

**Medway Council**  
**Meeting of Planning Committee**  
**Wednesday, 25 October 2017**  
**6.30pm to 10.15pm**

**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, Royle, Griffiths, Etheridge, Hicks (Vice-Chairman), McDonald, Pendergast, Tejan, Tranter and Wicks

**Substitutes:** Councillors:  
Stamp (Substitute for Bowler)  
Gulvin (Substitute for Potter)

**In Attendance:** Tom Ashley, Planning Consultant  
Duncan Bernsten - Planning Consultant  
Laura Caiels, Legal Advisor  
Michael Edwards, Acting Head of Integrated Transport  
Kemi Erifevieme, Planning Manager  
Mike Hibbert, Planning Consultant  
Duncan Mead, Strategic Manager Customer Services  
Madeline Mead, Derelict Buildings Officer  
Carly Stoddart, Planning Manager  
Ellen Wright, Democratic Services Officer

**422 Apologies for absence**

Apologies for absence were received from Councillors Bowler and Potter.

**423 Record of meeting**

The record of the meeting held on 27 September 2017 was agreed and signed by the Chairman as correct.

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

There were none.

**425 Declarations of disclosable pecuniary interests and other interests**

Disclosable pecuniary interests

There were none.

Other interests

Councillor Stamp referred to planning application MC/17/2333 – Rochester Riverside, Rochester and advised the Committee that as he was a member of the Rochester Riverside Project Board he would leave the meeting for the consideration and determination of this planning application.

**426 Section 106 Obligation for library provision at the Thomas Aveling School, Anchor Road, Rochester under MC/02/0354**

**Discussion:**

The Committee received a report advising that a recent consultation had shown support for the decision by Cabinet to close the public library facility at Thomas Aveling School and therefore a deed of variation would be required to reflect the closure of this facility.

A Member suggested that it was important to recognise that there had been demand at the time the library facility was originally provided. Therefore, if there were proposals to provide similar services at another site in the future, there was a need to ensure that the services were sustainable.

**Decision:**

It was noted that in line with the decision of Cabinet, the Thomas Aveling Public Library would close and a Deed of Variation would be completed to reflect this closure.

**427 Planning application - MC/17/2333 - Rochester Riverside, Rochester, ME1 1NH**

**Discussion:**

The Planning Consultant outlined the planning application in detail and advised the Committee that as Medway Council was part owner of the site it was not possible for the Council to enter into a Section 106 Agreement with itself. However, there was a Development Agreement (DA) in place which provided that prior to the transfer of the Site to Countryside Properties (UK) Ltd & The Hyde Group, a satisfactory planning permission needed to have been granted. The Committee was advised of two possible solutions involving the completion of a Section 111 agreement under the Local Government Act 1972 and the use of a negatively worded (Grampian) condition requiring entry into a Section 106 Agreement binding the part of the site to be developed prior to commencement of the development on that part of the site. It was proposed that should the application be approved, both methods be used to ensure that a legal Section 106 Agreement could be attached to the permission.

During the presentation and, referring to the supplementary agenda advice sheet, it was also suggested that:

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- Two new heads of agreement numbered xiii) and xiv) be approved (xiv related to an amendment to existing vi)
- The proposed Section 106 agreement also include provision of a Car Club
- Conditions 20 – 22 be renumbered 19 – 21
- Proposed condition 22 (now re-numbered 21) be amended
- New conditions 22 and 23 be approved
- Conditions 23 – 58 be renumbered 24 – 61
- New conditions 24 and 25 be approved
- Proposed condition 30 (now re-numbered 33) be approved
- Proposed condition 39 (now re-numbered 42) be approved
- Proposed condition 58 (now re-numbered 61) be approved

In addition, the Planning Consultant drew attention to changes to the planning appraisal section of the report relating to the following, details of which were set out on the supplementary agenda advice sheet:

- Hotel
- Affordable Housing
- Transport
  - Trip Generation and Trip Distribution
  - Traffic Impact and Mitigation
  - Access
  - Parking
  - Travel Plan

In addition, he suggested that if the Committee was minded to approve the application, the Head of Planning be granted delegated authority to make minor amendments to the conditions as considered appropriate.

The Committee discussed the report in detail and the following issues were raised:

- Disappointment that the proposed development does not include any consideration of use of the river as a connection for transport or leisure.
- A suggestion that the £655,000 for local community facilities should be used for community facilities/assets in Rochester so as to be for the benefit of residents of the proposed development.
- Concern as to the loss of the existing coach park and the requirement for alternative provision to be secured.
- The proposed link from the development to the Esplanade.
- Reference to the 'Minor Illness Centre' required amendment to 'Healthy Living Centre'.
- Provision of cycle storage facilities should be for individual bicycles as opposed to communal cycle storage.
- Further consideration should be given to the location of the proposed school as the current location is considered to be too close to the railway

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line which could result in noise disturbance and pollution for children attending the school.

- Hope there is room within the school site to allow for an extension for it to become a two form of entry school.
- Concern that the presentation did not include reference to the proposed footbridge and therefore clarification was requested that a footbridge would be included as part of the development.
- Concern that the proposed development only included provision for 91% parking which fell below the Council's parking standards and that ideally this should be increased to 100%.
- The possible continuation of an available river walkway.
- Affordable housing should ideally be targeted for the elderly as the site is well connected and this could free up family homes elsewhere.

The Planning Manager advised the Committee that in the light of the concerns raised regarding the provision of a replacement coach park, it was possible for the Committee to agree an additional condition stating that the current coach park not be closed until alternative provision has been secured.

In addition, she drew attention to proposed condition 37 (as numbered within the printed committee report) which addressed the committee's concern regarding the link from the proposed development to The Esplanade. In addition, it was confirmed that the proposed footbridge was included with the details of the planning application.

The Committee noted that this was a hybrid planning application and therefore many of the points raised throughout the discussion could be addressed before the later phases of the development were submitted for approval.

### **Decision:**

Approved subject to

- a) The applicant entering into a Section 111 agreement under the Local Government Act 1972 and a Section 106 agreement under the Town and Country Planning Act 1990 (as amended) in order to secure the following:
  - i) The provision of 25% affordable housing over the entire site (including development already undertaken).
  - ii) A contribution of £4,500,000 towards future maintenance of the River Wall.
  - iii) A contribution towards controlled parking zones of £55,486.
  - iv) A Primary and Nursery School to be constructed on site for use/occupation by 2021 (cost not to exceed £4,563,769).
  - v) A contribution towards Secondary Education of £2,076,256.

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- vi) A contribution towards sixth form Education of £709,461.
  - vii) A contribution towards improvements to off site open space of £2,020,133.
  - viii) A contribution towards improvements to local health facilities of £655,130.
  - ix) A contribution towards local community facilities of £655,000 with such expenditure to be within Rochester so as to be for the benefit of residents of the development.
  - x) A contribution towards improvements to waste services of £214,592.
  - xi) A contribution towards bird mitigation of £313,012.
  - xii) Applicant to provide employment opportunities for local residents and apprentices.
  - xiii) Contribution towards the identified highway network improvements and Controlled Parking Zone is to be determined.
  - xiv) The applicant be required to include provision of a Car Club.
- b) Conditions 1 – 18 as set out in the report for the reasons stated in the report and the remaining conditions amended, replaced and renumbered as set out on the supplementary agenda advice sheet as follows:

Conditions 20 – 22 subject to being re-numbered 19 – 21

Proposed condition 22 (now renumbered 21) amended to read as follows:

21. The noise mitigation measures relating to Phases 1 – 3 described in the Chapter 7 of Environmental Statement dated June 2017 shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason To safeguard conditions of amenity in accordance with Policy BNE1 of the Medway Local Plan 2003.

New condition 22 as follows:

22. Prior to above ground works details of measures to manage pedestrian movements at the Gas House Lane/Corporation Street Junction shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in accordance with the approved details prior to first occupation.

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Reason: To provide a suitable means of pedestrian and cycle access in the interest of highway safety in accordance with Policies T3 and T4 of the Medway Local Plan 2003.

New condition 23 as follows:

23. Prior to above ground works details of a bus shelter for the north bound stop, opposite the railway station on Corporation Street Junction shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in accordance with the approved details prior to first occupation.

Reason: To accord with Policy T14 of the Medway Local Plan 2003.

Proposed conditions 23 – 58 subject to being renumbered 26 – 61

New Condition 24 as follows:

24. No works permitted by this planning permission shall be carried out on any Phase of the Site as approved, as shown on approved Plan No. CPL-ROC\_HTA-A\_DR-XX-0009 (save for surveying, testing, sampling, soil tests, ground investigations, pegging out, tree protection, archaeological investigations, works of demolition, works of remediation and decontamination, site clearance, construction of temporary hoardings and boundary fences, construction of temporary haul roads, works to secure access to the Site and the existing Cory's Road multi-storey car park, the provision of temporary services to the Site, drainage and sewerage works, laying of services and service diversions and the erection of contractors' compounds) unless and until all parties with any legal or equitable interest (including but not limited to all freehold and leasehold owners and mortgagees and charges) in any part of that Phase have entered into an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) in a form approved by the Council and consistent with the terms approved by the Council's Planning Committee on 25 October 2017 with the effect that the land in that Phase is bound by the obligations contained in that agreement.

Reason: Paragraph 010 of the National Planning Policy Guidance advises that a negatively worded condition limiting the development that can take place until a planning obligation has been entered into can be used in exceptional circumstances. The Council is satisfied that because it owns a substantial part of the application site and because there are legal difficulties that arise when a local planning authority seeks to enter into a Section 106 Agreement which purports to bind land which it owns it is reasonable and necessary to impose this condition.

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New condition 25 as follows:

25. Prior to commencement of above ground works, a phasing plan shall be submitted and approved in writing by the Local Planning Authority.

The Phasing Plan shall:

- a. Define the extent of the area of each phase by reference to and in accordance with the phases shown on plan CPL-ROC\_HTA-A\_DR-XX-0009;
- b. Specify the order and timing of the proposed phases [which shall be sequentially starting with Phase 1].
- c. Include in relation to the phases for which reserved matters approval is being sought and phases where reserved matters have already been approved:
  - i. Details of the number and mix of residential units (including affordable housing and self-build plots) to be accommodated;
  - ii. Details of the order and timing of public realm, infrastructure works, highway works and pedestrian and cycle works; and
  - iii. Details of the quantum and type of open space and outdoor sports facilities to be provided in each phase and a timetable for its provision for use by the public.

The Phasing Plan shall also include indicative details for phases where reserved matters have not yet been approved.

An updated Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority in advance of each reserved matters application.

The Development hereby permitted shall at all times be carried out in full accordance with the approved phasing plan [and prior to the approval of a phasing plan must be carried out sequentially by reference to and in accordance with the phases shown on plan CPL-ROC\_HTA-A\_DR-XX-0009 starting with Phase 1].

Reason: To ensure that the development is comprehensively designed and phased.

Proposed condition 30 (now renumbered 33) being amended as follows:

33. No deliveries, refuse collection and/or any other commercial servicing activity shall be undertaken, except for the delivery of newspapers, between the hours of:

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- 23:30 and 06:00 Monday to Saturday and 18:00 and 08:00 Sundays and Public Holidays for all other non-residential buildings; and
- Prior to 06:00 on any day for any buildings.

Reason: To protect the amenity of nearby residential properties in accordance with Saved Policy BNE2 of the Medway Local Plan 2003.

Proposed condition 39 (now renumbered 42) being amended as follows:

42. Measures and initiatives to promote sustainable travel to future residents of the development, including the provision of a car club, shall be implemented and monitored in accordance with the details set out in the approved Travel Plan dated June 2017. Prior to the final occupation within each phase a Travel Plan Monitoring Report shall be submitted and approved in writing by the Local Planning Authority in consultation with the Highways Authority.

Reason: To accord with Policy T14 of the Medway Local Plan 2003.

Proposed condition 58 (now renumbered 61) being amended as follows:

61. Prior to above ground works in any phase or sub phase of the development hereby permitted an acoustic assessment shall be submitted to and approved in writing by the Local Planning Authority for that phase or sub phase, which assesses industrial, commercial and transport noise in accordance with BS4142:1997. Where specific noise levels  $L(A)_{eq, T}$  is greater than 5dB(A) than the background level  $L(A)_{90}$ , detail mitigation measures shall be submitted to and approved in writing by the Local Planning Authority to reduce the noise to below those levels. The development shall be carried out in accordance with the details and retained thereafter.

Reason: To safeguard conditions of amenity in accordance with Policy BNE3 of the Medway Local Plan 2003

- c) Additional conditions be approved to reflect the following points raised by the Committee during discussion on this planning application:

- An additional condition stating that the current coach park not be closed until alternative provision has been secured.
- Reference to the 'Minor Illness Centre' in the report being amended to 'Healthy Living Centre'.
- Provision of cycle storage facilities be by way of individual storage as opposed to communal cycle storage with such facilities to be agreed with the Local Planning Authority.



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- d) Officers undertake further negotiations with the applicant on the location of the proposed school as the current proposed location is considered to be too close to the railway line which could result in noise disturbance and pollution for the school children attending the school.
- e) The applicant be advised that the Committee would prefer the proposed school to be a 2 form of entry as opposed to one form of entry.
- f) It be noted that a footbridge has been included as part of the development.
- g) Affordable housing should ideally be targeted for the elderly as the site is well connected and this could free up family homes elsewhere.
- h) The applicant be advised that the Committee would like to see provision of 100% parking provision within the development.
- i) The Head of Planning be granted delegated authority to make minor amendments to the proposed conditions to reflect the Committee's wishes in consultation with the Chairman, Vice Chairman and Opposition Spokespersons.
- j) A copy of the full set of revised conditions be supplied to all Members of the Committee.

### **428 Planning application - MC/16/3742 - Land South of View Road, Cliffe Woods, Rochester**

#### **Discussion:**

The Planning Manager outlined the planning application in detail and suggested that if the Committee was minded to approve the application, the proposed Section 106 agreement be amended to include the following:

- 5) To pay the cost of providing parking restrictions within the sightlines either side of the access onto View Road.

In addition, proposed condition 5 required amendment and a new condition 21 was proposed as follows:

- 5. The details submitted pursuant to condition 1 shall include details and samples of all materials to be used externally. The development shall be implemented in accordance with the approved details.
- 21. The details submitted pursuant to condition 1 shall incorporate the flood risk mitigation measures as set out in section 6 of the Flood Risk Assessment (FRA) and Surface Water Drainage Strategy (SWDS) dated June 2017 reference 3246 version Drat v1.0. The development shall be implemented in accordance with the approved details.

Reason: To ensure the development mitigates against potential flooding in accordance with Policy CF13 of the Medway Local Plan 2003.

The Planning Manager referred in particular to the proposed 'no pets policy' as part of the proposed Section 106 agreement. She advised that this had been requested by Natural England in the light of the proximity of the application site to Special Protection Areas.

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With the agreement of the Committee, Councillor Williams spoke on this planning application as Ward Councillor and outlined objections to the application for the following reasons:

- Loss of Grade 2 agricultural land and the precedent that this development could have on other local farmland.
- The application site is outside the village boundary.
- The development will have a detrimental impact on the sewage system
- There is insufficient parking for residents and visitors.
- The proposed entrance is on a dangerous bend with limited visibility.
- The addition of extra vehicle movements on the B2000 will add to traffic congestion, noise and pollution.
- The development will place additional pressure on existing GP facilities where patients already have a 3 week wait for appointments and the local GP practice is experiencing difficulties recruiting staff.
- There are no local shops and therefore residents will be required to travel to undertake their shopping. However, the existing bus service to this area is very limited.
- Cliffe and Cliffe Woods Parish Council and many local residents have objected to the planning application.

The Committee discussed the application in detail and concern was expressed that as the application site was located outside the village boundary, should this application be approved, this could lead to a domino effect with nearby land being submitted for residential development. It was suggested that if this section of land was to be approved for residential use such consideration would more appropriately take place through the Local Plan process also having regard to the emerging Cliffe and Cliffe Woods Neighbourhood Plan.

A Member suggested that if retirement accommodation was to be provided at this rural location, it was necessary to take into account the need for good connectivity for public transport, health and retail facilities.

There was also concern that should the Committee approve the current planning application for retirement accommodation, at a later stage, the applicant could submit a revised application for general housing.

Reference was made to the existing public transport system and it was noted that buses ran once per hour between 7am – 6.30pm, twice a day on Saturdays and with no service on Sundays. It was therefore considered unsatisfactory for retired persons to be housed at a location with such limited public transport service as it could lead to them becoming socially isolated as visitors would experience difficulties getting to them. In addition, as many individuals aged 55+ continued to work, the limited bus service would mean that they would be reliant on use of a car to get to and from work and the existing parking provision at the application site was considered to be insufficient.

A Member expressed concern that to prohibit retired persons from owning a pet could also increase the likelihood of social isolation.

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Other Members indicated support for the planning application based on the requirement to identify housing for retired persons so as to free up larger properties for families and the view was expressed that the proposed development would be served by a little village which had local shops and a restaurant and that people should make their own decisions on whether relocation to a rural area would suit their personal needs. It was also suggested that prospective residents of the proposed development may be drawn from the local rural area so they may already have knowledge of the facilities and services available to them.

### **Decision:**

a) Refused on the following grounds:

1. Should this planning application be approved, the Committee is concerned about the potential domino effect on adjoining agricultural land.
2. The proposed development is unsustainable and is located outside the village boundary. It is therefore premature to consider such application at this location without having regard to the Local Plan and the emerging Cliffe and Cliffe Woods Neighbourhood Plan.
3. There is a lack of connectivity owing to the limited availability of public transport to and from the proposed development.
4. There is lack of access to health and retail facilities for prospective occupiers of the proposed development which could lead to social isolation particularly as the residents are to be aged 55+.
5. The requirement for there to be a 'no pets' restriction placed on future occupiers of properties within the development could lead to social isolation to the detriment of prospective occupiers particularly as the residents are to be aged 55+.

b) The Head of Planning be granted delegated authority to finalise the specific wording of the refusal grounds with the Chairman, Vice-Chairman and Opposition Spokesperson.

### **429 Planning application - MC/17/2015 - The Evening Star, 128 Church Street, Cliffe, Rochester, ME3 7PY**

### **Discussion:**

The Planning Manager outlined the planning application in detail and reminded the Committee that this application had originally been considered by the Committee on 27 September 2017 following which the application had been deferred to enable officers to negotiate with the applicant the possibility of reducing the scheme on the basis that, as presented, the application constituted an overdevelopment of the site. She advised the Committee that the applicant had since confirmed that they wished the scheme to be assessed in its current form with no amendments.

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The Planning Manger therefore suggested that if the Committee was minded to approve the application, the proposed section 106 agreement be amended to:

- i) Contribution towards bird mitigation £894.32

In addition, she suggested that proposed condition 2 be amended to:

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

Drawing Numbers PL/434/01; PL/434/02; received 8 June 2017 and Proposed elevations revised PL/434/03 REV A; elevations revised PL/434/04 REV A received 4 October 2017.

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

The Planning Manager also drew attention to an amended description for the planning application and additional objections received since despatch of the agenda from Cliffe and Cliffe Woods Parish Council and additional information received from the applicant's agent, details of which were summarised on the supplementary agenda advice sheet.

It was also reported that nine letters of support had been received for this planning application since despatch of the agenda.

The Committee discussed the planning application and expressed the view that as submitted, the application constituted an overdevelopment of the site with a lack of adequate parking provision.

A Member also commented that as the site was located on a single lane road, he had concerns regarding deliveries to the micropub especially as the micropub would not have any parking provision. Members were also concerned that the layout of the parking area for the residential accommodation would not be sufficiently large to enable vehicles to enter and exit the site in forward gear.

### **Decision:**

- a) Refused on the following grounds:
  1. The proposed development comprising conversion of an existing public house and construction of two additional dwellings to create four 3 bedroomed terraced houses and a micropub with a 2 bedroomed flat above and associated parking constitutes an over development of the site.
  2. The proposed parking facilities are insufficient for the proposed development and by virtue of the layout of the car parking, will not provide a usable parking area to enable vehicles to enter and exit the site in forward gear.

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- b) The Head of Planning be granted delegated authority to finalise the specific wording of the refusal grounds in consultation with the Chairman, Vice Chairman and Opposition Spokesperson.

### **430 Planning application - MC/17/2575 - Two Acre Farm, Parbrook Road, High Halstow, Rochester, ME3 8QP**

#### **Discussion:**

The Planning Manager outlined the planning application in detail.

#### **Decision:**

Approved with conditions 1 – 5 as set out in the report for the reasons stated in the report.

### **431 Planning application - MC/17/2467 - Travellers Tan, Sharnal Street, High Halstow, Rochester ME3 8QR**

#### **Discussion:**

The Planning Manager outlined the planning application in detail.

A Member expressed the view that whilst he had no objection to the conversion of the barn, he was concerned that owing to the size of this particular plot, there may be further applications at a future date for further residential properties to be provided.

The Planning Manager responded by advising the Committee that there was a condition attached within the report removing permitted development rights.

In response to Members' concerns regarding the proposed use of cedar wood cladding on the building, the Planning Manager drew attention to proposed condition 3 which required details and samples of all materials to be used externally to be submitted to and approved in writing by the Local Planning Authority.

#### **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 – 9 as set out in the report for the reasons stated in the report, subject to the plan referred to at condition 2 not specifying the external materials to be used on the building in the light of the Committee's concerns regarding use of cedar wood cladding.

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### 432 Planning application - MC/17/2086 - 5 Otway Terrace, Chatham ME4 5JU

#### Discussion:

The Planning Manager outlined the planning application in detail and advised the Committee that since despatch of the agenda additional information had been supplied by the agent, details of which had been summarised on the supplementary agenda advice sheet.

In response to a Member's concerns that there was insufficient space for vehicles to enter and exit the site in forward gear, the Planning Manager confirmed that there was an adequate turning point within the application site.

In addition, she reassured the Committee that although the site was located close to the railway line, proposed condition 8 required there to be an acoustic assessment to be undertaken prior to the commencement of the development.

#### Decision:

Approved subject to:

- a) The submission of a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 to secure £1,565.06 towards Designated Habitats Mitigation.
- b) Conditions 1 – 14 as set out in the report for the reasons stated in the report.

### 433 Planning application - MC/17/2705 - 5 Shirley Avenue, Horsted, Chatham ME5 9UP

#### Discussion:

The Derelict Buildings Officer outlined the planning application in detail and suggested that if the Committee was minded to approve the application, the following amendment be approved:

- i) Contribution towards bird mitigation £670.74.

#### Decision:

Approved subject to:

- a) The submission of 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 – 7 as set out in the report for the reasons stated in the report.

**434 Planning application - MC/17/2727 - The Beacon Court Tavern, 1 Copenhagen Road, Gillingham ME7 4RY**

**Discussion:**

The Planning Manager outlined the planning application in detail and suggested that if the Committee was minded to approve the application, the following amendment be approved:

- i) Contribution towards bird mitigation £2,012.22

The Committee discussed the application and expressed concern that the proposed application did not meet the Council's current Parking Standards. Although it was acknowledged that the site was located close to public transport services, it was considered that the application failed to provide sufficient parking for prospective residents of the development and their visitors and would therefore result in increased competition for already limited on-street parking in adjacent roads to the detriment of nearby residents.

Members also felt that the proposed development in its current format by virtue of its scale and height would have an impact on the street scene and be detrimental to the amenities of the occupiers of neighbouring properties at 1 Trafalgar Street and 5 Copenhagen Road.

**Decision:**

- a) Refused on the following grounds:
  - 1. The proposed development by reason of its scale and height in close proximity to the neighbouring properties at 1 Trafalgar Street and 5 Copenhagen Road, would have a detrimental impact on the appearance and street scene and the residential amenity of the occupiers of these properties harmful to their living conditions. The proposal is therefore contrary to Policies BNE1 and BNE2 of the Medway Local Plan 2003.
  - 2. The proposal constitutes overdevelopment of the site and does not make provision for adequate parking for the proposed residents contrary to Policy T13 of the Medway Local Plan 2003 and would therefore result in increased competition for already limited on-street parking in adjacent roads to the detriment of nearby residents.
- b) The Head of Planning be granted delegated authority to finalise the specific wording of the refusal grounds in consultation with the Chairman, Vice Chairman and Opposition Spokesperson.

**435 Planning application - MC/17/1741 - Fort Borstal, Hill Road, Borstal Rochester**

**Discussion:**

The Planning Manager outlined the planning application in detail.

**Decision:**

Approved subject to conditions 1 – 5 as set out in the report for the reasons stated in the report.

**436 Planning application - MC/17/1342 - 104A, B And C Poplar Road, Strood, Rochester ME2 2NS**

**Discussion:**

The Planning Manager outlined the planning application in detail and advised the Committee that since despatch of the agenda, representations had been received from Southern Water, details of which were summarised on the supplementary agenda advice sheet.

She informed the Committee that Southern Water had advised that the site was within a Source Protection Zone, therefore Southern Water would rely on the Local Authority's consultations with the Environment Agency to ensure protection of the public water supply.

The Planning Manager therefore suggested that if the Committee was minded to approve this planning application, such approval be subject to the Environment Agency not raising any objections. If, however, there were objections from the Environment Agency that could not be addressed by the applicant, the application would be re-submitted to Committee at a future date.

The Planning Manager reminded the Committee that this application had originally been considered by the Committee on 30 August 2017, following which consideration had been deferred so that a parking survey could be undertaken, as the Committee had concerns that parking pressures in the area were already high and this development could exacerbate the problem.

The outcome of the parking survey undertaken by the applicant's agent was outlined.

Members expressed concern that the parking survey had not been undertaken by an independent party and that from photographs shown, it was clear that some of the recording times had been at 9.30am when the roads would be expected to be clear of parked vehicles as people had left home for work. A more relevant recording would have been during the evenings at about 8.30pm.



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A number of Members expressed concern that the proposed development of this site to provide six 2 bedroomed properties constituted an overdevelopment of the site for which insufficient parking provision was to be provided.

Members also expressed concern that the proposed development would result in a dog leg in the alleyway from Popular Road to Laburnham Road, which was not ideal as it could encourage anti social behaviour if there was not a clear view from one end of the alleyway to another. It was therefore suggested that if the application was to be approved, a street light be provided in the alleyway with the cost being met by the applicant.

### **Decision:**

- a) Refused on the following grounds:
  1. The proposed development of this site to provide six 2 bedroomed properties constitutes an overdevelopment of the site for which insufficient parking provision is to be provided which is likely to have a detrimental impact upon on-street parking in the area.
  2. The design of the proposed development will create a dogleg in the alleyway which could lead to the alleyway being the subject of anti-social behaviour and causing community safety issues.
- b) The Head of Planning be granted delegated authority to finalise the specific wording of the refusal grounds in consultation with the Chairman, Vice Chairman and Oppositions Spokespersons.

### **437 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.

### **438 Derelict Buildings January to June 2017**

#### **Discussion:**

The Committee received a report setting out action taken by the Derelict Buildings Officer concerning key buildings and associated land in the Medway area between the period 1 January – 30 June 2017.

#### **Decision:**

The Committee noted the report.

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**439 Enforcement Proceedings January to June 2017**

**Discussion:**

The Committee received a quarterly report advising upon enforcement proceedings for the period 1 January – 30 June 2017.

**Decision:**

The Committee noted the report.

**Chairman**

**Date:**

**Ellen Wright, Democratic Services Officer**

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