

**Medway Council**  
**Meeting of Planning Committee**  
**Wednesday, 29 April 2015**  
**6.30pm to 9.55pm**

**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:** Tom Ashley, Senior Planner - Policy  
Councillor Rehman Chishti - Ward Councillor  
Doug Coleman, Senior Planner  
Michael Edwards, Principal Transport Planner  
Dave Harris, Head of Planning  
Vicky Nutley, Planning and Licensing Lawyer  
Mark Pullin, Planning Manager - Major Projects  
Councillor Kelly Tolhurst - Ward Councillor  
Ellen Wright, Democratic Services Officer

**944 Record of meeting**

The record of the meeting held on 1 April 2015 was agreed and signed by the Chairman as correct.

**945 Apologies for absence**

An apology for absence was received from Councillor Purdy.

**946 Urgent matters by reason of special circumstances**

There were none.

**947 Declarations of disclosable pecuniary interests and other interests**

Disclosable pecuniary interests

Councillor Mackness declared a disclosable pecuniary interest in planning application MC/14/3841(Land adjacent to Brunel Saw Mill, Chatham Historic Dockyard, Chatham) on the basis that the application site was located directly

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adjacent to his residence and he left the meeting for the consideration and determination of this planning application.

Councillor Mackness also declared a disclosable pecuniary interest in planning application MC/15/0686 (Visitor Centre, 95 High Street, Rochester) on the basis that his wife has a business located within the Visitor Centre.

### Other interests

Councillor Carr, as a Trust Member of the Chatham Historic Dockyard Trust, withdrew from the Committee for the consideration and determination of planning application MC/14/3841 (Land adjacent to Brunel Saw Mill, Chatham Historic Dockyard, Chatham) on the basis that the Chatham Historic Dockyard Trust was the applicant.

Councillor Adrian Gulvin referring to planning application MC/15/0560 (1 Valerian Close, Weeds Wood, Chatham) advised the Committee that he wished to address the Committee as Ward Councillor and therefore would take no part in the determination of this planning application.

Councillor Royle referring to planning application MC/14/3784 (Land North of Moor Street, Rainham) advised the Committee that he wished to address the Committee as Ward Councillor and therefore would take no part in the determination of this planning application.

### **948 Planning application - MC/14/3784 - Land North of Moor Street, Rainham, Kent ME8 8QF**

#### **Discussion:**

The Senior Planner – Policy outlined the planning application in detail and advised the Committee that the name of the applicant should be amended to read 'Gladman Development Ltd'.

He informed the Committee that since despatch of the agenda, the applicant had referred the application to the Planning Inspectorate on the basis on non-determination. Therefore, it was now necessary for the Committee to determine the decision that the Committee would have made if it had been in a position to determine the application.

With the agreement of the Committee, Councillor Royle spoke on the planning application as Ward Councillor and expressed concern as to the affect that the application would have upon local schools and health facilities. In addition, he referred to the limited public transport service in this part of Rainham and he expressed concern as to the affect that the development would have upon the highway in respect of increased traffic movements and in particular the affect upon the junction of Otterham Quay Lane with the A2.

The Committee discussed the planning application and supported the views expressed by the Ward Councillor. In particular, the Committee expressed

concern that the proposed development comprised one single access point onto Otterham Quay Lane.

Concern was also expressed that the proposed development would result in the loss of Grade 1 and Grade 2 agricultural land and would result in a permanent change in the use of the land to residential, thereby destroying the green buffer function that the land currently performed.

Whilst it was noted that there was a requirement for the Council to demonstrate a 5 year housing land supply within Medway, it was considered essential that proposed housing developments be properly assessed having full regard to the affect that they would have upon the local infrastructure. In this particular planning application, it was noted that the applicant had refused to consider any Section 106 contributions requested other than to provide 25% affordable housing.

**Decision:**

If the Committee had been in a position to determine the application, it would have been refused on grounds 1 – 7 as set out in the report and an additional ground 8 as set out below:

8. The traffic generated by the proposed development would have a detrimental impact on the capacity of the A2/Otterham Quay Lane junction, leading to increased congestion and delays at peak times. The application is therefore contrary to Policy T1 of the Medway Local Plan.

**949 Planning application - MC/15/0079 - Former Kitchener Barracks, Dock Road, Chatham**

**Discussion:**

The Planning Manager – Major Projects outlined the planning application in detail and advised the Committee that should it be minded to approve the application, it was proposed that recommendations A and B ii) be amended as set out in the supplementary agenda advice sheet. He also drew attention to a suggested amendment to proposed condition 4, two new conditions relating to ecology which would be numbered 38 and 39 which, if approved would then require proposed conditions 38 – 41 to be renumbered 40 – 43. Details of these amendments were also set out on the supplementary agenda advice sheet.

The Committee was advised that since despatch of the agenda, Historic England had submitted further comments upon information regarding tunnels that had been submitted by the applicant and a summary of the comments from Historic England were set out on the supplementary agenda advice sheet.

It was also reported that the word 'comprise' in the first sentence of the final paragraph on page 83 of the agenda papers required amendment to read 'compromise'.

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The Planning Manager – Major Projects referred in particular to that element of the proposed Section 106 agreement relating to provision of 15% affordable housing. He explained that in November 2014, the Government had introduced a change to the way in which affordable housing was to be calculated for vacant properties and he advised that using this new method of calculation there was a requirement for 15% affordable housing to be available within this proposed development.

Members expressed concern that they were being requested to determine a planning application whereby the required level of affordable housing had been based on a new method of calculation without Members having had a briefing or training on this matter. This was of particular concern as the outcome resulted in this proposed new development having a level of affordable housing provision which was below the agreed level in Medway of 25%. In response, the Head of Planning explained that following receipt of the information from the Communities for Local Government (CLG) in November, local planning authorities across the Country had sought clarification from the CLG and the information requested had only very recently been received. He confirmed that specific training on this issue would be incorporated within Member's Planning Induction following the Local Elections.

Discussion ensued as to whether the application should be deferred to enable Officers to investigate whether it was possible to calculate the level of affordable housing based on the existing footprint of the application site, but on being put to the vote, a deferral of this planning application and those relating to MC/15/0081/ MC15/0094 and MC/15/0082 for the same site was not supported.

A Member requested should the application be approved, permitted development rights be removed.

### **Decision:**

Approved subject to:

- a) Further survey work being undertaken if necessary, and then if deemed acceptable, delegated authority be granted to the Head of Planning to approve subject to conditions and the Section 106 agreement.
- b) The applicant/owner entering into an agreement under Section 106 of the Town and Country Planning Act to secure:
  - i) Provision of 15% affordable housing on site
  - ii) Contribution of £450,000 towards education and the provision of school places at St Mary's Island School.
  - iii) Contribution towards healthcare improvements to GP surgeries within 1 mile of the site of £191 per person.

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- iv) Contribution towards Marlborough Road Community Centre of £55.80 per person.
- v) Contribution towards the Great Lines Heritage Park and specifically improving connectivity between Brompton and Fort Amherst (Spur Battery) of £102 per person.
- vi) Contribution towards Fort Amherst of £30,000
- vii) Contribution towards waste and recycling of £155.44 per dwelling.
- viii) Contribution towards the public realm improvements between the site and Chatham Town Centre, specifically in the area around the Brook Theatre of £100 per person.

c) The imposition of conditions 1 – 3, 5 – 37 as set out in the report for the reasons stated in the report, new conditions 38 and 39 as set out below with existing proposed conditions 38 – 41 being approved but re-numbered 40 – 43 and a new condition 44 relating to removal of permitted development rights with delegated authority being granted to the Head of Planning to make minor amendments to the wording of the conditions if considered desirable before the issuing of the permission

### 4. Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved plans:

0061\_GA\_13 Rev B received on 12 January 2015; 0061\_GA-42 Rev B received on 28 January 2015; 0061\_GA\_14 Rev D as received 11 March 2015.

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

38. Any application for the approval of reserved matters pursuant to condition 2 of the development hereby approved shall include a detailed design of the foundation of all new buildings and a detailed design of any services to be installed within the site. The development shall be carried out in accordance with the approved plans and retained thereafter.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on archaeological interest and in accordance with Policy BNE21 of the Medway Local Plan 2003.

39. Prior to any works taking place to any of the tunnels on site a scheme of such works shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried

out in accordance with the approved details and retained thereafter.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on archaeological interest and in accordance with Policy BNE21 of the Medway Local Plan 2003.

44. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification) no development shall be carried out within Classes A - E and H of Part 1 and Classes A - C of Part 16 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto.

Reason: To enable the Local Planning Authority to control such development in the interests of amenity, in accordance with Policies BNE1 and BNE2 of the Medway Local Plan 2003.

Note: In accordance with Rule 12.6 of Chapter 4 of the Council's Constitution, Councillors Bowler, Griffiths, Hubbard, Gilry and Christine Godwin requested that it be noted that they abstained from voting on this planning application.

**950 Planning application - MC/15/0081 - Former Kitchener Barracks, Dock Road, Chatham**

**Discussion:**

The Planning Manager – Major Projects outlined the planning application in detail and advised the Committee that should it be minded to approve the application, it was proposed that recommendation A and proposed condition 2 be amended as set out on the supplementary agenda advice sheet.

The Committee discussed the application and a number of Members expressed concern as to the potential affect that the proposed retail element could have upon retail properties in Brompton.

It was suggested that if the Committee was minded to approve this planning application, an additional condition should be approved removing permitted development rights.

**Decision:**

Approved subject to:

- a) Further survey work being undertaken if necessary, and then if deemed acceptable, delegated authority being granted to the Head of Planning to approve subject to conditions and the Section 106 agreement.

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- b) The applicant/owner entering into an agreement under Section 106 of the Town and Country Planning Act to tie the permission into that granted under MC/15/0079
- c) The imposition of conditions 1 and 3 – 6 as set out in the report for the reasons stated in the report, condition 2 as amended and new condition 7 as set out below with delegated authority being granted to the Head of Planning to make minor amendments to the wording of conditions if considered desirable before the issuing of the permission:
  - 2. The development hereby permitted shall be carried out in accordance with the following approved plans:

0061\_GA\_23 Rev C; 0061\_GA\_24 Rev C; 0061\_GA\_25 Rev C;  
0061\_GA\_26 Rev C; 0061\_GA\_27 Rev C; 0061\_GA\_28 Rev C;  
0061\_GA\_29 Rev C; 0061\_GA\_30 Rev B; 0061\_GA\_31 Rev B;  
0061\_GA\_32 Rev B; 0061\_GA\_36 Rev B; 0061\_GA\_37 Rev B;  
0061\_GA\_38 Rev B; 0061\_GA\_39 Rev B; 0061\_GA\_40 Rev B;  
0061\_GA\_41 Rev B; as received 22 January 2015.

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

- 7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification) no development shall be carried out within Classes A - E and H of Part 1 and Classes A - C of Part 16 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto.

Reason: To enable the Local Planning Authority to control such development in the interests of amenity, in accordance with Policies BNE1 and BNE2 of the Medway Local Plan 2003.

### **951 Planning application - MC/15/0094 - Former Kitchener Barracks, Dock Road, Chatham**

#### **Discussion:**

The Planning Manager – Major Projects outlined the planning application in detail and advised the Committee that should it be minded to approve the application, it was proposed that recommendation A and condition 2 be amended as set out on the supplementary agenda advice sheet.

#### **Decision:**

Approved subject to:

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- a) Further survey work being undertaken, if necessary, and then if deemed acceptable, delegated authority being granted to the Head of Planning to approve subject to conditions and the Section 106 agreement.
- b) The applicant/owner entering into an agreement under Section 106 of the Town and Country Planning Act to tie the permission into that granted under MC/15/0079.
- c) Conditions 1 and 3 – 10 as set out in the report for the reasons stated in the report and condition 2 amended as follows with delegated authority being granted to the Head of Planning to make minor amendments to the wording of conditions if considered desirable before issuing of the permission:
  2. The development hereby permitted shall be carried out in accordance with the following approved plans:

0061\_GA\_23 Rev C; 0061\_GA\_24 Rev C; 0061\_GA\_25 Rev C;  
0061\_GA\_26 Rev C; 0061\_GA\_27 Rev C; 0061\_GA\_28 Rev C;  
0061\_GA\_29 Rev C; 0061\_GA\_30 Rev B; 0061\_GA\_31 Rev B;  
0061\_GA\_32 Rev B; 0061\_GA\_36 Rev B; 0061\_GA\_37 Rev B;  
0061\_GA\_38 Rev B; 0061\_GA\_39 Rev B; 0061\_GA\_40 Rev B;  
0061\_GA\_41 Rev B; as received 22 January 2015

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

### 952 Planning application - MC/15/0082 - Former Kitchener Barracks, Dock Road, Chatham

#### Discussion:

The Planning Manager – Major Projects outlined the planning application in detail and advised the Committee that should it be minded to approve the application, it was proposed that recommendation A and condition 2 be amended as set out on the supplementary agenda advice sheet.

#### Decision:

Approved subject to:

- a) Further survey work being undertaken, if necessary, and then if deemed acceptable, delegated authority being granted to the Head of Planning to approve subject to conditions and the Section 106 agreement.
- b) The applicant/owner entering into an agreement under Section 106 of the Town and Country Planning Act to tie the permission into that granted under MC/15/0079.

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c) Conditions 1 and 3 – 4 as set out in the report for the reasons stated in the report and condition 2 amended as follows with delegated authority being granted to the Head of Planning to make minor amendments to the wording of conditions if considered desirable before issuing of the permission:

3. The development hereby permitted shall be carried out in accordance with the following approved plans:

0061\_GA\_17 Rev B; 0061\_GA\_18 Rev B; 0061\_GA\_30 Rev B;  
0061\_GA\_31 Rev B; 0061\_GA\_32 Rev B; 0061\_GA\_36 Rev B;  
0061\_GA\_37 Rev B; 0061\_GA\_Rev B; 0061\_GA\_43; as received 22 January 2015

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

### **953 Planning application - MC/14/2737 - Former Southern Water Site, Capstone Road, Chatham Kent ME5 7QA**

#### **Discussion:**

The Senior Planner outlined the planning application and suggested that if the Committee was minded to approve the application the proposed element of the Section 106 agreement numbered VI be amended as set out on the supplementary agenda advice sheet.

Furthermore, he advised upon changes to proposed conditions 5 and 21 details of which were also set out on the supplementary agenda advice sheet along with a correction to the site area/density of extant permission MC/05/0211.

A Member sought clarification as to the reasons why 25% affordable housing was being sought at this development having regard to the information referred to at Minute 948 above relating to the information released by the Communities for Local Government in November 2014 relating to developments involving vacant premises. In response, the Senior Planner explained that planning application MC/14/2737 had been received in September 2014, prior to the publication of the new rules and therefore the application had been processed on the information available at the time the application had been received.

The Committee discussed the application and concern was expressed as to the proposed materials to be used within the development and that the applicant had declined to have the proposed development processed through a Design Panel. The Senior Planner gave an assurance that although the applicant had not used a Design Panel, Officers had undertaken an internal assessment of the proposed development and were satisfied that it was of a reasonable design subject to future approval of materials to be used.

The Head of Planning advised that Officers were currently in the process of preparing a working paper as to those instances where it would be expected

that a proposed development would be referred to a Design Panel for a review. This matter would be referred to Members at a future date for approval and would then be a document published on the Council's website for use by developers.

**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) 25.5% affordable housing (28 units) comprising:
    - 12 x one bedroom & 4 x two bedroom apartments for affordable rent; and
    - 8 x three bedroom & 4 x two bedroom apartments for shared ownership;
  - ii) The provision of a children's nursery in the Old Pump House or a contribution of £77,043.20;
  - iii) Contribution of £136,640 towards primary school and secondary provision in the locality;
  - iv) The provision of a community hall in the Old Pump House or a contribution of £15,858.36;
  - v) Contribution of £47,652 towards improving pedestrian and cycle infrastructure in the vicinity;
  - vi) The provision of Employment Training and Workforce Development in accordance with a Scheme to be submitted to and approved by the Local Planning Authority prior to the commencement of development or a contribution of £22,800 towards employment training and workforce development;
  - vii) The provision of landscaping in Luton Recreation Ground in accordance with drawing number 2160/14/B/13B plus £60,736.06 towards the maintenance of this landscaping for a period of 15 years;
  - viii) The provision of an emergency access to Nelson Terrace;
  - ix) The submission and approval of a Construction and Environmental Management Plan (CEMP)
- b) Conditions 1 – 4 and 6 – 20 as set out in the report for the reasons stated in the report and conditions 5 and 21 amended as follows:
  - 5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no additional windows or similar openings shall be constructed in the side elevation of houses on Plots 12, 13, 57, 58, 70, 71 and 82 without the prior written approval of the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of amenity and privacy of adjoining property, in accordance with Policy BNE2 of the Medway Local Plan 2003.

21. No development above slab level shall take place until details of noise attenuation measures for the habitable rooms of all properties has 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 retained thereafter.

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

- c) The proposed materials to be used for this development be referred back to the Committee for approval.

**954 Planning application - MC/14/2866 - Safety Bay House, Warwick Crescent, Borstal, Rochester ME1 3LE**

**Discussion:**

The Senior Planner outlined the planning application and suggested that if the Committee was minded to approve the application new conditions numbered 20 and 21 be approved, details of which were set out on the supplementary agenda advice sheet.

With the agreement of the Committee, Councillor Tolhurst as Ward Councillor outlined objections to this planning application in particular referring to the restricted access into the site, potential pressure on local school places, increased competition for on street parking in the locality of the application site, restricted space for vehicular movements and the impact on the existing sewage system.

The Committee discussed the application in detail having regard to the concerns expressed by the Ward Councillor.

**Decision:**

Approved with conditions 1 – 19 as set out in the report for the reasons stated in the report and new condition 20 and 21 as set out below:

20. No changes shall be made to land levels on site, other than in accordance with the details shown on drawing no 014.1568-002 P6 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

21. No development shall commence until a construction environmental management plan that describes measures to control the noise, dust, lighting, traffic generation and the effect on wildlife and habitat impacts arising from the construction phase of the development has been submitted to and approved in writing by the Local Planning Authority and all construction works shall be undertaken in accordance with this approved plan.

Reason: In order to minimise the impact of the construction period on the amenities of local residents and habitat and with regard to Policies BNE2 and BNE39 of the Medway Local Plan 2003. Submission and approval required before commencement of development to avoid any irreversible detrimental impact on surrounding residential amenities and in accordance with Policy BNE2 of the Medway Local Plan 2003.

**955 Planning application - MC/14/3841 - Land adjacent to Brunel Saw Mill, Chatham Historic Dockyard, Chatham Kent ME4 4TE**

**Discussion:**

The Head of Planning outlined the planning application in detail.

The Committee discussed the application noting the reasons for the installation of the boundary fencing and the type of fencing to be provided.

The Head of Planning noted Member's concerns, particularly taking into account the historic character of the site.

**Decision:**

- a) Approved with conditions 1 - 3 and 5 - 12 as set out in the report for the reasons stated in the report and condition 4 amended as follows:
  4. The temporary car park building hereby permitted shall be removed on or before 4 May 2020 in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

Reason: The Local Planning Authority is only prepared to permit the structure for a limited period in the interests of visual amenity having regard to its materials and design, in accordance with Policy BNE1 and Policy BNE14 of the Medway Local Plan 2003.

- b) The materials for the fencing referred to within condition 6 be subject to approval by English Heritage.

**956 Planning application - MC/14/3186 - St Benedicts RC Primary School, Lambourn Way, Lordswood, Chatham ME5 8PU**

**Discussion:**

The Head of Planning outlined the planning application and suggested that should the Committee be minded to approve this planning application, proposed conditions 2 and 4 be amended, existing proposed conditions 5 and 6 be deleted and new conditions 5, 6 and 7 be approved, details of which were set out on the supplementary agenda advice sheet.

**Decision:**

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Project No K140854 Drawing No. 001 Revision 'F', 002 Revision E and 003, received on the 27 March 2015 and 22 April 2015, respectively.

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

4. The play equipment hereby approved shall not be used outside of the hours of 0800 until 1800 on Mondays to Fridays, with the exception of four weekend days, within one calendar year, where certain school events and fundraisers can be undertaken within the approved hours. In the case of the exceptional four events the Local Planning Authority shall be given 10 working days advance notice in writing of each event.

Reason: In the interests of the amenities of neighbours and with regard to Policy BNE2 of the Medway Local Plan 2003

5. In this condition "retained tree" means an existing tree, which is to be retained in accordance with the approved plans and particulars. Paragraphs i) and ii) below shall have effect until the expiration of 5 years from the date of completion of the development for its permitted use.
  - i) No retained tree shall be damaged, cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the Arboricultural Report (AR0214/03-15) dated 24 March 2015 as amended by the email from Calfordseaden dated 14 April 2015, 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 or any revisions thereof.
  - ii) 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.

- iii) The installation of tree protection barriers, the methods of working and the means installing equipment, fencing, acoustic barriers, planters, decking and safety surfacing shall be undertaken in accordance with the Arboricultural Report (AR0214/03-15) dated 24 March 2015 as amended by the email from Calfordseaden dated 14 April 2015.

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.

6. No development shall commence until the developer has (at his own expense):

- i) 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
- ii) Submitted to and obtained the written approval of the Local Planning Authority for 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 any 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.

7 The acoustic barrier, as shown on Drawing No.003, which is to be installed along the common boundary of No. 19 and No. 21 Lambourn Way, positioned on Drawing No. 001 Revision 'F', shall be constructed and installed, prior to the full use of the play equipment hereby permitted and shall be maintained thereafter.

Reason: In the interests of the amenities of neighbours and with regard to Policy BNE2 of the Medway Local Plan 2003.

## 957 Planning application - MC/15/0663 - 46 Star Hill, Rochester ME1 1XQ

### Discussion:

The Head of Planning outlined the planning application and advised the Committee that since despatch of the agenda, the applicant had submitted a

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response to a number of the objections that had been raised, details of which were summarised on the supplementary agenda advice sheet.

The Committee discussed the application and sought clarification as the type of hostel proposed to be provided.

In response to questions, the Planning and Licensing Lawyer confirmed that the planning use class did not specifically define the actual use and that this would be a matter that would fall within housing legislation. However, owing to the location of this premises, Members requested further clarity on this matter prior to determination of the planning application.

### **Decision:**

Consideration of the application be deferred pending further information on the proposed use of the temporary hostel.

## **958 Planning application - MC/15/0686 - Visitor Centre, 95 High Street, Rochester ME1 1LX**

### **Discussion:**

The Head of Planning outlined the planning application and advised the Committee that the description required amendment to read as follows:

'Part retrospective advertisement consent for painted advertisement to each of the four existing columns to front together with a painted mural on wall to rear'.

In addition he suggested that if the Committee was minded to approve the application, proposed condition 1 be amended as set out on the supplementary agenda advice sheet.

He informed the Committee that since despatch of the agenda, the agent had emailed to change the proposed fabric banners on the columns for painting directly onto the columns in the same design. This was due to concerns over the long term quality and durability of fabric wraps.

In addition, he advised that one further letter of objection had been received objecting to the planning application on the basis that advertisements were inappropriate within the conservation area.

### **Decision:**

Approved with conditions 2 – 6 as set out in the report for the reasons stated in the report and condition 1 revised as follows:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Un-numbered plan "Exterior Back", Un-numbered plan "Exterior front", Block plan, Photos, OS plan,

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received on 4 March 2015, Un-numbered plan Back Wall Signage received on 12 March 2015, as amended by email dated 20 April 2015.

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

### **959 Planning application - MC/14/3127 - 6 Kingsdown Close, Hempstead, Gillingham ME7 3PX**

#### **Discussion:**

The Head of Planning outlined the planning application in detail and suggested that should the Committee be minded to approve the application, proposed condition 2 be amended as set out on the supplementary agenda advice sheet.

#### **Decision:**

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan received 20 October 2014, Ordnance Survey Plan, Block Plan and Drawing Nos. P(00) 01 and P(00) 02 received 3 February 2015, P(11) 01 rev A received 25 March 2015 and P(11) 02 rev F received 24 April 2015.

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

### **960 Planning application - MC/15/0381 - 7 Canterbury Street, Gillingham ME7 5TP**

#### **Discussion:**

The Head of Planning outlined the planning application in detail.

#### **Decision:**

- a) Approved with conditions 1 – 4 as set out in the report for the reasons stated in the report; and
- b) An informative be included on the planning permission reminding the applicant of the requirement to obtain necessary approvals via Licensing before the premises becomes operational.

### **961 Planning application - MC/15/0560 - 1 Valerian Close, Weeds Wood, Chatham ME5 0PP**

#### **Discussion:**

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The Head of Planning outlined the planning application in detail.

With the agreement of the Committee, Councillor Adrian Gulvin spoke on this planning application as Ward Councillor and explained the reasons why the applicant had erected the close board fencing on the side boundary of the property and he referred to other similar fences that had been erected in the locality of the application site.

The Committee discussed the application noting that the garden area which had been enclosed by the fence was the side garden to the property and the view was expressed that it was not unreasonable for the applicant to wish to enjoy their garden in privacy.

### **Decision:**

The retrospective application be approved.

## **962 Planning application - MC/15/0318 - The Whitewall Centre, Whitewall Road, Medway City Estate, Strood Kent ME2 4DZ**

### **Discussion:**

The Head of Planning outlined the application in detail.

### **Decision:**

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

## **963 Performance Report for the period January - March 2015**

### **Discussion:**

The Head of Planning presented the quarterly planning performance report.

He advised the Committee that in 2014/15 there had been a number of changes affecting the Planning Service and that following a restructure, he was now responsible for Policy and Development Planning and reported to the Development Plan Advisory Group and the Planning Committee.

Restructures had been undertaken with in the Planning Service and this had resulted in a number of staff being slotted or having to reapply for posts and some external appointments.

The Head of Planning provided a brief summary of work undertaken by the Planning Service during 2014/15 and advised that a number of major planning applications were due to be considered by the Planning Committee in 2015/16.

In addition he referred to the following:

- Work undertaken on the evidence base for the Local Plan
- Lodge Hill planning application
- Additional income received to cover short term staffing
- Medway's Planning Service continued to perform above the national average from benchmarking statistics
- The outcome of appeals, whilst not being favourable at the start of 2014/15 had now vastly improved.
- Feedback from meetings with major developers and local agents indicated that Medway's Planning Service was their favoured service in Kent and one of the best in the South East and feedback indicated that contributory factors were:
  - Officers were willing to communicate and engage.
  - Medway offered the opportunity for developers to undertake pre-application presentations to the Council.
  - The Council had clear service standards
  - The way in which the Planning Committee was conducted in respect of its Chairmanship and the discussions that Members had on individual planning merits, the mutual respect shown between Officers and Members of the Planning Committee and that whilst there may be differing views upon planning applications, Members of the Planning Committee shared the same objectives.

The Head of Planning referred to the Annual Affordable Housing Report appended to the supplementary agenda advice sheet circulated prior to the meeting and stressed the impact that the Planning Committee had had in the delivery of affordable housing in Medway.

**Decision:**

The Committee noted the report and expressed appreciation to all Officers for the work undertaken in the delivery of the Planning Service and the work of the Planning Committee.

**964 Section 106 Agreements for the period January - March 2015**

The Committee noted the report on Section 106 funding received between January – March 2015 and the Section 106 agreements signed during this period.

**965 Appeal Decisions for the period January - March 2015**

The Committee noted the appeal decisions for the period January – March 2015.

**Planning Committee, 29 April 2015**

**Chairman**

**Date:**

**Ellen Wright, Democratic Services Officer**

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