

**Medway Council**  
**Meeting of Planning Committee**  
**Wednesday, 15 February 2017**  
**6.30pm to 9.50pm**

**Record of the meeting**

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

**Present:** Councillors: Bhutia, Carr, Mrs Diane Chambers (Chairman), Gilry, Hicks (Vice-Chairman), Pendergast, Potter, Tejan, Tranter and Wicks

**Substitutes:** Councillors:  
Johnson (Substitute for Bowler)  
Maple (Substitute for McDonald)  
Purdy (Substitute for Royle)

**In Attendance:** Laura Caiels, Legal Advisor  
Councillor Rodney Chambers, OBE  
Councillor Jane Chitty  
Councillor Pat Cooper  
Doug Coleman, Senior Planner  
Michael Edwards, Principal Transport Planner  
Kemi Erifevieme, Planning Manager  
Dave Harris, Head of Planning  
Mark Lawson, Environmental Services Manager  
Madeline Mead, Derelict Buildings Officer  
Ellen Wright, Democratic Services Officer

**742 Apologies for absence**

Apologies for absence were received from Councillors Bowler, Etheridge, Griffiths, McDonald and Royle.

**743 Record of meeting**

The record of the meeting held on 18 January 2017 was agreed and signed by the Chairman as correct.

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

There were none.

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### 745 Chairman's announcements

The Chairman announced that the following planning applications had been withdrawn from the agenda and therefore would not be considered at this meeting:

Planning application – MC/16/4656 – British Red Cross Society, 9 Stoke Road, Hoo St Werburgh, Rochester

Planning application – MC/16/4682 – 91 – 93 Bryant Road, Strood, Rochester

### 746 Declarations of disclosable pecuniary interests and other interests

#### Disclosable pecuniary interests

There were none.

#### Other interests

The Chairman, Councillor Mrs Diane Chambers referred to planning application MC/16/4857 – 146 Hempstead Road, Hempstead, Gillingham and advised the Committee that as she wished to address the Committee on this planning application as Ward Councillor, she would withdraw from the Committee and take no part in the determination of the planning application. The Vice Chairman would chair the meeting for this particular planning application.

Councillor Gilry referred to planning application MC/16/4430 – 44Two Sports and Social Club, Featherby Road, Gillingham and advised the Committee that as she had been involved in discussions with the residents and the applicant on this application, she would leave the meeting for the consideration and determination of the planning application.

Councillor Maple referring to planning application MC/16/4304 – 13 – 17 Church Street, Chatham advised that he had received representations and had been involved in conversations with residents and traders who would be impacted by the proposed development and had expressed views on the town centre generally but he had not expressed a view specifically upon this planning application. Therefore he would take part in the consideration and determination of this planning application.

Councillor Maple referred to planning application MC/16/4268 – Land North of Commissioners Road, Strood, Rochester and advised that owing to matters outside of this Committee that were ongoing, he would withdraw from the meeting for the consideration and determination of this planning application.

Councillor Tejan referred to planning application MC/16/4268 – Land North of Commissioners Road, Strood, Rochester and advised that as his Ward Councillor colleague was involved in this planning application, he would withdraw from the meeting for consideration and determination of the application.

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Councillor Tejan referred to planning application MC/16/4304 – 13 – 17 Church Street Chatham and advised the Committee that as he wished to address the Committee on this planning application as Ward Councillor, he would withdraw from the Committee and take no part in the determination of the planning application.

### **747 Planning application - MC/16/4268 - Land North of Commissioners Road, Strood, Rochester Kent ME2 4EQ**

#### **Discussion:**

The Head of Planning outlined the planning application and explained that the application involved two stages, firstly the infilling of the quarry and then development of the site.

He advised that at this stage the application was an outline planning application with all matters reserved except the means of access from Commissioners Road.

The Committee was advised that although this site was designated as public open space in the Local Plan, it had not been used as public open space for many years and would not be available for public use in its current format in the future. It was therefore considered that to infill the site would bring it to a height that would be level with the surrounding land levels would enable it to link to the existing public open space.

The Head of Planning drew attention to the supplementary agenda advice sheet and suggested that if the Committee was minded to approve the planning application, amendments be made to the proposed Section 106 agreement and conditions 8, 11 and 24 and that new conditions 26 – 28 be approved relating to the Landscape Management Plan and the infill works.

In addition, he drew attention to an amendment to the proposal and planning appraisal to identify the fill volume to be 465,000sq.m.

He also suggested that if approved, the Section 106 be amended to include an element for sports provision. He advised the Committee that this had originally been included when a previous application had been considered in 2014 and a figure of £90,000 had been sought. Therefore, it was considered that such sum should be included in the new Section 106 agreement but to include an uplift for interest since 2014.

The Head of Planning advised the Committee that having regard to the need to minimise disturbance to residents whilst this site was infilled and then developed, officers had given careful consideration to the application prior to recommending the application for approval.

With the agreement of the Committee, Councillor Chitty spoke on this planning application as Ward Councillor and outlined residents concerns regarding the

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length of time that it would take to fill the quarry and the disturbance that this would cause. Residents were also concerned as to how the site would be managed and the conditions enforced. Residents also felt that the proposal did not adequately deal with the level of traffic that would be generated by the development.

In addition, Councillor Chitty referred to the proposed Section 106 agreement and suggested that if the application was to be approved, the £16,243.50 currently to be directed to the Great Lines Heritage Park and the £17,772.30 towards community centre and neighbourhood facilities would be more appropriately utilised on open space or community use in Strood. In response, the Head of Planning confirmed that the Committee could agree to amalgamate these two contributions for community improvements in the area with the location to be agreed in consultation with Ward Councillors.

The Committee discussed the planning application and in particular drew attention to the following issues:

- The future of the site following completion of infilling and the possibility that the site could then be sold for development.
- The requirement for the site to be screened whilst infilling takes place and then for the current self sown screening to be replaced by a planting scheme.
- The requirement for the applicant to obtain a licence from the Environment Agency for the infilling.
- Access and egress to and from the site.
- Proposed condition 15 involving the requirement for a Construction Environmental Management Plan.

The Head of Planning advised that whilst the Committee had received a pre-application presentation from the developers on this planning application, he was satisfied that no Member of the Planning Committee had expressed a view upon the merits of the application.

### **Decision:**

Approved subject to:

- A) The applicants entering into agreement under Section 106 of the Town and Country Planning Act to secure:
- I A minimum of 25% affordable housing on site.
  - II Provision of highway works on Commissioners Road, comprising:
    1. A raised table and an uncontrolled pedestrian crossing point in the vicinity of the junction with Banks Road
    2. A series of speed cushions, including carriageway resurfacing and associated signs and road markings
    3. A pedestrian crossing island between the site access junction and Wingrove Drive

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4. The provision of a 2 metre wide, resurfaced footway along the site frontage
5. New system of street lighting

III A financial contribution of £629,685.74 in total to be split in the following ways

- £71,468.80 towards Nursery provision
- £174,015.77 towards Primary education
- £169,002.77 towards Secondary education
- £20,207.20 toward Waste and Recycling (£155.44 per dwelling)
- £34,015.80 towards community facilities within the Strood area with the areas to benefit being agreed in consultation with Ward Councillors
- £60,833 towards local GP services
- £71,077 toward Air Quality Mitigation
- £29,065.40 toward Habitats Regulations (mitigation against Wintering Birds – at £223.58 per dwelling)

IV A contribution towards formal sports provision in the area to be no less than £90,000 with uplift for interest.

B) Conditions 1 – 7, 9 – 10 and 12 – 23 and 25 as set out in the report for the reasons stated in the report and conditions 8, 11 and 24 amended as follows and new conditions 26 – 29 as follows:

8. No development shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority detailing a contingency plan for the quarry and associated land and structures should infilling activity cease for a period of more than 6 months. The contingency plan shall give details of landscaping proposals, agricultural land restoration and ecological mitigation and monitoring measures, together with a business plan to demonstrate how this will be achieved should the development not be completed. Should the infill activity cease for a period of more than 6 months the owner shall comply with the approved contingency plan.

Reason: To ensure satisfactory arrangements are made to safeguard the character and appearance of the locality, quality of agricultural land and habitats in the interests of visual amenity and ecology in accordance with PPS7 and Policies BNE1, BNE6, BNE12, BNE14, BNE18, BNE34, BNE37 and BNE39 of the Medway Local Plan 2003.

11. Prior to the commencement of infill, details of any lighting to be used on site during the infill works shall be submitted to and approved in writing by the Local Planning Authority. Prior to the commencement of development of the residential part, details of a

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lighting scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. Both schemes shall comply with the Bat conservation trusts Bat and Lighting in the UK guidance. The lighting schemes shall be undertaken as approved and thereafter maintained.

Reason: Any bats utilising the site may be affected by disturbance associated with the proposed development, notably as a result of light spill into areas used by this species group.

- 24 Details to be submitted in pursuance of Condition 1 shall include full details of the proposed play space provisions and cycle routes that are to be incorporated within the overall site and a timetable for their delivery. The development shall be undertaken in accordance with the approved details.

Reason: To ensure that satisfactory open space provision is incorporated within the final details of the scheme to a standard that is acceptable in relation to Policy L3 of the Medway Local Plan (2003).

- 26 A Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the approved dwellings. The Landscape Management Plan shall be carried out as approved.

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.

- 27 Prior to the commencement of any infill works, the existing vehicle width restriction measures in place in Commissioners Road shall be moved in accordance with details to be submitted to and approved by the Local Highway Authority and thereafter all construction vehicles relating to the infill operations shall only access the site from Medway City Estate.

Reason: In the interests of residential amenity and to comply with Policy BNE2 of the Medway Local Plan 2003.

- 28 The details submitted pursuant to condition 1 shall include details of the proposed site levels following completion of the infill operations and include cross sections through the site, proposed site contours and slab heights for the proposed buildings. The development shall be undertaken in accordance with the approved details.

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Reason: In the interests of protecting the visual amenities and character of the area.

- 29 The existing tree screen/hedgerow along Commissioners Road shall be retained, (with the exception of any removal required for visibility for construction access) at all times during the infill of the site part of the proposal.

Reason: To protect the amenities of residents of the area.

### **748 Planning application - MC/16/4518 - 9 Clematis Avenue, Wigmore, Gillingham ME8 0TB**

#### **Discussion:**

The Head of Planning outlined the planning application and suggested that if the Committee was minded to approve the application proposed condition 4 be amended as set out on the supplementary agenda advice sheet.

In addition he read out the content to two emails sent direct to Councillors objecting to the planning application and asking that the Committee undertake a site visit. He explained that both emails had been sent before the deadline for receipt of representations but had not been sent to the Planning Section and had therefore not been included on the supplementary agenda advice sheet.

With the agreement of the Committee, Councillor Rodney Chambers OBE spoke on this planning application as Ward Councillor and outlined the concerns of the neighbours and in particular the neighbour at No. 10 as to the impact that the proposed development would have upon the light and loss of outlook from the kitchen window.

#### **Decision:**

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

4. The en-suite window on the first floor side (south facing) elevation shall be fitted with obscure glass and apart from any top-hung light, that has a cill height of not less than 1.7metres above internal finished floor level of the room it serves, shall be non opening. This work shall be carried out and completed before the room is first brought into use and shall be retained at all times thereafter.

Reason: To ensure the development does not prejudice conditions of amenity by reason of unneighbourly overlooking of adjoining property, in accordance with Policy BNE2 of the Medway Local Plan 2003.

**749 Planning application - MC/15/2897 - Land at the Junction of Maidstone Road and Sir Evelyn Road, Rochester Kent**

**Discussion:**

The Planning Manager outlined the planning application and reminded the Committee that this planning application had been the subject of a site visit on 11 February 2017 at which the Senior Planner had set out what the application was for and talked through the submitted plans making reference to the existing site circumstances. Officers had explained the proposed parking for the development, the garden depth, coppicing, landscaping proposed and the extent of ownership/serving notice responsibilities. Tree Preservation status, the extent of coppicing envisaged and the regrowth impact had also been addressed.

A summary of the points raised by the planning agent and the concerns of residents expressed at the site visit were set out on the supplementary agenda advice sheet along with one additional representation received since despatch of the agenda.

It was suggested that if the Committee was minded to approve the application, proposed conditions 4, 5, 10 and 11(C) be amended as set out on the supplementary agenda advice sheet.

The Committee discussed the application and in particular the impact that the development would have upon the trees.

**Decision:**

Approved subject to:

- A) The applicant signing a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 to secure £670.74 towards Designated Habitats Mitigation;
- B) Conditions 1 – 3, 6 – 9 and 11 a) and b) as set out in the report for the reasons stated in the report and conditions 4, 5, 10 and 11c amended as follows:
  - 4. No development shall commence until a construction environmental management plan that describes measures to control the noise, dust, storage of materials and lighting arising from the construction phase of the development has been submitted to and approved in writing by the Local Planning Authority. The construction environmental management plan shall describe how the measures mitigate the impact of construction on residential amenity, wildlife habitat and foraging and commuting bats. All construction works shall be undertaken in accordance with this approved plan.

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Reason: In order to minimise the impact of the construction period on the amenities of local residents, ancient woodland adjacent to the site, wildlife habitat and bats with regard to Policies BNE2, BNE37 and BNE39 of the Medway Local Plan 2003.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification) no development shall be carried out within Schedule 2, Part 1, Classes A, B, and E of that Order to the dwelling houses (known as House 1 and House 2) of the development hereby approved, 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 Policy BNE2 of the Medway Local Plan 2003.

10. Notwithstanding the submitted details, no development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping together with boundary treatment. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or completion of the development, whichever is the earlier. Any trees or plants which, within 5 years of planting are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

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.

- 11c) Notwithstanding the submitted information, full details of fencing/alignment or fencing/barriers to be erected for the protection of the retained trees (including Tree 27 shown on plan 1006-510 Rev E) shall be submitted to and approved in writing by the local planning authority prior to works commencing on site. The fencing shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this Condition and the ground levels within those areas shall not be altered, nor shall any excavation be made without the written consent of the Local Planning Authority.

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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 Policies BNE1 and BNE6 of the Medway Local Plan 2003.

### **750 Planning application - MC/16/4857 - 146 Hempstead Road, Hempstead, Gillingham ME7 3QE**

#### **Discussion:**

In the absence of the Chairman, the Vice Chairman chaired the Committee for this planning application.

The Head of Planning outlined the planning application and drew attention to an amendment to the last paragraph of the proposal section on page 71 of the agenda where the following words required addition:

“restaurant to operate a take away facility in addition to the home delivery service”.

With the agreement of the Committee, Councillor Mrs Diane Chambers addressed the Committee as Ward Councillor and referred to the history of this premises and its various planning applications. In particular she drew attention to the following:

- A previous appeal decision that planning permission be granted for a restaurant with home delivery service as opposed to a takeaway.
- She did not consider that the location of the premises, being within a small parade of shops, could be regarded as a local shopping centre and therefore the application for a takeaway was contrary to the Council’s policy relating to the siting of takeaway facilities in close proximity to schools.
- Whilst the premises had a rear car park for 10 spaces, in reality these would be used by patrons of the restaurant who planned to stay at the premises for a meal but would unlikely be used by individuals visiting the restaurant to obtain takeaway food.
- The new owners of the restaurant were already advertising takeaway services and therefore this planning application was retrospective.

The Head of Planning advised that this parade of shops was designated as a local shopping centre in the Local Plan and that even if it wasn’t designated as such, in the light of the premises proximity to local schools, this would mean that the hours of operation as a takeaway could be controlled but the application would not necessarily be refused.

The Committee discussed the planning application noting that this restaurant was located in a predominantly residential area and concern was expressed that should the premises be permitted to operate a takeaway service this would have a detrimental impact on the amenity of local residents by indiscriminate parking by visitors to the premises.

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### Decision:

- a) Refused on the ground that that the operation of a takeaway service from this premises would have a detrimental impact on the amenity of local residents by indiscriminate parking by visitors to the premises and vehicular movements.
- b) The Head of Planning be granted delegated authority to approve the final wording of the refusal grounds with the Vice Chairman and the Planning Group Spokes.

### **751 Planning application - MC/16/4304 - 13 - 17 Church Street, Chatham Kent ME4 4BT**

### Discussion:

The Senior Planner outlined the planning application in detail and drew attention to the supplementary agenda advice sheet setting out a representation from Southern Water along with officer's response.

With the agreement of the Committee, Councillor Tejan spoke on this planning application as Ward Councillor and outlined residents on the following issues:

- Provision of parking
- Pressure on local services
- Poor planning for the removal of domestic waste.

He referred to other nearby developments whereby a condition had been imposed stating that occupiers of premises may not apply for parking permits and suggested that such condition be imposed upon this development if the Committee was minded to approve the planning application.

The Committee discussed the application noting the comments from the Ward Councillor.

The Senior Planner referred to the previous use of a condition to restrict the ability of occupiers of premises from obtaining parking permits and advised that a Planning Inspector had since ruled that such condition was not permissible as it related to a matter that was outside the application site. Therefore, this issue was now being covered through Section 106 agreements and had been included in the proposed Section 106 for this particular planning application.

A Member drew attention to a correction to the total figure listed in the committee report relating to the level of funds being sought via Section 106 agreement for Children's Services. This required correction to read £21,507.20.

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### Decision:

Approved subject to:

- A) The applicant entering into a Section 106 agreement to secure the following:
- I The development as 'Car Free', by precluding future occupiers from obtaining parking permits, including if required an undertaking to pay the Council's costs in regard to amending the relevant Traffic Regulation Order to preclude future occupiers of the development from obtaining such parking permits;
  - II A contribution of £9,826.95 based on an occupancy ratio of 2.44 for the 21 flats towards the provision of local health facilities.
  - III A contribution of £2,745.90 based on an occupancy ratio of 0.03 for the 11 x two bedroom flats towards the provision of nursery school facilities.
  - IV A contribution of £8,236.80 based on an occupancy ratio of 0.09 for the 11 x two bedroom flats towards the provision of primary school facilities.
  - V A contribution of £7,893.60 based on an occupancy ratio of 0.06 for the 11 x two bedroom flats towards the provision of secondary school facilities.
  - VI A contribution of £2,631.20 based on an occupancy ratio of 0.02 for the 11 x two bedroom flats towards the provision of sixth form school facilities.
  - VII An open space contribution of £31,274.25 based on an occupancy ratio of 1.33 for the one bedroom units, 2.44 for the two bedroom units and a contribution of £777 per person to be spent on improvements in the locality of the application site in consultation with Ward Councillors.
  - VIII A contribution of £5,247.90 based on an occupancy ratio of 2.45 per units and a contribution of £233 per person towards improvements within Great Lines Heritage Park.
  - IX A contribution of £4,925.18 (£223.58 per unit) towards appropriate mitigation measures within Special Protection Areas.
  - X To pay the costs of the removal and possible replacement of the street tree on Church Street.
- B) Conditions 1 – 19 as set out in the report for the reasons stated in the report.

**752 Planning application - MC/16/4430 - 44Two Sports and Social Club, Featherby Road, Gillingham, ME8 6AN**

**Discussion:**

The Head of Planning outlined the planning application in detail and suggested that if the Committee was minded to approve the application proposed conditions 2 and 5 be deleted as they had been complied with and the remaining conditions be renumbered.

In addition, he referred to proposed condition 4 and suggested that this should be amended to state that the extra hour of operation from 6am be restricted to internal facilities only and he sought delegated powers to amend this condition accordingly.

**Decision:**

Approved with condition 1 as set out in the report for the reasons stated in the report and conditions 3, and 6 and 7 as set out in the report but being renumbered 2, 4 and 5 with the Head of Planning being granted delegated authority to amend the wording of condition 4 (now renumbered as 3) to state that the extra hour opening at 6am will relate to indoor facilities only.

**753 Planning application - MC/16/4833 - 66 Birch Grove, Hempstead, Gillingham ME7 3RB**

**Discussion:**

The Head of Planning outlined the planning application in detail and explained the difference between the current application and that previously submitted in September 2016.

With the agreement of the Committee, Councillor Rodney Chambers OBE spoke on this planning application as Ward Councillor and expressed concern that the reduction in the size of the two storey rear extension from a 2m to 1.8m projection did little to change the effect that this extension would have upon the neighbouring property at No. 64, particularly once the roof was added to the extension. He therefore requested that the application either be refused or that officers undertake further discussions with the applicant to assess whether the proposal could be changed to remove the impact on the neighbouring property.

The Committee discussed the application and the Head of Planning explained the 45 degree angle test that was carried out by officers to determine whether an application was acceptable. Having viewed via the presentation the result of the 45 degree angle test for this planning application, a number of Members considered the application to be borderline and therefore considered that there was merit in deferring the application so that officers could discuss with the applicant the possibility of reducing the impact on the neighbouring property.

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### Decision:

Consideration of this application be deferred to enable officers to undertake further discussions with the applicant about the possibility of modifying the application so as to reduce the impact on the neighbour at No. 64.

### **754 Planning application - MC/16/4952 - 148 High Street Rochester ME1 1ER**

#### Discussion:

The Planning Manager advised the Committee that this planning application related to the variation of condition 4 of planning consent ME/98/0545 to allow for extended opening hours. She advised that whilst officers had recommend that the condition be varied to meet the needs of the business, officers had recommended that the opening hours be reduced to 09.00 to 23.00 Sundays to Thursdays (inclusive) and Public Holidays and between the hours of 09.00 to 00.00 on Fridays and Saturdays.

The Committee discussed the application and noted that the applicant had offered to have security on site should the premises be permitted to open between the hours of 11pm – 1am. It was therefore suggested that officers discuss with the applicant the possibility of provision of security on site from 10pm – midnight based on the hours recommended by officers.

The Head of Planning suggested that if the Committee was minded to approve this application on the hours as proposed in condition 1, officers could then have discussions with the applicant on the possible provision of security. If the applicant was in agreement to the provision of security between the hours of 10pm – midnight then he sought delegated authority to approve the application with the reduced hours. However, if the applicant wanted the application determined as submitted with the full opening hours originally requested, he sought delegated authority to refuse the application

#### Decision:

It be noted that the Head of Planning will discuss with the applicant the possible provision of security between the hours of 10pm – midnight and if the applicant is in agreement, the Head of Planning be granted delegated authority to approve the application on the reduced hours as set out in condition 1 as set out in the report. However, if the applicant wishes the application determined as submitted with the full opening hours requested, the Head of Planning be granted delegated powers to refuse the application.

### **755 Planning application - MC/16/4656 - British Red Cross Society, 9 Stoke Road, Hoo St Werburgh, Rochester ME3 9BE**

#### Decision:

The Committee noted that this application had been deferred.

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**756 Planning application - MC/16/3973 - Leighton House, Lower Twydall Lane, Twydall, Gillingham ME7 2UU**

**Discussion:**

The Senior Planner outlined the planning application and drew attention to a correction to page 131 of the agenda in that in the amenity section of the report, the bedroom size should be 21 sq.m and 9.2sq.m instead of 92 sq.m.

The Committee discussed the application and a Member suggested that condition 5 be amended to require that a register be maintained of occupiers of the holiday lets.

**Decision:**

Approved subject to:

- A) The applicant entering into a Section 106 agreement to secure a contribution of £447.16 (£223.58 per unit) towards the appropriate mitigation measures within Special Protection Areas.
- B) Conditions 1 – 4 and 6 as set out in the report for the reasons stated in the report and condition 5 amended as follows:
  - 5. The accommodation herein permitted shall only be occupied as holiday lets and no unit shall be occupied for more than 28 consecutive days at any one time. A log book detailing the names and addresses of the guests staying at each holiday let and the dates of their arrival and departure shall be maintained for the duration of the use and upon the first and each subsequent anniversary of the date of this permission a copy of the log book shall be submitted to the Local Planning Authority.

Reason: To accord with the terms of the submitted application and to maintain the character of the area in accordance with Policies BNE25, BNE34 and ED15 of the Medway Local Plan 2003.

**757 Planning application - MC/16/4682 - 91 - 93 Bryant Road, Strood, Rochester ME2 3ES**

**Decision:**

The Committee noted that this application had been deferred.

**758 Planning application - MC/16/4687 - Queen Elizabeth Fields, Castlemaine Avenue, Gillingham ME7 2QE**

**Discussion:**

The Planning Manager outlined the planning application in detail.

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The Committee discussed the application and sought an assurance that the required notices will be displayed on site advertising the use of CCTV.

### **Decision:**

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

3. Prior to first use of the BMX pump track the safety and CCTV signage, rubbish bin and CCTV as described on the approved plans shall be installed and thereafter retained unless otherwise agreed in writing by the Local Planning Authority.

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

### **759 Planning application - MC/16/5042 - The Barge, 63 Layfield Road, Gillingham ME7 2QY**

#### **Discussion:**

The Planning Manager outlined the planning application along with the planning history for this site.

The Committee noted that planning consent had been granted in December 2016 for the conversion of the public house to one 2-bedroomed and one 3 – bedroomed dwelling following officer’s consultations with the applicant on the extent of development considered acceptable at this location.

#### **Decision:**

Refused on the ground set out in the report.

### **760 Performance Report October - December 2016**

#### **Discussion:**

The Committee received a report setting out performance for the period October – December 2016

#### **Decision:**

The Committee noted the report.

### **761 Exclusion of the press and public**

The Committee agreed to ask the press and public to leave the meeting because the following items contained sensitive information relating to current

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legal proceedings. The information was considered to be exempt under paragraph 6 of part 1 of Schedule 12A of the Local Government Act 1972.

### **762 Section 215 Enforcement**

#### **Discussion:**

The Environmental Services Manager presented a report on action taken by the Environmental Enforcement Team with regard to Section 215 issues during the months of April – June 2016.

#### **Decision:**

The Committee noted the report.

### **763 Derelict Buildings July - December 2016**

#### **Discussion:**

The Committee received a report setting out action taken by the Derelict Buildings Officer on key buildings and associated land for the period July – December 2016.

A Member suggested that provided it did not create a great deal of additional work, a summary update be sent to each Ward Councillor for information. The Head of Planning agreed to investigate this suggestion and would discuss with the Member direct outside of the meeting.

#### **Decision:**

The Committee noted the report.

### **764 Enforcement Proceedings - October - December 2016**

#### **Discussion:**

The Committee received a report setting out enforcement action taken during the period July – December 2016.

The Head of Planning agreed to advise a Member direct upon relevant dates relating to case no. 27.

#### **Decision:**

The Committee noted the report.

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**Chairman**

**Date:**

**Ellen Wright, Democratic Services Officer**

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