

Medway Council
Meeting of Planning Committee
Wednesday, 1 April 2015
6.30pm to 9.47pm

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, Mackness, Rodberg, Royle and Smith

Substitutes: Councillors:
Hicks (Substitute for Purdy)

In Attendance: Councillor Rodney Chambers, OBE - Ward Councillor
Councillor Tony Watson - Ward Councillor
Caroline Allen, Senior Planner
Chris Butler, Senior Planner
Doug Coleman, Senior Planner
Michael Edwards, Principal Transport Planner
Grahame Gould, Planning Consultant
Dave Harris, Head of Planning
Vicky Nutley, Planning and Licensing Lawyer
Ellen Wright, Democratic Services Officer

904 Record of meeting

The record of the meeting held on 4 March 2015 was agreed and signed by the Chairman as correct.

The Chairman referring to Minute 803 (Planning application MC/14/2862 – (Former St Matthews C of E Infant School (Fields to South East of School off Elm Tree Drive), Borstal Street, Borstal, Rochester) advised the Committee that this planning application had been withdrawn by the applicant and therefore the site visit previously agreed at Minute 803 had not taken place.

905 Apologies for absence

An apology for absence was received from Councillor Purdy.

906 Urgent matters by reason of special circumstances

There were none.

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907 Chairman's announcements

The Chairman advised that planning application MC/14/3522 (36 Hughes Drive, Wainscott, Rochester) had been deferred from consideration at this meeting as the required information was still awaited.

908 Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

Councillor Griffiths referring to planning application MC/14/3631 (Colonial House, Quayside, Chatham Maritime, Chatham) advised the Committee that because he is a Non-Executive Director of Medway Community Healthcare (MCH) and, on the basis that MCH had been involved in discussions regarding this application, he would withdraw for the meeting for the consideration and determination of this planning application.

Councillor Hicks advised the Committee that in respect of planning application MC/14/3405 (Land West of Hoo St Werburgh, Rochester) he wished to speak on this planning application as a Ward Councillor and therefore would remove himself from the Committee and not take part in the voting upon this planning application.

Councillor Mackness referred to the following planning applications and advised the Committee that he would leave the meeting for the consideration and determination of all three applications for the reasons stated:

1. Planning application MC/14/3631 (Colonial House, Quayside, Chatham Maritime, Chatham) on the basis that he is Chairman of the Company that owns the freehold of the land.
2. Planning applications MC/14/3742 and MC/15/0271 (73, 75 and 77 High Street Rochester) on the basis that the Director of the Company involved with the application was known to him.
3. Planning application MC/15/0168 (Sir Joseph Williamsons Mathematical School, Maidstone Road, Rochester) on the basis that he is a Governor and Trustee of the school.

909 Planning application - MC/14/3262 - Land opposite 51 - 58 Hickory Dell, Hempstead, Gillingham ME7 3SL

Discussion:

The Head of Planning reported on the planning application and advised the Committee that since despatch of the agenda, the Hempstead Residents Association had written expressing disappointment that the application was

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being recommended for approval and expressing concern as to the lack of enforcement action taken at this site by the Council.

In addition, he advised that the Planning Consultant acting on behalf of the developer had submitted a letter supporting the application, a copy of which was appended to the supplementary agenda advice sheet.

With the agreement of the Committee, Councillor Rodney Chambers spoke on this planning application as Ward Councillor requesting that the application be refused.

Members then discussed the application, noting that the applicant had, through their Planning Consultant, suggested that if Members were minded to grant planning permission for plots 1 – 3, the application be deferred to enable further work to be undertaken in respect of proposed plot 4.

Members expressed concern that as a result of the land levels at this site, the proposed development would be detrimental to the neighbouring properties in respect of overlooking, dominance and loss of privacy for occupiers both opposite the development site and at No. 51 Hickory Dell and would result in a form of development that would be harmful to the character of the street scene.

Decision:

Refused on the following grounds:

1. The proposed development by virtue of the proposed finished floor levels and siting in relation to plot 4 will result in a development that would be detrimental to the amenities that neighbours can reasonably expect to enjoy by virtue of overlooking and dominance. The proposal is therefore contrary to the provisions of Policies BNE1 and BNE2 of the Medway Local Plan 2003
2. The proposed development by virtue of the finished floor levels would result in a form of development that would be harmful to the character of the street scene and would cause an unacceptable loss of amenity to the occupiers of properties opposite in Hickory Dell by way of dominance and loss of privacy. The proposal is therefore contrary to the provisions of policies BNE1 and BNE2 of the Medway Local Plan 2003.

910 Planning application - MC/14/3631 - Colonial House, Quayside, Chatham Maritime, Chatham ME4 4YY

Discussion:

The Senior Planner outlined the planning application in detail and drew attention to the supplementary agenda advice sheet in which it was suggested that if the Committee was minded to approve the application, a number of changes be made to the heads of terms of the proposed Section 106 agreement and the proposed conditions.

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In addition, on the supplementary agenda advice sheet, it was explained that Officers had chosen to treat this application as a departure from the development plan so as to protect the Council against any possible challenge and that whilst the applicants did not accept that the application was a departure they had written to the Council stating that they appreciated the Council's reasons for taking this approach.

The Committee discussed the application and concern was expressed as to the lack of provision of affordable housing within the proposed development. In response, Officers explained the methodology used to calculate affordable housing provision in development schemes and advised that that whilst the developer had offered to make available provision for affordable housing off site, to do so would have resulted in a reduced level of funding being made available through the Section 106 agreement. In recognition that the development would place pressure upon local schools, health facilities and other services in the locality of the development, Officers were of the opinion that on this occasion, the level of funding proposed to be acquired through the Section 106 which would benefit local facilities was more favourable than provision of off site affordable housing.

Members also suggested that the proposed Section 106 contributions for the provision for nursery school facilities and primary school facilities should be directed specifically to nurseries and schools at St Mary's Island.

The Committee noted the proposed change to the heads of terms of the Section 106 agreement to direct funding towards The Strand.

A Member suggested that owing to the sensitivity of this site, the detailed planning application be resubmitted to the Committee for consideration. The Head of Planning noted this request.

Decision:

Approved subject to:

- A) The expiry of the site and press notice related to the proposal being a departure of the development plan, where no further representations are received that raise new material planning consideration not addressed in the committee report
- B) The prior completion of a Section 106 Agreement (S.106) of the Town and Country Planning Act 1990 (as amended) securing:
 - I) A contribution of up to £104,749 towards the provision of nursery school facilities at St Mary's Island;
 - II) A contribution of up to £276,304 towards the improvement of primary school facilities at St Mary's Island;
 - III) A contribution of up to £273,884 towards the improvement of secondary school facilities in the locality;

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- IV) A contribution of up to £79,175 towards the improvement of sixth form facilities in the locality;
 - V) A contribution of £63,225 towards access improvements for the Great Lines Heritage Park;
 - VI) A contribution of up to £103,522.63 towards Greenspace Services improvements to The Strand, made up from £86,572.63 from the main contribution and £16,950 on occupation of the retail element of the development.
 - VII) A contribution of £118,231.37 towards the improvement of General Practitioner Surgeries within 1 mile of the development (i.e. any of the following sites: The Sunlight Centre; St. Mary's Island Surgery; Railway Street Surgery; and / or Rainside Surgery.
 - VII) Payment of monitoring officers costs in accordance with the Developer Contributions Guide
- C) Conditions 1 – 13, 16, 20 – 25 as set out in the report for the reasons stated in the report, conditions 14, 15, 18 and 19 amended as set out below, the deletion of those conditions numbered 17, 26, 27, 28, 29, 30 and 32 as set out in the report, new conditions 26 and 27 as set out below and proposed condition 33 as set out in the report being renumbered 17 and proposed condition 31 as set out in the report being renumbered 28:
14. All non-residential buildings within the development shall achieve a minimum rating of "Very Good" against the Shell and Core Specification for BREEAM Retail Assessment 2011 (or an equivalent rating in any subsequent replacing standard that has been agreed in writing by the Local Planning Authority). Prior to the commencement of any phase or sub-phase of the development hereby permitted that contains non-residential buildings, a pre-assessment report confirming the rating that will be achieved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- Reason: To safeguard conditions of amenity within the scheme of development permitted and to promote the development of sustainable forms of development.
15. Details to be submitted pursuant to conditions 1 and 2 for the approval of reserved matters, for a phase or sub-phase of the development, shall show that all Class C3 (residential units), as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended) achieve a minimum of Code Level 3 of the Code for Sustainable Homes December 2006 (or an equivalent rating in any subsequent replacing standard that has been agreed in writing by the Local Planning Authority). Prior to the commencement of any phase or sub-phase of the development, the Code for Sustainable Homes registration number and a design stage certificate confirming the code level that will be achieved for dwellings within the relevant phase or sub-phase shall be submitted to and

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approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

18. Any non-residential use shall not operate outside of the hours of 06:00 hours and 23:00 hours on any day.

Reason: To ensure that the development does not prejudice conditions of residential amenity, in accordance with Policy BNE2 of the Medway Local Plan 2003.

19. No deliveries, refuse collection and/or any other servicing activity in connection with the non-residential uses hereby approved shall be undertaken on any day during the hours between 20:00 hours and 06:00 hours.

Reason: To ensure that the development does not prejudice conditions of residential amenity, in accordance with Policy BNE2 of the Medway Local Plan 2003

26. Unless otherwise agreed by the Local Planning Authority, no phase or sub-phase of the development, other than that required to be carried out as part of an approved scheme of remediation shall commence until:
- i) a strategy for investigating contamination present within that phase or sub-phase has been submitted to and approved in writing by the local planning authority;
 - ii) an investigation has been carried out in accordance with the approved strategy; and
 - iii) a written report, detailing the findings of the investigation, assessing the risk posed to receptors by contamination and proposing a remediation scheme, including a programme for implementation, has been submitted to and approved in writing by the local planning authority.

Remediation work shall be carried out in accordance with the approved remediation scheme and programme. Remediation work on contamination not identified in the initial investigation but found during construction work shall be carried out in accordance with details submitted to and approved in writing by the local planning authority subsequent to its discovery.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

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27. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in the approved remediation scheme a verification report providing details of the data that will be collected in order to demonstrate that the works set out in the remediation scheme are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

- D) The following informative:

The developer shall use best endeavours to target and utilise local people (including apprentices) during the construction phase of the development and subsequently.

911 Planning application - MC/14/3405 - Land West of Hoo St Werburgh, Rochester

Discussion:

The Senior Planner outlined the planning application and advised the Committee that since despatch of the agenda , two further letters of objection had been received in response to amended plans reiterating objections already summarised within the committee report with regard to access, traffic (including emergency use of the Ratcliffe Highway) and drainage.

In addition, she advised that the agent had submitted a letter in support of the planning application and a copy of this had been appended to the supplementary agenda advice sheet.

The Committee confirmed that the Highways Agency (HA) had since confirmed that it had no objections to the planning application.

It was suggested that if the Committee was minded to refuse the planning application, proposed refusal ground 2 be amended, details of which were set out on the supplementary agenda advice sheet.

With the agreement of the Committee, Councillors Hicks and Watson spoke against the granting of this planning application as Ward Councillors taking into

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account that the application site straddled both Strood Rural and Peninsula Wards.

Members discussed the application expressing concern that this proposed development was not sustainable in respect of the local infrastructure including highways, educational facilities and health facilities in addition to the affect that it would have upon the local village settlements of Hoo St Werburgh and Chattenden.

Decision:

Refused on ground 1 as set out in the report and ground 2 revised as set out below:

2. The application would cause significant harm to the local landscape, and cause coalescence between the settlements of Hoo St Werburgh and Chattenden. It would therefore be contrary to the provisions of Policies BNE34 and BNE1 of the Medway Local Plan 2003, the Medway Landscape Character Assessment 2011, and to the policies and principles set out at paragraphs 17 and 109 of the National Planning Policy Framework.

912 Planning application - MC/14/3063 - Flanders Farm, Ratcliffe Highway, Hoo, Rochester, Kent ME3 8QE

Discussion:

The Chairman announced that although there were three planning applications relating to this site on the agenda, planning application MC/14/1418 had been withdrawn by the applicant.

Attention was drawn to an amendment to the final sentence of the first paragraph of the proposal section of the report to read as follows:

'It is larger than the existing at a maximum of approx. 120m (109 for part) in length by a maximum of 74m in width and it would also be taller at approx. 9.625 to eaves and approx. 12.5 to the ridge (around 1.0m and 2.0m taller than the ridge heights respectively of the pack house and cold store buildings)

The Planning Consultant reminded the Committee that this site had been the subject of a site visit on 28 March 2015 at which the Head of Planning had outlined the basis of this planning application and that of both MC/14/0936 and MC/14/1418.

At the site visit, the agent had explained the rationale for the three applications and residents, along with a representative from Hoo St Werburgh Parish Council, had outlined their concerns, details of which were summarised on the supplementary agenda advice sheet.

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The Committee was advised that at the site visit, one resident given the Head of Planning a letter and a petition containing 44 signatures setting out a number of points in relation to the three planning applications, details of which were set out on the supplementary agenda advice sheet. In addition, a further letter had been received from the adjacent farmer raising issues already set out within the committee report and those issues raised at the site visit.

The Planning Consultant also advised that one further letter had been received from another farmer in support of the planning application, but advised that details of this letter had not been included on the supplementary agenda advice sheet.

The Planning Consultant advised that since the site visit, the agent had submitted an email setting out clarification regarding a number of points relating to all three planning applications for this site, a copy of which was appended to the supplementary agenda advice sheet.

It was suggested that if the Committee was minded to approve this planning application, proposed condition 13 be amended and two new conditions numbered 14 and 15 be approved, details of which were set out on the supplementary agenda advice sheet.

The Committee discussed the application in detail and there was recognition of the need to balance the benefits of production and sale of Kent produce with the concerns of the local residents. Concern was expressed as to the access and egress from the site and, in response, the Principal Transport Planner confirmed that if the Committee was minded to support the application, the issue of access and egress this could be resolved through an additional condition, with details to be submitted to the Local Planning Authority.

In considering the application, Members were mindful that the application would result in the loss of Grade 1 agricultural land and commented that it had been clear that the applicant's relationship with their neighbours had been less than desirable. Members also expressed the view that should the application be granted, an additional condition should be approved which would protect the future use of the site, should the existing use cease.

Decision:

- A) Approved with conditions 1 – 12 as set out in the report for the reasons stated in the report, condition 13 amended as set out below and new conditions 14, 15, 16 and 17 as set out below:
13. No development shall take place until details of a foul and surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The scheme for the disposal of surface water shall be based on sustainable drainage principles and be accompanied by an assessment of the hydrological and hydro-geological context of the development. The approved drainage scheme shall be available for

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use prior to the first occupation of the development hereby permitted and shall thereafter be retained.

Reason: To ensure the proposed development does not overload the existing drainage system resulting in flooding.

14. No development shall be commenced until details of an Environmental Sustainability Assessment have been submitted to and approved in writing by the Local Planning Authority. The details to be submitted pursuant to the requirements of this condition shall include:

- a) energy efficiency;
- b) renewable energy production and use of renewable technologies;
- c) water consumption;
- d) commercial and construction waste recycling;
- e) the use of recycled materials; and
- f) modern methods of construction.

The development hereby permitted shall be implemented in accordance with any approved target within the Environmental Sustainability Assessment or related document unless any variations are otherwise first approved in writing by the Local Planning Authority and the approved details shall thereafter be maintained and retained.

Reason: To ensure satisfactory arrangements are made for reducing the demand for energy, recycling and water conservation in the interests of sustainability in accordance with Policy BNE4 of the Medway Local Plan 2003.

15. The biodiversity of the application site shall be enhanced in accordance with the measures detailed in the Biodiversity Enhancement Strategy prepared by KB Ecology (September 2014) and shown on drawing 2769/DR005 Rev C.

Reason: To provide habitats/features and species of ecological interest and importance for biodiversity, in accordance with Policy BNE37 of the Medway Local Plan 2003.

16. Prior to the commencement of the development, an assessment of large vehicle turning movements at the junction of the Ratcliffe Highway and the A228 shall be submitted to the Local Planning Authority for approval. The assessment shall contain details of any amendments to the existing junction radii required to ensure that vehicle turning movements can be accommodated within the carriageway. No part of the development shall commence until any amendments to the junction identified by the assessment have been undertaken in accordance with the approved details.

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Reason: To ensure a safe means of access onto the highway network, in accordance with Policy T2 of the Medway Local Plan.

17. Upon the cessation of the use of the building and hardstanding hereby permitted for the purpose of the packing and storage of fruit, the building shall be demolished and the resultant material and the hardstanding shall be removed and the land reinstated to land capable of being used for agriculture as defined in Section 336 of the Town and Country Planning 1990 (or any Act amending, revoking or re-enacting that Act).

Reason: This permission is only granted on the basis of the agricultural need for the development.

- B) The Head of Planning be granted delegated authority to approve the final wording of condition 17 in consultation with the Chairman.

913 Planning application - MC/14/0936 - Land adjacent to Bellwood Cottages, Ratcliffe Highway, Hoo St Werburgh, Rochester ME3 8QD

Discussion:

The Planning Consultant reminded the Committee that this site had been the subject of a site visit on 28 March 2015 at which the Head of Planning had outlined the basis of this planning application and that of both MC/14/3063 and MC/14/1418.

At the site visit, the agent had explained the rationale for the three applications and residents, along with a representative from Hoo St Werburgh Parish Council, had outlined their concerns, details of which were summarised on the supplementary agenda advice sheet.

The Committee was advised that at the site visit, one resident had given the Head of Planning a letter and a petition containing 44 signatures setting out a number of points in relation to the three planning applications, details of which were set out on the supplementary agenda advice sheet. In addition, a further letter had been received from the adjacent farmer raising issues already set out within the committee report and those issues raised at the site visit.

The Planning Consultant also advised that one further letter had been received from another farmer in support of the planning application, but advised that details of this letter had not been included on the supplementary agenda advice sheet.

The Planning Consultant advised that since the site visit, the agent had submitted an email setting out clarification regarding a number of points relating to all three planning applications for this site, a copy of which was appended to the supplementary agenda advice sheet.

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Decision:

The discharge of condition 10 to planning permission MC/08/1121 be approved.

914 Planning application - MC/14/1418 - Flanders Farm, Ratcliffe Highway, St Mary Hoo, Rochester ME3 8QD

Discussion:

The Chairman advised the Committee that this planning application had been withdrawn by the applicant.

A Member sought information as to whether enforcement action would now be undertaken in respect of this site having regard to the fact that this planning application related to the retrospective change of use of land and the creation of a hardstanding to provide for the stationing and storage of 6 caravans for agricultural workers.

The Head of Planning advised that as a result of the views expressed by residents at the site visit on 28 March 2015, the applicant had decided to withdraw the application and would be removing the caravans from the site by the end of May.

He further advised that the applicants had agree to arrange a meeting with their agents and local residents to discuss the issues of the siting of the caravans and issues of neighbourliness.

Decision:

It was noted that this application had been withdrawn by the applicant.

915 Planning application - MC/14/2912 - Dormers, 3 Upper Luton Road, Luton, Chatham ME5 7BG

Discussion:

The Senior Planner outlined the planning application and advised the Committee that the current scheme was a reduction in number of properties to the previous scheme submitted in 2011.

He suggested that if the Committee was minded to approve the application, proposed conditions 2 and 7 be amended and new conditions 22 and 23 be approved, details of which were set out on the supplementary agenda advice sheet.

A Member referred to the proposed Section 106 contributions and requested that if the application is approved, the proposed funding for existing play areas and open spaces at Chalk Pit and/or Jenkins dale, be redirected to areas within the Ward in which the application site was located.

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Decision:

Approved subject to:

- A) The applicant entering into an agreement under the terms of Section 106 of the Town and Country Planning Act 1990 to secure:
- i) £3,998.40 towards the Great Line Heritage Park in particular towards footpath maintenance in the park;
 - ii) £44,630.88 towards improving existing play areas and open space within the Ward in which the application site is located, with such locations to be agreed with Ward Councillors;
 - iii) £50,585.60 towards education and the provision of nursery and primary, school places;
 - iv) £2,187.36 towards the establishment of new community hub facilities in Chatham;
 - v) £7,487.20 towards health development and improvements at a number of local practices:
 - Kings Family Practice
 - College Health
 - Luton Medical Centre
 - vi) The provision of traffic calming measures on Upper Luton Road; and
 - vii) To meet the monitoring officer costs as set out in the Developer Contributions Guide
- B) Conditions 1, 3 – 6 and 8 – 21 as set out in the report for the reasons stated in the report and conditions 2 and 7 amended and new conditions 22 and 23 as set out below:
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 30-01, 30-02, 30-03 & 30-04 received on 2 October 2014; 20-01F, 20-02F & 20-03E received on 6 November 2014; 18-02B, 18-13B & 18-14A received on 18 December 2014; 18-03E & 18-04B received 20 February 2015; & 40-01 received 4 March 2015; received on 10 March 2015; and 18-01Q, 18-05N, 18-10H, 18-12F & 21-01A received on 25 March 2015; document titled “Arboricultural Impact Assessment” (updated 12 March 2015-04-01 including drawing tr-1095-14 Appendix D Rev A - “Impact assessment – construction and tree protection” Plan received on 18 March 2015 and document titled “Works within tree root protection areas – Method Statement” (dated March 2015).

Reason: For the avoidance of doubt and in the interests of proper planning.

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7. In this Condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs a) and b) below shall have effect until the expiration of 5 years from the date of occupation of the building for its permitted use.

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any pruning approved shall be carried out in accordance with British Standard 3998:2010 Tree work - Recommendations.

b) If any retained tree dies or is removed, uprooted or destroyed, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

c) Tree protection measures intended to protect retained trees shall comply with the approved plans and particulars. They shall be installed prior to the commencement of any works associated with the construction of the development hereby permitted, including bringing any equipment, machinery or materials on to the site for the purposes of the development. No alterations or variations to the approved details shall be made without prior written consent of the local planning authority and they shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

d) all works within the prescribed root protection area of any retained tree, shall be carried out in strict accordance with the approved details. No alterations or variations to the approved details shall be made without prior written consent of the local planning authority.

Reason: Pursuant to condition 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Policy BNE1 and BNE6 of the Medway Local Plan 2003.

22. No development shall commence until the developer has, at his own expense:

- Instructed an arboricultural consultant, approved in writing by the Local Planning Authority, to liaise with the developer and/or his architect or engineer to approve relevant details of construction methods, oversee the works and report to the Council throughout the period of the works in so far as the works may affect retained trees; and

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- Submitted to and obtained the written approval of the Local Planning Authority an auditable system of arboricultural site monitoring, including a schedule of specific site events requiring arboricultural input or supervision where construction and development activity is to take place within or adjacent to any root protection area of a tree identified for retention.

Reason: Pursuant to section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Policies BNE1 and BNE6 of the Medway Local Plan 2003.

23. No changes shall be made to land levels on site, other than in accordance with the details shown on drawings nos; 18-01Q, 18-02B, 18-03E, 18-04B and 18-05N, without the prior written consent of the Local Planning Authority

Reason: In the interests of visual amenity and in accordance with Policy BNE1 of the Medway Local Plan 2003.

916 Planning application - MC/14/3742 - 73, 75, 77 High Street, Rochester ME1 1LX

Discussion:

The Head of Planning outlined the planning application and referred to the planning history for the application site.

Decision:

Approved with conditions 1 – 22 as set out in the report for the reasons stated in the report.

917 Planning application - MC/15/0271 - 73, 75, 77 High Street, Rochester ME1 1LX

Discussion:

The Head of Planning outlined the planning application.

Decision:

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

918 Planning application - MC/14/3826 - Land adjacent to 6 Balmoral Road, Gillingham ME7 4PU

Discussion:

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The Head of Planning outlined the planning application and informed the Committee that since despatch of the agenda, amended drawings had been received. Details of the proposed amendments were set out on the supplementary agenda advice sheet.

The Head of Planning suggested that if the Committee was minded to approve the application, proposed conditions 2, 5, 6, 7 and 8 be amended as set out on the supplementary agenda advice sheet.

Decision:

Approved with conditions 1, 3 – 4 and 9 – 15 as set out in the report for the reasons stated in the report and conditions 2, 5, 6 7 and 8 amended as follows:

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
Site location plan received 23 December 2015; drawing 1540 BRG 01 received 23 December 2014; and revised drawings 1540/BRG02B; 03B; 04B and 05B received 23 March 2015

Reason: For the avoidance of doubt and in the interests of proper planning.

5. The proposed cycle and bin storage as shown on drawing 1540/BRG/04/B shall be provided prior to first occupation of the proposed flats and maintained thereafter.

Reason: To accord with the objectives of Policy BNE2 and Policy T4 of the Medway Local Plan 2003.

6. The flats shall not be occupied, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained as shown on drawing 1540/BRG/04/B. 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: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking and to accord with Policy BNE2 and Policy T13 of the Medway Local Plan 2003.

7. No part of the development shall commence until amendments to the on street parking provision and controls in the vicinity of the site access on Randolph Road and on Balmoral Road have been submitted to and approved in writing by the Local Planning Authority. The approved

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details shall thereafter be implemented prior to the first occupation of the development.

Reason: In order to provide satisfactory visibility from the site access in accordance with Policy T2 of the Medway Local Plan 2003.

8. The boundary treatment shown on plan 1540/BRG/04/B shall be completed before the flats are first occupied and shall thereafter be retained.

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.

919 Planning application - MC/15/0168 - Sir Joseph Williamsons Mathematical School, Maidstone Road, Rochester ME1 3EL

Discussion:

The Head of Planning outlined the planning application.

Decision:

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

920 Planning application - MC/14/3522 - 36 Hughes Drive, Wainscott, Rochester Kent ME2 4LN

Decision:

Consideration of this application was deferred to enable further information to be obtained.

921 Planning application - MC/15/0244 - Corporation Street Car Park, Rochester ME1 1NJ

Discussion:

The Head of Planning reported upon the application to discharge conditions 10, 11 and 12 of planning permission MC/13/0971.

Decision:

Conditions 10, 11 and 12 of planning permission MC/13/0971 be discharged.

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Chairman

Date:

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