

Medway Council
Meeting of Planning Committee
Wednesday, 22 November 2017
6.30pm to 7.40pm

Record of the meeting

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

- Present:** Councillors: Bhutia, Bowler, Carr, Mrs Diane Chambers (Chairman), Etheridge, Gilry, Hicks (Vice-Chairman), McDonald, Pendergast, Potter, Royle, Tejan, Tranter and Wicks
- Substitutes:** Councillors:
Maple (Substitute for Griffiths)
- In Attendance:** Kemi Erifevieme, Planning Manager
Dave Harris, Head of Planning
Mark Lawson, Environmental Services Manager
Vicky Nutley, Planning and Licensing Lawyer
Councillor Wendy Purdy
Ellen Wright, Democratic Services Officer

491 Apologies for absence

An apology for absence was received from Councillor Griffiths.

492 Record of meeting

The record of the meeting held on 25 October 2017 was agreed and signed by the Chairman as correct.

Referring to the supplementary agenda advice sheet, the Committee noted that:

Minute 427 - Planning application – MC/17/2333 - Rochester Riverside, Rochester ME1 1NH - Work on the revised conditions was ongoing and had yet to be circulated to Members in line with the Committee's request.

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

The following refusal grounds had been approved in consultation with the Chairman, Vice Chairman and Opposition Spokesperson:

- 1 By virtue of the location of the site outside of the village boundary and within the open countryside, the proposal would result in development

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that would be unsustainable due the lack of connectivity to the main town centres particularly as a result of poor public transport links and proposed parking provision below the Council's standards; and poor access to health and other community facilities. The proposal would also result in the area of land between Town Road and the application site becoming disconnected from the main area of agricultural land to the south which in turn may result in pressure to allow further development within this area premature of the adoption of the new Local Plan and the Cliffe and Cliffe Woods Neighbourhood Plan. The development would be contrary to Policies BNE2, BNE25 and T13 of the Local Plan 2003.

- 2 The proposal would be detrimental to the amenities and well being of the future occupiers of the development contrary to point 4 of paragraph 17 of the NPPF and Policy BNE2 of the Medway Local Plan 2003 due to the necessity to manage the site with a 'No Pets Policy' which is required to protect the ecological interest of the nearby SSSI. Without such management in place, the proposal would be contrary to paragraph 118 of the NPPF and Policy BNE35 of the Medway Local Plan 2003.

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

The following refusal grounds had been approved in consultation with the Chairman, Vice Chairman and Opposition Spokesperson:

- 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.

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

The following refusal grounds had been approved in consultation with the Chairman, Vice Chairman and Opposition Spokesperson:

- 1 The proposed development by reason of its scale and height in close proximity to the neighbouring properties at number 1 Trafalgar Street and number 5 Copenhagen Road would have a detrimental impact on the visual amenities of the locality and the occupiers of the adjacent properties. The development would be harmful to the appearance of the street scene and the living conditions of the occupiers of number 1 Trafalgar Street and number 5 Copenhagen Road contrary to Policies BNE1 and BNE2 of the Medway Local Plan 2003.

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- 2 The proposal constitutes overdevelopment of the site and therefore does not make adequate provision for parking for the proposed residents which would in turn result in exacerbating existing parking problems for residents in surrounding roads contrary to Policies BNE1, BNE2 and T13 of the Medway Local Plan 2003.

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

The following refusal grounds had been approved in consultation with the Chairman, Vice Chairman and Opposition Spokesperson:

- 1 The proposal constitutes overdevelopment of the site and therefore does not make adequate provision for parking for the proposed residents which would in turn result in exacerbating existing parking problems for residents in surrounding roads contrary to Policies BNE1, BNE2 and T13 of the Medway Local Plan 2003.
- 2 The dog leg design of the alley would result in the creation of a dark and hidden area that has the potential for loitering and anti-social behaviour as well as the creating the perception of an unsafe route contrary to Policy BNE8 of the Medway Local Plan 2003.

493 Urgent matters by reason of special circumstances

There were none.

494 Chairman's Announcements

The Chairman advised the Committee that planning application MC/17/2695 – 183 Maidstone Road, Chatham had been withdrawn from the agenda owing to a material amendment to the proposed development and the need to undertake further consultation.

495 Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

Councillor Carr referred to planning application MC/17/3103 – Land adjacent to 1 Rowland Avenue, Gillingham and advised the Committee that as he knew the principal objector, he would not participate in the determination of this planning application.

496 Planning application - MC/17/1172 - Former Medway Council Civic Centre Site bounded by the A2 (High Street), The Esplanade, the River Medway, Jane's Creek and the Medway Valley Rail Line, Strood, Kent

Discussion:

The Head of Planning outlined the planning application in detail and advised the Committee that since despatch of the agenda, the Rochester Bridge Trust had withdrawn its objection subject to the inclusion of proposed condition 8 concerning flood defences.

In addition he drew attention to an amendment to the background section of the report under the planning appraisal, details of which were set out on the supplementary agenda advice sheet.

Decision:

Approved with conditions 1 – 10 as set out in the report for the reasons stated in the report.

497 Planning application - MC/17/1173 - Phase 2 Strood Riverside, site situated approximately 250m North of Rochester Bridge, bordered by Kingswear Gardens to the South, River Medway to the East, the North Kent Line Railway to the West and Houses along Cranmere Court to the North, Strood, Kent

Discussion:

The Head of Planning outlined the planning application in detail and advised the Committee that since despatch of the agenda, the Rochester Bridge Trust had withdrawn its objection.

In addition, he drew attention to proposed changes set out on the supplementary agenda advice sheet as follows:

- amendments to proposed conditions 2 and 3.
- the deletion of proposed condition 8 and re-numbering of condition 9.
- an amendment to the background section of the report under the planning appraisal.

Decision:

Approved with conditions 1 and 4 – 7 as set out in the report for the reasons stated in the report and conditions 2, 3 and 8 as follows:

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
Drawing numbers 2016S4920-JBA-00-02-DR-C-2001 Rev E;
2016S4920-JBA-00-02-DR-C-2003 Rev C; 2016S4920-JBA-00-02-DR-Z-2004 Rev B received on 24 April 2017

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

3. The sheet piling as shown on approved drawing number 2016S4920-JBA-00-02-DR-C-2001 Rev E shall be painted black and maintained thereafter.

Reason: To ensure the satisfactory appearance to the development in accordance with Policy BNE1 of the Medway Local Plan 2003.

8. No development shall take place until a Flood Area Action Plan (FAAP) has been submitted to and approved in writing by the Local Planning Authority. The FAAP shall include details as to how workers carrying out construction works on the site will be safe throughout the construction phase. The development shall be implemented in accordance with the approved details throughout the construction phase.

Reason: To ensure the development does not propose unacceptable flood risk in accordance with Policy CF13 of the Medway Local Plan 2003.

498 Planning application - MC/17/2695 - 183 Maidstone Road, Chatham ME4 6JG

Decision:

It was noted that this planning application had been withdrawn from the agenda.

499 Planning application - MC/17/2723 - 2 Tennyson Avenue, Cliffe Woods, Rochester ME3 8JF

Discussion:

The Planning Manager outlined the planning application in detail and advised the Committee that following the submission of amended plans and a change in description, the application had been re-advertised and one letter of representation had been received.

In addition, the Dicken's Country Protection Society had reiterated its concerns as set out in its letter dated 18 August 2017.

A Member suggested that the proposed application could be improved by changing the entrance to the site so as to improve visibility.

Decision:

Approved with conditions 1 – 4 as set out in the report for the reasons stated in the report.

500 Planning application - MC/17/3012 - 21 Harrison Drive, High Halstow, Rochester ME3 8TF

Discussion:

The Planning Manager outlined the planning application in detail.

Decision:

Approved with conditions 1 – 4 as set out in the report for the reasons stated in the report.

501 Planning application - MC/17/3103 - Land adjacent to 1 Rowland Avenue, Gillingham Kent ME7 3DL

Discussion:

The Planning Manager outlined the planning application in detail.

With the agreement of the Committee, Councillor Purdy addressed the Committee on this planning application as Ward Councillor and stated that the application as submitted constituted an overdevelopment of the site and was out of character with the street scene bearing in mind that there were a number of bungalows in Rowland Avenue.

The Committee discussed the application having regard to the concerns of the Ward Councillor but noted that planning permission had previously been approved for the construction of a detached three bedroomed dwelling with associated parking on this site on 30 March 2017. The current planning application was also for a 3 bedroomed property but with the dimensions slightly larger. For this reason, it was considered that the principle of building a detached 3 bedroomed house on the application site had already been established. However, it was considered that the design of the current proposal was an improvement on that previously approved.

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

502 Performance Report - 1 April - 30 September 2017

Discussion:

The Committee received a report setting out performance for the period 1 April – 30 September 2017.

The Head of Planning drew attention to the following:

- The current position on the Local Plan
- Consultation on The Housing White paper 'Fixing our Broken Housing Market'
- Planning fees
- Current staffing and opportunities for recruitment
- The DCLG consultation document 'Right homes in the right places'
- Planning Performance agreements entered into over the past 6 months

The Committee discussed the report and the items referred to, including an announcement in the budget that could have an affect upon the requirement for developers to proceed with the development of land when they have been granted planning permission or face the prospect of the land being compulsorily purchased. The Committee requested that they receive a briefing upon these proposals in the future.

Decision:

The Committee:

- a) noted the report and thanked the Head of Planning and his staff for the performance of the planning function over the past 6 months and requested that the Head of Planning pass on the Committee's appreciation to staff;
- b) requested that the Head of Planning arrange briefings for Members of the Committee on the proposals within the budget aimed at preventing developers from delaying the development of land and the provision of infrastructure; and
- c) requested that the Head of Planning provide the Chairman and the Ward Councillors for Rainham North with the current costs from consultants associated with a particular enforcement case.

503 Exclusion of the press and public

The Committee agreed to ask the press and public to leave the meeting because the following item 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.

504 Section 215 Enforcement

Discussion:

The Committee received a report setting out details of action taken by the Environmental Enforcement Team on Section 215 enforcement for the first two quarters of 2017/18.

Decision:

The Committee noted the report.

Chairman

Date:

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