Committee was minded to approve the application, the funding to be received from the 106 agreement be directed towards facilities in Rochester rather than Strood. The Head of Planning agreed to discuss this matter with the Member outside of the meeting so as to identify the facilities in Rochester which could benefit from this potential funding.

Decision:

Consideration of this application be deferred pending a site visit.

501 Planning application - MC/14/2734 - Garage Site to rear of 4 and 6 St Johns Road, Hoo, Rochester ME3 9JT

Discussion:

The Senior Planner outlined the planning application and advised the Committee that since despatch of the agenda, two further letters of representation had been received, details of which were summarised on the supplementary agenda advice sheet. In addition, three further letters of objection had been received which had been directly addressed to Councillors and were therefore appended to the supplementary agenda advice sheet.

With the agreement of the Committee, Councillor Watson spoke on this planning application as Ward Councillor and asked that the Committee undertake a site visit as he did not consider that the photographs shown as part
of the presentation adequately reflected the proximity of the site to existing housing and the road network around the site.

Decision:

Consideration of this application be deferred pending a site visit.

502 Planning application - MC/14/2723 - Garage Site adjacent to 44 Wall Close, Hoo Rochester ME3 9LN

Discussion:

The Senior Planner outlined the planning application and explained that should the Committee be minded to approve this application, the applicant was proposing to provide 13 open car parking spaces as part of the development. Two of these spaces would be designated for use by the occupiers of the proposed flats leaving 11 parking spaces available for use by persons displaced by the loss of the garages.

Decision:

Approved with conditions 1 – 13 as set out in the report for the reasons stated in the report.

503 Planning application - MC/14/2590 - Land adjacent to 29 Sheldon Drive, Rainham, Gillingham ME8 8JH

Discussion:

The Senior Planner outlined the planning application and referred to the planning history for this site. She explained the changes that had been made to the proposed development in respect of the shape and internal layout of the proposed bungalow and confirmed that the proposed bungalow no longer overlooked No.14 Mierscourt Road.

The Committee discussed the application and considered the proposed development to be cramped and that there was a lack of amenity for the prospective occupier of the proposed bungalow having regard to the limited distance between the windows and the boundary fencing.

Decision:

a) Refused on the following ground:

1. The proposed development by virtue of its close proximity to the boundary fencing results in a lack of amenity for the prospective occupier of the bungalow and limited light in the principle living area.

This record is available on our website – www.medway.gov.uk
b) The Head of Planning be granted delegated authority to approve the final wording of the refusal ground in consultation with the Chairman and Vice Chairman.

504 Planning application - MC/14/1818 - Land adjacent 23 Symons Avenue, Chatham ME4 5UP

Discussion:

The Planner outlined the planning application and advised the Committee that since despatch of the agenda, two additional letters of objection had been received details of which were summarised on the supplementary agenda advice sheet.

The Committee noted that a bungalow had previously been located on the application site and the current planning application was for the construction of 2 x one bedroomed flats with parking. Members discussed issues raised by objectors in that whilst they did not object to the provision of one house on this site, the provision of two flats was not in character with the area. The Head of Planning explained that in considering the planning application, Officers had had regard to the fact that this was not a proposal to build on garden space as a bungalow had previously been located on the application site and other properties in the locality were two-storey. It was also noted that should a house be provided on the application site, there would be no amenity space available for the prospective occupiers of the property.

Decision:

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

505 Planning application - MC/14/2761 - 62 Seagull Road, Strood, Rochester ME2 2RH

Discussion:

The Planner outlined the planning application.

Decision:

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

506 Planning application - MC/14/1626 - 14 Wharf Lane, Cliffe Rochester ME3 7UE

Discussion:
The Planner outlined the planning application explaining in detail the reasons why the application had been recommended by Officers for refusal on the grounds of the scale and location of the site and its narrow access.

The Committee discussed the application in detail and whilst acknowledging the benefits of housing provision in the rural area, had regard to the number of proposed dwellings, their location and the affects upon the character and appearance of this particular part of Cliffe village and access to and from the site.

Decision:

Refused on the grounds set out in the report.

507 Planning application - MC/14/2447 - 36 Hughes Drive, Wainscott, Rochester Kent ME2 4LN

Discussion:

The Planner outlined the planning application.

Decision:

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

508 Planning application - MC/14/1555 - Land adjacent to 4 Berengrave Lane, Rainham, Kent ME8 7LS

Discussion:

The Planner outlined the planning application and advised the Committee that the proposal section of the report required amendment to remove the words “and erection of fencing to western boundary”.

The Committee discussed the planning application and the Head of Planning explained the background to the applicant requesting the inclusion of this section of land within his garden. He explained that the proposed conditions would preclude any development on the land without the benefit of planning permission and confirmed that with the removal of the proposed fencing, the land would remain visible from Berengrave Lane.

Decision:

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

509 Performance Report for the period July - September 2014

Discussion:
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The Committee received and noted a performance report for the period July – September 2014.

The Head of Planning updated members on staffing issues within Planning and reported upon the favourable comments received at a recent meeting with Planning Agents.

Chairman

Date:

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