

Medway Council
Meeting of Planning Committee
Wednesday, 2 August 2017
6.30pm to 8.40pm

Record of the meeting

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

- Present:** Councillors: Bhutia, Mrs Diane Chambers (Chairman), Gilry, Griffiths, Hicks (Vice-Chairman), McDonald, Pendergast, Potter, Royle, Tejan, Tranter and Wicks
- Substitutes:** Councillors:
Gulvin (Substitute for Carr)
Purdy (Substitute for Etheridge)
Shaw (Substitute for Bowler)
- In Attendance:** Michael Edwards, Acting Head of Integrated Transport
Kemi Erifevieme, Planning Manager
Majid Harouni, Senior Planner
Councillor Mark Joy
Vicky Nutley, Planning and Licensing Lawyer
Councillor Asha Saroy
Carly Stoddart, Planning Manager Development Management
Ellen Wright, Democratic Services Officer

200 Apologies for absence

Apologies for absence were received from Councillors Bowler, Carr and Etheridge.

201 Record of meeting

The record of the meeting held on 5 July 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 132 – Planning application MC/17/1630 – 153 – 155 High Street, Chatham – The following reason for refusal had been agreed with the Chairman and Vice Chairman:

1. The proposal represents an overdevelopment of the site which would provide an unacceptably poor level of amenity for the prospective occupiers of the proposed flats to the rear by virtue of the poor level

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of outlook due to the Pentagon to the rear and high structures in commercial use to either side and by virtue of the noise and disturbance created by the proximity of the proposed rear flats to the Pentagon and in particular the car park and service areas, where there are likely to be deliveries and traffic movements at unsocial hours. The proposal is therefore contrary to the provisions of Policies H4 and BNE2 of the Medway Local Plan 2003 and paragraph 17 of the NPPF 2012.

202 Urgent matters by reason of special circumstances

There were none.

203 Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

Councillor Purdy addressed the Committee as Ward Councillor on planning application MC/17/0207 2 – 4 Hunters Way West, Darland, Chatham and withdrew from the Committee and took no part in the determination of the application.

204 Planning application - MC/17/0207 - 2 - 4 Hunters Way West, Darland, Chatham ME5 7HL

Discussion:

The Planning Manager outlined the planning application and drew attention to the circulation of a revised committee report on 31 July 2017.

With the agreement of the Committee, Councillors Purdy and Saroy spoke on this planning application as Ward Councillors and outlined residents' concerns insofar as they related to:-

- The application site is located in a residential area
- The lack of facilities to be provided for the residents of the proposed secure residential institution
- The impact upon parking in the area with regular visits from professional staff, visitors and deliveries
- Potential noise disturbance
- The affect of increased traffic movements on the highway network in Darland
- The intrusion of security lighting
- The impact of the facility on the adjoining neighbours
- The lack of consultation with local residents by the applicants

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- The design and character of the facility with its high boundary fencing will be detrimental to the visual amenity of the surrounding area

The Committee discussed the application and noted that whilst Medway Social Services had confirmed that there was a need for such a facility in Medway, it was not considered that this was an appropriate site owing to it being in a residential area and, in particular, the impact that the proposed high fencing would have on the visual amenity for both residents and visitors to Darland Banks and the potential impact on adjoining residential properties.

Decision:

Refused on grounds 1 and 2 as set out in the report.

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

Discussion:

The Planning Manager outlined the planning application in detail.

With the agreement of the Committee, Councillor Joy addressed the Committee as Ward Councillor and expressed concern that the proposal would result in vehicular movements into and out of the driveway in reverse gear. As this would involve a vehicle being driven across grassed verges and across a footpath and cycle path regularly used by children, he asked that the Committee refuse this planning application on safety grounds.

The Committee discussed the application and noted that although other properties along Watling Street had vehicle crossovers, they were of a different character in that there was no slope between the highway and the property. In addition, the property located at no. 143a had sufficient space at the front of the property for a vehicle to be able to turn and leave the property in forward gear.

The Committee noted that the applicant had a large garage to the rear of their property and the Planning Manager confirmed that Watling Street was a classified road.

Decision:

- a) Refused on the grounds that the proposal would result in vehicular movements into and out of the applicant's property in reverse gear across a footpath and grassed verge and involve reversing onto a classified road. Such vehicular movements are considered unsatisfactory from a safety point of view both for pedestrians, cyclists and users of the highway.
- b) The Head of Planning be granted delegated authority to agree the specific wording of the refusal grounds in consultation with the planning spokespersons.

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206 Planning application - MC/17/1845 - Land rear of 56 - 60 Town Road, Cliffe Woods, Rochester ME3 8JJ

Discussion:

The Planning Manager outlined the planning application in detail.

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 – 12 as set out in the report for the reasons stated in the report.

207 Planning application - MC/17/0410 - Rookery Lodge, Thatchers Lane, Cliffe, Rochester ME3 7RG

Discussion:

The Planning Manager outlined the planning application in detail and drew attention to additional information received from mhs Homes in support of the application, a copy of which was appended to the supplementary agenda advice sheet.

Members discussed the application and noted that Rookery Lodge was no longer considered suitable for provision of sheltered housing as it provided small accommodation with inadequate facilities. Whilst supporting the planning application for the development of the site, Members expressed the view that the applicants should be requested to have full regard to the sensitivity of relocating the existing occupiers of Rookery Lodge to alternative accommodation.

Decision:

Approved subject to:

- a) The applicant entering into a legal agreement under the terms of Section 106 of the Town and Country Planning Act 1990 to secure:
 - i) Contributions toward education comprising the following:

Nursery:	£10,982.40
Primary:	£18,484.66
Secondary:	£13,356.15

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Total: £42,823.21

Primary – to improve facilities at St Helens Primary School, Cliffe
Secondary – Hundred of Hoo Secondary sixth form facilities.

ii) A contribution toward off site Open Space: £26,386.92 to be spent on improvements to the nearest open space(s) to the development within the vicinity of Cliffe.

- b) Conditions 1 – 9 as set out in the report for the reasons stated in the report.
- c) The applicants be advised that this Committee has requested that the relocation of the existing residents of Rookery Lodge be handled sensitively.

208 Planning application - MC/17/0962 - Land South of Merryboys Road, Cliffe Woods, Rochester, Kent ME3 7TP

Discussion:

The Planning Manager outlined the planning application in detail and advised the Committee that since despatch of the agenda, the representations section of the report required amendment to include information received from Kent County Council Ecology, full details of which were set out on the supplementary agenda advice sheet.

In addition, the conclusions section of the report and the reasons for approval required amendment, details of which were also set out on the supplementary agenda advice sheet.

Decision:

Approved subject to:

- a) The applicant entering into a legal agreement under the terms of Section 106 of the Town and Country Planning Act 1990 to secure:
 - i) A contribution toward health services: £6083.00 to be spent on improvements to the Parks Medical Practice to increase capacity to accommodate the additional patients
 - ii) A contribution towards education comprising the following:
 - Nursery: £11,897.60 to improve facilities at Cliffe Woods Primary Academy
 - Primary: £29, 203.20 to improve facilities at Cliffe Woods Primary Academy
 - Secondary: £14,469.16 towards secondary provision for Hundred of Hoo School or the new free school

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Total: £55,569.00

iii) A contribution toward off site Open Space: £36,262.59 towards improvements to Cliffe Woods Recreation Ground

iv) A contribution towards bird mitigation: £3,456.54

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

209 Planning application - MC/17/0092 - Land Fronting The Paddock rear of 7-13 New Road Chatham Kent ME4 4QL

Discussion:

The Planning Manager outlined the planning application in detail and suggested that if the Committee was minded to approve the application, proposed condition 2 be amended and new conditions 18 and 19 be approved, details of which were set out on the supplementary agenda advice sheet.

The Committee discussed the application noting the decision of the Planning Inspector relating to this site under planning application MC/11/0842.

Decision:

Approved subject to:

- a) The applicant entering into a Section 106 agreement to secure the following:
 - i) A contribution of £14,960 based on an occupancy ratio of 1.33 persons per unit for one bedroom units and 2.44 persons per unit for two bedroom units, and a contribution of £544 per unit to be used on improvements to Town Hall Gardens and/or the Paddock Gardens;
 - ii) A contribution of £3,498.60 based on an occupancy ratio of 2.45 persons per unit and £102 per person towards improved wayfinding to the Great Lines Heritage Park from Chatham Town Centre;
 - iii) A contribution £6,551.30 based on an occupancy ratio of 2.45 persons per unit and a contribution of £191 per person towards healthcare facilities in the locality;
 - iv) A contribution of £3,130.12 (£223.58 per unit) towards appropriate mitigation measures within Special Protection Areas;
 - v) 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

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Regulation Order to preclude future occupiers of the development from obtaining such parking permits.

- b) Conditions 1 and 3 – 17 as set out in the report for the reasons stated in the report, condition 2 revised as follows and new conditions 18 and 19 as set out below:

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

Drawing numbers NR708, NR709, NR710, NR711 and NR712 received on 11 January 2017; NR701A, NR702A, NR703A and NR706A received on 16 February 2017; 2030.02C received on 21 March 2017; NR715 received on 7 April 2017; and NR704B, NR705B and NR707B received on 21 July 2017.

- 18 Prior to the occupation of any flat herein approved, the cycle storage facility shall be provided in accordance with details to be submitted and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the occupation of any flat herein approved and shall be retained thereafter.

Reason: In the interests of occupier amenity and encouraging alternative means of travel in accordance with Policy T4 of the Medway Local Plan 2003.

- 19 Prior to the occupation of any flat herein approved, the refuse and recycling storage facility shall be provided in accordance with drawing number NR703 A and shall be retained thereafter.

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

210 Planning application - MC/17/0093 - Land Fronting The Paddock rear of 7-13 New Road Chatham Kent ME4 4QJ (corrected to be rear of 5 New Road Chatham)

Discussion:

The Planning Manager outlined the planning application in detail and corrected the address of the application site to rear of 5 New Road and not rear of 7 – 13 New Road.

In addition, she suggested that if the Committee was minded to approve the application, new conditions 18 and 19 be approved, details of which were set out on the supplementary agenda advice sheet.

The Committee discussed the application noting the decision of the Planning Inspector relating to this site under planning application MC/11/1428.

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Decision:

Approved subject to:

- a) It be noted that this application relates to a site to the rear of 5 New Road, Chatham.
- b) The applicant entering into a Section 106 agreement to secure the following:
 - i) A contribution of £1,565.06 (£223.58 per unit) towards appropriate mitigation measures within Special Protection Areas;
 - ii) 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.
- c) Conditions 1– 17 as set out in the report for the reasons stated in the report and new conditions 18 and 19 as set out below:
 - 18 Prior to the occupation of any flat herein approved, the cycle storage facility shall be provided in accordance with details to be submitted and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the occupation of any flat herein approved and shall be retained thereafter.

Reason: In the interests of occupier amenity and encouraging alternative means of travel in accordance with Policy T4 of the Medway Local Plan 2003.
 - 19 Prior to the occupation of any flat herein approved, the refuse and recycling storage facility shall be provided in accordance with drawing number NR501R1 and shall be retained thereafter.

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

211 Planning application - MC/17/1598 - 2 View Road, Cliffe Woods, Rochester, ME3 8JQ

Discussion:

The Planning Manager outlined the planning application in detail.

The Committee noted that a Member who had been unable to attend this meeting had requested a site visit but such request was not supported by the

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Committee on the basis that the Committee was able to view the application site via Google maps as part of the Planning Manager's presentation.

The Committee discussed the application.

Decision:

Approved subject to:

- a) The completion of a Section 106 legal agreement securing £223.58 towards the Natural England Bird Mitigation requirement in terms of the provision of Strategic Access Management Measures (SAMM) in the North Kent Marshes.
- b) Conditions 1 – 11 as set out in the report for the reasons stated in the report.

212 Planning application - MC/17/1090 - 1 Main Road, Hoo St Werburgh, Rochester ME3 9AA

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.

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

214 Section 215 Enforcement

Discussion:

The Committee received a report setting out action taken by the Environmental Enforcement Team with regard to Section 215 issues in the year 2016/17.

Decision:

The report be noted.

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Chairman

Date:

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