

Medway Council
Meeting of Planning Committee
Wednesday, 5 July 2017
6.35pm to 8.35pm

Record of the meeting

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

- Present:** Councillors: Bowler, Carr, Mrs Diane Chambers (Chairman), Royle, Griffiths, Hicks (Vice-Chairman), McDonald, Pendergast, Potter, Tejan and Wicks
- Substitutes:** Councillors:
Griffin (Substitute for Bhutia)
Purdy (Substitute for Etheridge)
Saroy (Substitute for Tranter)
Shaw (Substitute for Gilry)
- In Attendance:** Hannah Gunner, Senior Planner
Dave Harris, Head of Planning
Vicky Nutley, Planning and Licensing Lawyer
Carly Stoddart, Planning Manager Development Management
Ellen Wright, Democratic Services Officer

122 Apologies for absence

Apologies for absence were received from Councillors Bhutia, Etheridge, Gilry and Councillor Tranter.

123 Record of meeting

The record of the meeting held on 13 June 2017 was agreed and signed by the Chairman as correct.

The Chairman drew attention to the supplementary agenda advice sheet and the following updated information:

Minute 34 - Planning application MC/17/0931 – Rochester Airport, Maidstone Road, Chatham – It was confirmed that the Department for Communities and Local Government (DCLG) had advised that they do not wish to call in the application. Therefore, the planning permission had been issued

Minute 35 and 36 – Planning application MC/17/0278 – The Royal Oak, 53 Cooling Road, Strood - The DCLG had instructed the Local Planning Authority

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not to issue any decision until 14 July 2017 or until notified by the DCLG, whichever is the earlier.

Minute 37 – Planning application MC/17/0353 - 311 Station Road, Rainham, Gillingham – The following reasons for refusal had been agreed with the Vice Chairman, Councillor Potter and the Opposition Spokesperson:

The proposal represents an unacceptable overdevelopment of the site for the following reasons:

- The mass and 3 storey aspect of the proposal in an area characterised by 2 storey housing.
- The inadequacy of on site parking for prospective residents below the Council's parking standards.
- Unacceptable loss of privacy to occupiers of neighbouring properties, in particular from the proposed balconies
- Overbearing nature of the development , particularly with respect to the 3 storey element.
- The flat roof design, in order to accommodate the number of units, is out of keeping with the area.

The proposal is therefore contrary to the provisions of Policies BNE1, BNE2, H4, and T13 of the Medway Local Plan 2003 and Section 7 of the NPPF 2012 referring to good design.

124 Urgent matters by reason of special circumstances

There were none.

125 Chairman's announcements

The Chairman informed the Committee that planning application MC/16/4781 – 133 Watling Street, Strood had been deferred from consideration at this meeting at the request of officers.

The Chairman also welcomed the Chairman of Gravesham Borough Council's Planning Committee and an officer from Gravesham's Planning Team who were in attendance to observe the meeting.

126 Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

Councillor Tejan advised the Committee that he would leave the meeting for the consideration and determination of planning application MC/17/1630 – 153 –

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155 High Street Chatham on the basis that his Ward Councillor colleague was part of the applicant's team.

127 Planning application - MC/17/0679 - 233 Hempstead Road, Hempstead, Gillingham ME7 3QH

Discussion:

The Head of Planning outlined the planning application and reminded the Committee that this application had been submitted for consideration on 13 June 2017 but had been deferred to enable officers to undertake further discussions with the applicant.

He advised that following discussions, the agent had emailed to state that he wished the application to be considered without any changes to the plans and description and he had submitted a number of points to support the application, details of which were summarised on the supplementary agenda advice sheet.

The Head of Planning referred to the agent's comment concerning a similar development in Marshall Road and advised the Committee that this was a different location and therefore the Committee was required to consider this planning application based on the surrounding area in Hempstead Road.

Referring to the concerns expressed by the Committee on 13 June, he outlined on a plan displayed at the meeting those elements of the bungalow that would be retained as part of the development.

The Committee considered the application noting that Hempstead Road contained a mixed development of properties.

Decision:

Approved subject to:

- a) The applicant entering into a Section 106 agreement to secure £223.58 towards bird disturbance.
- b) Conditions 1 – 10 as set out in the report for the reasons stated in the report.

128 Planning application - MC/16/4380 - Buddys View, Perry Hill, Cliffe, Rochester ME3 7TY

Discussion:

The Senior Planner outlined the planning application in detail and explained that should the Committee be minded to approve the application, the proposed conditions would ensure that the planning permission would be personalised to the applicant and his immediate family.

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It was explained that the family had lived on this site for many years and the application related to accommodation for the applicant's adult children. Officers were satisfied that evidence had been supplied to support the application that all of the family seek their living by travelling around, attending fairs or seeking work as contractors for various types of building work and repairs.

A Member suggested that an additional condition be approved regarding drainage from the site.

Decision:

Approved with conditions 1 – 7 as set out in the report for the reasons stated in the report and an additional condition relating to drainage as follows:

8. No development shall take place until the details of the foul drainage system for the site has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details before the site is brought into use and shall be so retained at all times thereafter.

Reason: To ensure that the development permitted does not prejudice conditions of amenity in accordance with Policy BNE2.

129 Planning application - MC/17/0858 - Land at 92 Woodside, Rainham, Gillingham, ME8 0PN

Discussion:

The Planning Manager outlined the planning application in detail and explained that in 2013 planning permission had been allowed on appeal for the erection of a two bedroomed detached bungalow to the rear of 94 Woodside under reference MC/13/0193. The Planning Inspector had summarised that whilst the presence of backland/tandem development had been established within the area, any future development would be considered on merit. Therefore the principle of such development was potentially acceptable if site circumstances permitted.

The Planning Manager advised the Committee that, if approved, this particular development would result in the loss of three trees which were the subject of Tree Preservation Orders. One of the trees was in poor health and another was a relatively young tree.

The Committee discussed the application and suggested that if it was necessary for the trees to be removed as part of the development, three replacement trees should be provided elsewhere on site, or if space did not permit, that the applicant be required to make provision for three replacement trees be provided off site at another location in Medway in consultation with the Local Planning Authority.

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Decision:

Approved subject to:

- a) The applicant entering into a Section 106 agreement to secure £223.58 towards wildlife mitigation.
- b) Three replacement trees being provided elsewhere on site, or if space does not permit, the applicant be required to make provision for three replacement trees off site at another location in Medway in consultation with the Local Planning Authority under a Section 106 Agreement.
- c) Conditions 1 – 7 as set out in the report for the reasons stated in the report.
- d) Delegated authority be granted to the Head of Planning to conclude b) above, if necessary by way of a Section 106 Agreement and, if it is not possible to reach an agreement with the applicant on the issue of the replacement trees, the planning application be referred back to the Committee for further consideration.

130 Planning application - MC/16/2577 - Land adjacent to 506 Lower Rainham Road, Rainham, Gillingham, ME8 7TN

Discussion:

The Planning Manager outlined the planning application in detail.

The Committee discussed the application having regard to the location of the application site and the fact that the land has not been in agricultural use for many years. The Committee also had regard to parcels of land in the vicinity of the application site but noted that they were required to determine this planning application on its individual merits.

It was noted that the Development Plans Advisory Group was considering the issue of village boundaries.

Decision:

Approved subject to:

- a) The applicant entering into a Section 106 Agreement to secure a contribution of £670.74 for Designated Habitats Mitigation.
- b) Conditions 1 – 9 as set out in the report for the reasons stated in the report.

131 Planning application - MC/16/4781 - 133 Watling Street, Strood, Rochester, ME2 3JJ

Decision:

It was noted that this planning application had been deferred from consideration at this meeting.

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132 Planning application - MC/17/1630 - 153-155 High Street, Chatham, ME4 4BA

Discussion:

The Senior Planner outlined the planning application in detail.

During discussion, a Member expressed concern that a Ward Councillor was part of the applicant's team and in response, the Chairman advised that under normal circumstances this application would be determined under delegated powers. However, due to the involvement of the Ward Councillor, this application had been referred to Committee for determination.

The Committee discussed the application and in particular questioned the level of natural light which would be available to the residential properties as a result of the large buildings surrounding the proposed accommodation.

A Member referred to the proximity of the application site to the rear of the Pentagon Centre and expressed the view that should this application be approved, it could create a conflict with redevelopment plans for the Pentagon Centre in the future.

Concern was also expressed as to the number of residential properties proposed as part of the development and the poor visual amenity for the occupiers of the residential development.

Decision:

- a) Refused on the following grounds:
 1. The planning application constitutes an overdevelopment of the site
 2. Detrimental amenities for the future occupiers of the block to the rear of the development
 3. The development could be prejudicial to the future redevelopment of Chatham Town Centre.
- b) The Head of Planning be granted delegated authority to approve the wording of the refusal grounds in consultation with the Chairman and Vice Chairman.

133 Planning application - MC/17/1053 - Salt Lane, Cliffe, Rochester Kent ME3 7SU

Discussion:

The Head of Planning outlined the planning application in detail and advised the Committee that if it was minded to approve the application, there were suggested changes to the recommendation and proposed conditions, details of which were set out on the supplementary agenda advice sheet.

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In response to a question, the Legal Advisor confirmed that the proposed unilateral undertaking stipulated that works cannot take place until mitigation works have been completed.

Decision:

Approved subject to:

- a) A unilateral undertaking to secure an ecological and landscape enhancement of Alpha Lake as approved under planning permission ref: MC/14/1630 to include re-profiling and creation of new island features; and
- b) Conditions 1, 2 and 4 as set out in the report for the reasons stated in the report, amended conditions 3 and 8 (but renumbered 7), and new conditions 5 and 6, as set out below and 9 as set out in the report but renumbered 8:
 3. No development shall take place until a plan detailing the timing of habitat manipulation/removal and creation has been submitted to and approved in writing by the Local Planning Authority and such plan shall be sufficiently detailed to provide confidence that sufficient enhancement, mitigation and/or protection of protected species is possible. Any change to operational, including management, responsibilities shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be carried out in accordance with a timetable for implementation as approved.

The scheme shall include the following elements:

- Details of how and when fish and eels will be rescued and moved from the site. Note a permit for this activity will be required from the Environment Agency.
- Details of mitigation habitat for water voles, when and where this will be created.
- Any other mitigation for protected species required for this site.

Reason: To protect the populations of protected species, and fish currently found at the development site.

5. No development shall commence until a construction environmental management plan that describes measures to control the noise, dust, lighting and the effect on wildlife and habitat (including hours of operation) 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.

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

6. All inert material to be used in the infilling of Chalk Lake shall be brought to the site by boat, barge or rail and no material shall be imported through the use of vehicles on the local highway network.

Reason: To protect the amenities of residents in the area from disturbance from additional heavy goods vehicle traffic and to accord with Policy BNE2 of the Medway Local Plan 2003.

7. Details of the monitoring and management of groundwater (including displaced) groundwater flows shall be submitted to and agreed in writing with the Lead Local Flood Authority prior to the commencement of infilling of the lake.

Reason: To manage the risks of associated with displaced groundwater due to the changes in the hydraulic connectivity and behaviour of groundwater during and post construction.

134 Planning application - MC/17/0367 - 23 Coronation Road, Isle of Grain, Rochester ME3 0DA

Discussion:

The Head of Planning outlined the planning application in detail and suggested that if the Committee was minded to approve the planning application, proposed conditions 3 and 4 be amended as set out on the supplementary agenda advice sheet.

Decision:

Approved will conditions 1 and 2 as set out in the report for the reasons stated in the report and revised conditions 3 and 4 as set out below:

3. All materials used externally for either the extension or annexe shall match those of the existing dwelling.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Medway Local Plan 2003.

4. The Annexe hereby permitted shall only be occupied by relatives of the occupiers of the main property at 23 Coronation Road and

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be occupied ancillary to the main dwelling and shall not be let or sold as a separate hereditament.

Reason: To regulate and control the permitted development in the interests of amenity in accordance with Policy BNS2 of the Medway Local Plan 2003.

135 Planning application - MC/17/0898 - 69 Derby Road, Darland, Chatham ME5 7JD

Discussion:

The Planning Manager outlined the planning application in detail and advised the Committee of the following measurements for the proposed extension:

Approx. 3m projection
Approx. 5.2m wide
Approx. 2.4-3.5m high

Decision:

Approved with conditions 1 – 3 as set out in the report for the reasons stated in the report.

136 Planning application - MC/17/1476 - 339 Maidstone Road, Rainham, Gillingham ME8 0HU

Discussion:

The Planning Manager outlined the planning application in detail.

Decision:

Approved with conditions 1 – 3 as set out in the report for the reasons stated in the report.

137 Planning application - MC/17/1524 - 120 Church Street, Cliffe, Rochester, ME3 7PU

Discussion:

The Head of Planning outlined the planning application in detail.

Decision:

Approved with conditions 1 – 3 as set out in the report for the reasons stated in the report.

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138 Report on Appeal Decisions April 2016 - March 2017

Discussion:

The Committee received a list of appeal decisions for the period April 2016 – March 2017.

Decision:

The report be noted and it be agreed that future appeal decision reports only include summaries of those applications refused under delegated powers and overturned at appeal and overturned by Committee and lost at appeal.

Chairman

Date:

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