

Medway Council
Meeting of Planning Committee
Wednesday, 18 January 2017
6.30pm to 8.10pm

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, Gilry, Griffiths, Hicks (Vice-Chairman), McDonald, Pendergast, Potter, Tejan, Tranter and Wicks

In Attendance: Tom Ashley, Planning Consultant
Councillor Jane Chitty
Dave Harris, Head of Planning
Councillor Vince Maple
Vicky Nutley, Planning and Licensing Lawyer
Stephen Platt, Democratic Services Officer

606 Apologies for absence

Apologies for absence were received from Councillor Royle.

607 Record of meeting

The record of the meeting held on 14 December 2016 was agreed and signed by the Chairman as correct.

608 Urgent matters by reason of special circumstances

There were none.

609 Chairman's announcements

The Chairman advised the Committee that planning application MC/16/2653 – Elmsleigh Lodge, 118 Maidstone Road, Chatham had been withdrawn from the agenda and would therefore not be discussed at this meeting.

610 Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

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Other interests

There were none.

611 Planning application - MC/15/3538 - 120 High Street, Rochester

Discussion:

The Head of Planning Services outlined the application which proposed to excavate an area of land to the side of the premises to form a part glazed smoking shelter. He advised the Committee that officers' were concerned about the size of the proposed structure and were of the view that the application failed to promote the design concept and how it would link with the historic environment. The applicant had therefore been asked to provide additional information, as set out in the report, but this had not been received. Officers had indicated to the applicant that a lean to structure on a more modest scale and in line with the return of the City Wall Bar might be acceptable. However, this proposal had not been progressed by the applicant.

Decision:

Refused for the reasons set out in the report.

612 Planning application - MC/16/2653 - Elmsleigh Lodge, 118 Maidstone Road, Chatham ME4 6DQ

This application was withdrawn from the agenda.

613 Planning application - MC/16/1924 - Chatham Waterfront, Medway Street, Chatham ME4 4HA

Discussion:

The Planning Consultant outlined the planning application and identified the key issues as flood risk, parking, and the financial viability of the scheme. Members were advised of an omission in recommendation A (xii) in the report which should read:

- (xii) a contribution of £223.58 towards bird disturbance mitigation per dwelling unit.

With regard to affordable housing, the Planning Consultant referred to the Financial Viability Appraisal (FVA) which had been reviewed by an independent viability assessor appointed by the Head of Planning. This concluded that the scheme was not in a position to support the provision of affordable housing. In view of the Council's clear strategic aspiration to secure the redevelopment of the site to support the regeneration of Chatham, officers considered that a departure from Saved Policy H3 was appropriate on this occasion.

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The Committee discussed the application and concern was expressed about the proposed lack of affordable housing provision. It was recalled that the current car park on the site had been an interim measure and noted that, if the scheme progressed, car parking provision could be accommodated elsewhere in the Town Centre, resulting in no loss of income. The conclusions of the FVA were therefore questioned. It was suggested that alternative options should be explored, incorporating a greater or lesser number of units than currently proposed, to assess whether this would improve the financial viability of the development. It was recalled that the Committee had previously been critical of developers who had argued against the provision of affordable housing when submitting their applications. As the Council was the applicant in this instance, it was considered that more should be done to attempt to achieve the Council's 25% affordable housing target within this development. The view was also expressed that, given the very close proximity of the application site to public transport, it was questionable whether there needed to be any residential parking provision within the proposal. It was proposed that should this be removed, it might be possible to provide more retail or dwelling units. It was therefore suggested that the Council's Parking Standards be reviewed for Town Centre locations.

Decision:

Consideration of the application be deferred for further consideration by officers of the financial viability of providing affordable housing within the proposed development.

614 Planning application - MC/16/2917 - 178 and Land North of Brompton Farm Road, Strood, Rochester ME2 3RE

Discussion:

The Head of Planning outlined the planning application and advised the Committee that all references to Policy BNE 48 within the report should be disregarded as this was not a saved Policy of the Local Plan. The third reason for refusal in the report therefore needed to be amended in line with the supplementary agenda advice sheet. In addition, the references to BNE 48 within the Planning Appraisal section of the report, as identified in the supplementary agenda advice sheet, should be disregarded.

The Head of Planning stated that the application site was within the Green Belt and was currently being used as high quality agricultural land. He suggested that Green Belt land should not be released for development through individual planning applications but rather through the Local Plan Development process.

With reference to the supplementary agenda advice sheet, he advised the Committee that, if that application was approved, some open space provision would be required on site and could be conditioned but there would also need to be a contribution towards off site provision (including formal sports provision) of £317,016 and this would need to be included in any S106 agreement.

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With the agreement of the Committee, Councillor Chitty spoke on this planning application and supported the objections raised by residents and the officer recommendation for refusal within the report. She stressed the importance of retaining Green Belt land to prevent urban sprawl.

The Committee discussed the application and highlighted the purpose of the Green Belt.

Decision:

Refused for the reasons set out in the report for the reasons stated in the report, with reason 3 amended in line with the supplementary agenda advice sheet as follows.

3. The development would result in permanent loss of high quality agricultural land (Best and Most Versatile). It has not been demonstrated that there is no alternative previously-developed sites or that the existence of alternative potentially developable greenfield sites of poorer agricultural quality. The proposal is contrary to paragraph 112 of the NPPF.

615 Planning application - MC/16/3583 - The Yard, 1a Milton Road, Gillingham ME7 5LP

Discussion:

The Head of Planning outlined the planning application and drew attention to the proposed level of parking provision which did not meet the Council's current parking standards. However, in view of the higher parking demand for the previous use of the site and the proximity of the site to the Town Centre and public transport, officers had raised no objection in terms of parking standard.

Decision:

Approved subject to:

- A) The applicant completing a Unilateral Undertaking to secure a contribution of £1,117.90 (£223.58 per dwelling) towards Designated Habitats Mitigation.
- B) Conditions 1 – 12 as set out in the report for the reasons stated in the report.

616 Planning application - MC/16/3762 - 55-55a Ordnance Street, Chatham ME4 6SJ

Discussion:

The Head of Planning outlined the planning application and suggested that, if the Committee was minded to approve the application, an additional condition 4 be approved relating to the relocation of the air conditioning units.

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With the agreement of the Committee, Councillor Maple spoke on this planning application and asked if a restriction could be placed on the times that the shop could take deliveries to minimise disruption to neighbouring properties. He stated that the repositioning of the air conditioning units would still impact on some local residents' quality of life.

The Committee discussed the application and was advised by the Head of Planning that any condition needed to directly relate to the development proposal. However, he offered to raise the issue of noise control with colleagues in Environmental Health.

Decision:

A) Approved subject to conditions 1 – 3 as set out in the report for the reasons stated in the report and new condition 4 as follows:

4. The air conditioning units shall be relocated from their current unauthorised position to the position hereby approved within two months of the grant of this planning permission.

Reason: In the interests of the character and appearance of the area and the amenities of nearby residents in accordance with Policies BNE1 and BNE2 of the Medway Local Plan 2003.

B) The Committee requested that the Head of Planning refer the need to review delivery times due to disturbance to neighbouring residential amenity to Environmental Health.

617 Planning application - MC/16/2955 - 65 Broadview Avenue, Rainham, Gillingham, ME8 9DE

Discussion:

The Head of Planning outlined the planning application.

The Committee discussed the application. A Member expressed concern about the loss of garden space and considered that the proposals were out of character with neighbouring properties in Broadview Avenue which had long gardens. Two other Members expressed concern that the applicant might subsequently submit an application for an increased number of properties or larger properties within the roofspace.

Decision:

Approved subject to:

- A) The applicant signing a Unilateral Undertaking under Section 106 of the Town and Country Planning Act, 1990 (as amended) to secure £447.16 (£223.58 per dwelling) towards Designated Habitats Mitigation.

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- B) Conditions 1 – 14 as set out in the report for the reasons stated in the report.

618 Planning application - MC/16/4162 - 77 St Margarets Street, Rochester, ME1 3BJ

Discussion:

The Head of Planning outlined the planning application and suggested that, if the Committee was minded to approve the application, condition 5 be amended in line with the supplementary agenda advice sheet to ensure that the extension and alterations were completed prior to occupation.

Decision:

Approved subject to:

- A) A unilateral obligation being submitted with respect of habitat mitigation.
B) Conditions 1 – 4 and 6 – 8 as set out in the report for the reasons stated in the report and revised condition 5 as set out below:

5. Notwithstanding the approved plans, full details of the revised access, including a 1:20 scale elevational drawing and sections of the proposed replacement front boundary wall, gate wall, raised planter and electronic sliding gate, shall be submitted in writing and approved by the Local Planning Authority prior to the commencement of the development. The front walls shall be constructed using existing wall flints to be carefully removed flint by flint, cleaned and re-used in the new design. The approved scheme shall be implemented in its entirety prior to the first occupation of the dwelling and shall thereafter be retained.

619 Planning application - MC/16/4425 - Land Adjacent 37 Dagmar Road, Luton, Chatham

Discussion:

The Head of Planning outlined the planning application and referred to the planning history of the site and in particular planning application in 2010 which had been refused. In dismissing a subsequent appeal, the planning inspector had raised concerns with regard to the amenities of the occupiers of the adjoining property, 39a Dagmar Road. The Head of Planning drew attention to the fact that the current application sought to position the dwelling further back into the site which would result in less harm to the amenities of the occupiers of the adjoining properties.

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Decision:

Approved subject to:

- A) The submission of a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 to secure £223.58 per new dwelling towards Designated Habitats Mitigation.
- B) Conditions 1 – 10 as set out in the report for the reasons stated in the report.

620 Planning application - MC/16/4356 - Eastcroft, Town Road, Cliffe Woods, Rochester, ME3 7RL

Discussion:

The Head of Planning outlined the planning application and advised the Committee that, since the despatch of the agenda, Cliffe and Cliffe Woods Parish Council had submitted a further letter endorsing previous concerns regarding highway access to the site from the narrow B2000 at that location. In addition, the applicants had written to confirm their intention to improve visibility at the entrance to the farm by clearing back vegetation to the south side of the access to provide a vision splay to meet the 40mph speed limit. Their letter, which was summarised on the supplementary agenda advice sheet, also confirmed that they had no objection to ecological enhancements being provided on the site. The Head of Planning drew Members' attention to proposed condition 6 which was intended to alleviate highway safety concerns.

The Head of Planning concluded that the proposal would enhance the buildings, which were no longer used for agricultural purposes, and would promote businesses within the rural area thereby providing employment for local people. He suggested that, if the Committee was minded to approve the application, an additional condition 8, as set out in the agenda advice sheet, be approved requiring the submission of amended elevations to building C which tie up with the floor plans.

The Committee discussed the application and a Member observed that very large lorries used Town Road and additional traffic might increase highway safety concerns at the access to the site. The Head of Planning reiterated that the clearance of vegetation would improve visibility and that additional signage would be installed.

Decision:

Approved subject to conditions 1 -7 as set out in the report for the reasons stated in the report and new condition 8 as set out below:

- 8. Notwithstanding the approved plans referred to in condition 2, prior to work on building c amended elevations which tie up with the floor plans shall be submitted to and approved in writing by the Local Planning

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Authority. The development shall be undertaken in accordance with the approved plans.

Reason: The submitted floor plans and elevations do not correspond with respect to entrance doors.

621 Report on Section 106 Agreements for the period July - December 2016

Discussion:

The Committee received a report setting out the amount of Section 106 funding received between July to December 2016 and setting out what the contributions must be spent on.

The Committee discussed the report and asked for more information on the level of payments towards habitat mitigation. In addition, a Member asked how much the Dockside payments were per year and what they went towards. The Head of Planning Services said that his information would be emailed to the Member.

Decision:

The Committee noted the report and requested that an information report be provided for a future meeting setting out the governance arrangements and providing information on how it would be spent. The report should include the current total of monies received.

Chairman

Date:

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