

Medway Council
Meeting of Planning Committee
Wednesday, 29 June 2016
6.30pm to 9.22pm

Record of the meeting

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

Present: Councillors: Bhutia, Bowler, Carr, Mrs Diane Chambers (Chairman), Etheridge, Griffiths, Hicks (Vice-Chairman), McDonald, Pendergast, Potter, Royle, Shaw, Tejan, Tranter and Wicks

Substitutes: Councillor:
Shaw (for Councillor Gilry)

In Attendance: Councillor Rodney Chambers, OBE
Doug Coleman, Senior Planner
Michael Edwards, Principal Transport Planner
Councillor Adrian Gulvin
Dave Harris, Head of Planning
Vicky Nutley, Planning and Licensing Lawyer
Sarah Platts, Planning Manager (West)
Peter Savage, Democratic Services Officer
Tom Stubbs, Planner

97 Apologies for absence

An apology for absence was received from Councillor Gilry who was substituted by Councillor Shaw.

98 Records of Joint Meeting of Committees and of the last meeting of the Planning Committee

The records of the Joint Meeting of Committees held on 18 May 2016 and of the meeting of the Planning Committee held on 1 June 2016 were agreed and signed by the Chairman as correct.

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99 Urgent matters by reason of special circumstances

There were none.

100 Chairman's announcements

The Chairman reported that agenda item 7 (planning application MC/16/0712, 177 Berengrave Lane) was deferred because of unresolved issues relating to the highway and that agenda item 11 (planning application MC/16/1562, land between Chestnuts and Duddingstone Farm) had been withdrawn because further information was required.

101 Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

Councillor Wicks declared an interest in agenda item 5 (planning application MC/15/2332, Medway Bridge Marina) on the basis that he owned a property in the vicinity of the application site. He left the meeting for the debate and discussion of the item.

Councillor Mrs Diane Chambers declared an interest in agenda item 13 (planning application MC/16/1469, 8a Mansion Row, Brompton) on the basis that she owned a property in the vicinity of the application site. She left the meeting for the debate and discussion of the item.

Councillor Pendergast declared an interest in agenda item 20 (planning application MC/15/4220, 2 and 3 Denison Mews, Lower Stoke) on the basis that he owned a property in the vicinity of the application site. He left the meeting for the debate and discussion of the item.

102 Planning application - MC/15/2332- Medway Bridge Marina, Manor Lane, Borstal, Rochester, Kent ME1 3HS

Discussion:

The Head of Planning outlined the application. In doing so he drew the Committee's attention to the information contained in the supplementary agenda advice sheet.

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The Committee discussed the application in detail. In particular, Members of the Committee expressed concern that the proposal for 36 units was over-development and would have a significant visual impact across the river. Concern was also expressed over the access to the site via Manor Lane.

Decision:

Refused on the following grounds:

The proposed development, if permitted, would result in an over-development of the site. The illustrative drawings provided show a bulky development which is prominent and out of character with its general surroundings. The Local Planning Authority is therefore not satisfied that the site is capable of accommodating 36 residential units. If permitted, the proposal would result in a significant overbearing and unsympathetic development that has an adverse impact on the adjoining low lying land and river-scape, which is exacerbated by the openness of the surrounding area and river environment. The development would therefore be contrary to Paragraphs 56, 61, 64 and 65 of the National Planning Policy Framework and saved policies H4 and BNE1 of the Medway Local Plan 2003.

103 Planning application - MC/16/1003 - Mayfield House Hotel, 34 Kingswood Road, Gillingham ME7 1DZ

Discussion:

The Head of Planning outlined the application. In doing so he referred to the information contained in the supplementary agenda advice sheet regarding the site visit and suggested that some of the concerns raised could be dealt with by adding an informative to the application should the Committee be minded to approve.

Decision:

Approved, subject to completion of Section 106 agreement and conditions 1-4 as listed in Committee report, with the following informative:

The applicant is reminded of his assurance at the site visit that he will be organising regular meetings with local residents to address any issues about the running of the property. He should also provide all local residents with contact details if they have any concerns on the operation of the property. Linked to all of this should be the retention of the on site CCTV which will enable monitoring of the site to assist in addressing concerns of residents.

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104 Planning application - MC/16/0712 - 177 Berengrave Lane, Rainham, Gillingham ME8 7UJ

Decision:

Consideration of the application be deferred because of unresolved issues concerning the highway.

105 Planning application - MC/15/2954 - Land off Broadway, Gillingham, Kent ME8 6DP

Discussion:

The Head of Planning outlined the application. In doing so he drew the Committee's attention to the supplementary agenda advice sheet and to a plan showing adopted highway land which was tabled at the meeting.

The Committee discussed the application especially in respect of the scale of the development, the access road and local parking.

Decision:

Approved, subject to completion of Section 106 agreement and with conditions 1-19, as set out in the Committee report.

106 Planning application - MC/16/1989 - Jeffery Street Car Park, Jeffery Street, Gillingham

Discussion:

The Planning Manager (West) outlined the application.

Decision:

Approved, subject to completion of Section 106 Agreement and conditions 1-11, as set out in Committee report.

107 Planning application - MC/16/1697 - 52, 54 and 54a Green Street, Gillingham ME7 1XA

Discussion:

The Planning Manager (West) outlined the application.

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A Ward Councillor requested a site visit.

Decision:

Consideration of the application be deferred pending a site visit.

108 Planning application - MC/16/1562 - Land Between Chestnuts and Duddingstone Farm (Known as Scarlett Meadow) Matts Hill Road, Hartlip ME9 7XA

Decision:

The application was deferred to allow further information to be collected and reported to the Committee.

109 Planning application - MC/15/4385 - Land Adjoining Four Seasons, 10a Matts Hill Road, (Known as Hildenfield), Hartlip, Sittingbourne, Kent ME9 7XA

Discussion:

The Head of Planning outlined the application. The Committee discussed the application especially in respect of the application's impact on the Area of Outstanding Natural Beauty.

Decision:

Approved, subject to conditions 1-5, as set out in the Committee report.

110 Planning application - MC/16/1469 - 8a Mansion Row, Brompton, Gillingham ME7 5SE

The Vice-Chairman took the Chair for consideration of this item.

Discussion:

The Senior Planner outlined the application. The Committee discussed the application including the comparison with the extant planning permission.

Decision:

Approved, subject to conditions 1-6, as set out in the Committee report.

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111 Planning application - MC/16/0898 - 9 Clematis Avenue, Wigmore, Gillingham ME8 0TB

Discussion:

The Planning Manager (West) outlined the application.

With the agreement of the Committee the Ward Councillor, Councillor Rodney Chambers OBE, addressed the meeting drawing the Committee's attention to the impact of this application on the neighbouring properties and reminding the Committee of the existence of a covenant, which he suggested might be referred to by way of an informative should the Committee be minded to approve the application.

Decision:

Approved, subject to conditions 1-4, as set out in the Committee report, with an informative:

The applicant is advised that this decision relates to planning permission only and that there is an existing covenant on the property that needs to be addressed. The Council, in a separate role as the body that imposed the covenant, will be writing to you on this matter.

112 Planning application - MC/16/0439 - Land Adjacent To Tesco's, Courteney Road, Rainham, Gillingham

Discussion:

The Senior Planner outlined the application. In doing so he drew the Committee's attention to the information contained in the supplementary agenda advice sheet.

The Committee discussed the application especially in regard to potential traffic management concerns within the site and beyond, and also the impact of litter generation.

Decision:

Approved, subject to the completion of Section 106 Agreement and conditions 1-16, as set out in the Committee report and with two additional conditions:

17. Prior to the bringing into use of the development hereby approved, a litter mitigation strategy to address the issue of litter from the drive through restaurant in the surrounding area, shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy shall be

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implemented upon commencement of operation and shall thereafter be maintained unless amendments are agreed in writing with the Local Planning Authority.

Reason: To address issues of litter from the drive through restaurant in the local area in the interests of amenity.

18. Prior to the bringing into use of the development hereby approved, a traffic management strategy, to address potential issues regarding vehicle conflict between delivery lorries to Tesco and customers of the drive through restaurant and to avoid queues back onto the public highway or HGV parking on the public highway, shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy shall be implemented and thereafter maintained unless amendments are otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and the free flow of traffic.

113 Planning application - MC/16/1892 - 29 Yarrow Road, Weeds Wood, Chatham ME5 0SD

Discussion:

The Senior Planner outlined the application. In doing so he drew the Committee's attention to the information contained in the supplementary agenda advice sheet.

With the agreement of the Committee, the Ward Councillor, Councillor Gulvin, addressed the meeting. He had discussed the application with the leaseholder and current occupant.

The Committee discussed the application and were persuaded by the arguments of the Ward Councillor that retention of the unit as an active facility providing local employment and leisure opportunities, and which retained some retail use was appropriate.

Decision:

Application approved, subject to the following conditions, 1-6:

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

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Floor Plan received on 13 May 2016.

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

- 3) The use hereby permitted shall only operate between the hours of 09:00 to 21:00 Mondays to Fridays inclusive and between the hours of 09:00 to 17:00 on Saturdays and 10:00 to 16:00 on Sundays and, Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To regulate and control the permitted development in the interests of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 4) Prior to the commencement of the development hereby permitted, a scheme of acoustic protection shall be submitted and approved in writing by the Local Planning Authority. The scheme must demonstrate that the internal noise levels within the residential units will conform to the indoor ambient noise levels for dwellings identified by BS8233 2014: Guidance on Sound Insulation and Noise Reduction for Buildings. All works which form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: Required before the development commenced to regulate and control the permitted development in the interests of safeguarding neighbouring amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 5) An acoustic assessment of compliance with condition 4 shall be submitted to the Local Planning Authority no later than two months after commencement of the operation of the development hereby permitted. Any provisions indicated in the assessment which need to be made to control noise emanating from the site pursuant to condition 4 shall be submitted in writing for the written approval of the Local Planning Authority within one month of the assessment and all works which form part of the approved scheme shall thereafter be implemented in accordance with a timetable to be agreed in writing by the Local Planning Authority and thereafter maintained.

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

- 6) Prior to the bringing into use of the dance studio, details of the treatment to the shop window to avoid a bland, dead frontage shall be

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submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the use commencing and shall thereafter be maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and to maintain an active shop frontage.

114 Planning application - MC/16/1458 - 765 Maidstone Road, Rainham, Gillingham ME8 0LR

Discussion:

The Planning Manager (West) outlined the application. In doing so she drew the Committee's attention to the information contained in the supplementary agenda advice.

The Committee discussed the application, in particular the density and cramped nature of the development. In particular, Committee Members considered that plot 5 in the application was in the nature of backland development.

Decision:

Refused on the following grounds:

The proposal, by virtue of the number and siting of the dwellings, the backland nature of plot 5 to the rear of the site and the extent and location of the hard-standing to the front of the dwellings, would result in a cramped, overdevelopment of the site, which would result in an unneighbourly form of development and would detract from the character and appearance of the street scene. The proposal would thereby be contrary to Policies BNE1 and BNE2 of the Medway Local Plan and the design objectives set out in chapter seven of the National Planning Policy Framework.

115 Planning application - MC/16/0738 - 193 Edwin Road, Rainham, Gillingham ME8 0AH

Discussion:

The Planner outlined the application.

Decision:

Approved, subject to conditions 1-4, as set out in the Committee report.

116 Planning application - MC/16/1465 - Fort Pitt Grammar School, Fort Pitt Hill, Chatham ME4 6TJ

Discussion:

The Planning Manager (West) outlined the application. She drew the Committee's attention to the information contained in the supplementary agenda advice.

The Committee discussed the application, in particular the need to support the provision of the best educational facilities especially for sciences.

Decision:

Approved, subject to conditions 1-19, as set out in the committee report, with the following alterations, to amend condition 8 and add condition 20:

Amended condition 8: Following the first occupation of the proposed Science and Sixth Form Centre building, the existing single-storey science block to the northern side of the site shall be used for storage purposes only and shall not be used for any other purpose. If the science block is demolished, full details of the finished surface level and mitigation works shall be submitted to and approved in writing by the Local Planning Authority prior to demolition and any works shall be carried out in accordance with any subsequent approved details.

Reason: In the interests of highway safety and amenity protection in accordance with the objectives of Policy T1, T13, BEN1 and BNE2 of the Medway Local Plan 2003.

New condition 20: No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Reason: Required prior to commencement of development to ensure that features of archaeological interest are properly examined and recorded, accordance with Medway Local Plan Policies BNE20 and BNE21.

117 Planning application - MC/15/4220 - 2 and 3 Denison Mews, Lower Stoke, Rochester ME3 9LG

Discussion:

The Planner outlined the application.

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Decision:

Approved, subject to completion of Section 106 Agreement and conditions 1-6, as set out in the Committee report.

118 Planning application - MC/16/1896 - Verge opposite 7 and 9 Eden Road and The Street, High Halstow, Kent ME3 8TB

Discussion:

The Planning Manager (West) outlined the prior approval proposal. In doing so she drew attention to the information contained in the supplementary agenda advice sheet including the revised condition 1 which reflected revised plans showing a reduced height of the monopole. She reminded the Committee that this was not a planning application and, if not determined at the meeting, the applicant would receive deemed permission.

Decision:

Approved, subject to conditions 1-2 as set out in the Committee report, with condition 1 amended as below

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

Plan 100 numbers 100C, 200C and 300 C, received by the Local Planning Authority on 20 June 2016.

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

119 Planning application - MC/14/1896 - Thameside Terminal, Former Conoco Site, Salt Lane, Cliffe ME3 7SU

Discussion:

The Head of Planning outlined the application. In doing so he drew the Committee's attention to the additional information contained in the supplementary agenda advice sheet which included an amendment to the recommended condition 5.

The Committee discussed the application in particular concerns in respect of traffic.

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Decision:

Approved subject to conditions 1-6 set out in the Committee report, with condition 5 amended as set out below:

5. The number of Heavy Goods vehicle movements to and from the site shall not exceed 40 two way movements in total in any one day. Records of all HGVs arriving and departing the site shall be kept and maintained by the companies operating from the site and shall be provided for inspection by the Local Planning Authority within 24 hours of written notice (which includes email). No vehicles shall arrive at or depart from the site outside of the hours 07.00 – 19:00 Monday to Friday, 07.00 -13.00 on Saturday and at no time on Sundays or Bank Holidays.

Chairman

Date:

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