

Medway Council
Meeting of Planning Committee
Wednesday, 16 October 2019
6.30pm to 7.23pm

Record of the meeting

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

Present: Councillors: Barrett, Bhutia, Bowler, Mrs Diane Chambers (Chairman), Curry, Etheridge, Hubbard, McDonald, Chrissy Stamp, Thorne and Tranter (Vice-Chairman)

Substitutes: Councillors:
Adeoye (Substitute for Lloyd)
Carr (Substitute for Sylvia Griffin)
Gulvin (Substitute for Buckwell)

In Attendance: Laura Caiels, Legal Advisor
Dave Harris, Head of Planning
Ellen Wright, Democratic Services Officer
Doug Coleman, Senior Planner
Robert Neave, Principal Transport Planner

363 Apologies for absence

Apologies for absence were received from Councillors Buckwell, Griffin, Lloyd and Potter.

364 Record of meeting

The record of the meeting held on 18 September 2019 was agreed and signed by the Chairman as correct.

The Chairman drew attention to the supplementary agenda advice sheet advising the following updates on applications considered on 18 September:

Minute 294 – Planning application – MC/18/3209 – Land rear of 12 New Road Avenue (Fronting Gundulph Road), Chatham

The Head of Planning had written to the owner of the nightclub regarding any future relocation of the smoking shelter and asked to be consulted if any relocation closer to the site were to be proposed.

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Minute 295 – Planning application – MC/19/1017 - 31-35 Balmoral Road, Gillingham

The following reason for refusal had been agreed with the Chairman and Opposition Spokesperson:

- 1 The proposal represents an overdevelopment of the site due to the amount of built development proposed, the contrived design of varying design styles, lack of onsite parking and inadequate external amenity space in terms of both provision and layout to serve the prospective residents. The proposal is therefore contrary to the provisions of Policies BNE1 and BNE2 and paragraphs 124, and 127 of the NPPF 2019.

Minute 297 – Planning application MC/19/1171 - 26-36 Ivy Street, Rainham, Gillingham

The wording of Condition 21 had been approved by the Head of Planning under delegated authority:

21. Residents of the proposed development hereby permitted shall not be entitled to apply for or acquire residents parking permits for on street parking in the area.

Minute 299 – Planning application – MC/19/1717 - 107 Victoria Street, Gillingham

The wording of Condition 8 had been approved by the Head of Planning under delegated authority:

8. The outbuilding hereby permitted shall be used only for purposes of storage associated with the existing retail use at no.107 Victoria Street, Gillingham.

Minute 300 – Planning application MC/19/1450 - 37 Redwing Road, Princes Park, Chatham

The following Conditions had been agreed in consultation with the Chairman and Opposition Spokesperson:

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

Drawing numbers: DKM/9743/03 REV 01, DKM/9743/04 Rev 01 and DKM/9743/05 REV 01 received on 27 June 2019.

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

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2. The outbuilding herein approved shall only be used in connection with no. 37 Redwing Road domestic storage ancillary to the use of the dwelling, and no trade or business shall be carried out therefrom. The shed shall thereafter be maintained in a stained brown finish matching the colour of the existing fence.

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

365 Urgent matters by reason of special circumstances

There were none.

366 Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

There were none.

Other interests

There were none.

367 Planning application - MC/19/1748 - Plot 1 St Anthony's Way, Medway City Estate, Rochester

Discussion:

The Head of Planning referred to the planning application and drew attention to a number of suggested amendments to proposed conditions set out on the supplementary agenda advice sheet.

In addition, he drew attention to a correction to the location of the application site in that it was in Anthony's Way not St Anthony's Way.

The supplementary agenda advice sheet also set out an amendment to the ecology and biodiversity section of the planning appraisal section of the report.

The Head of Planning referred to the planning history for the site and informed the Committee that a previous application on this site had been discussed by the Committee in June 2019 after an appeal against non determination. The Committee had subsequently decided that had it been in a position to determine that planning application, it would have been refused on the grounds that insufficient information had been submitted to demonstrate that the traffic generated by the development would not be detrimental to the capacity,

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functioning and safety of the public highway. The appeal had subsequently been allowed on 20 September 2019 and this was now a material consideration in the determination of the current planning application.

The Head of Planning outlined the basis of the current application and advised the Committee that the recent appeal proposal was a reduced scheme to that previously proposed and to the Sainsbury's superstore plus park and ride facility. The recent appeal scheme had been the subject of a retail assessment and it was considered that it would not provide any harm to the retail centres of Strood, Chatham or Gillingham by virtue of the proposed uses. The current application did not include any retail and was purely for an employment (B2 and B8 uses) scheme.

In appreciating the Council's concerns regarding traffic generation, the applicants had offered to make financial contributions for improvements to the Medway City Estate roundabout and a Medway City Estate wide travel plan.

The Committee discussed the planning application and, in particular, the proposed traffic and ecological measures. It was confirmed that both the Council's ecologist and the applicant's ecologist had confirmed that reptiles had not re-colonised at the site. However, the Head of Planning agreed to speak to the ecologists again and if an additional condition or a new survey was required, this could be added under his delegated authority

In response to the Committee's concerns, the Head of Planning suggested that under delegated authority, he review the proposed wording of condition 19 to see if the issue of landscape maintenance could be added, if not, he would add a further condition.

Both the ecological and landscape maintenance issues would be agreed in consultation with the Chairman, Vice Chairman and Opposition Spokesperson before a decision notice was issued.

Decision:

Approved subject to:

- a) A unilateral undertaking for the following contributions:
 - £90,805 to be secured for the improvements on the Medway City Estate Roundabout.
 - £29,195 to be secured for a Medway City Estate wide travel plan.

- b) Conditions 1 –12 as set out in the report for the reasons stated in the report, conditions 13 and 14 amended as set out below, the deletion of proposed condition 17 resulting in proposed conditions 18, 19 and 20 being renumbered 17, 18 and 19 subject to revised number 18 being amended as set out below:
 - 13 No development above slab level shall take place until full details of the following highway improvements as shown on the approved

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plans have been submitted to and approved in writing by the Local Planning Authority:

- a) relocation of bus stop
- b) implementation of pedestrian informal crossing
- c) additional footpath to the front of the site

The approved details shall thereafter be implemented in full prior to first occupation of the development

Reason: to ensure the development preserves conditions of highway safety, pedestrian safety and the free flow of traffic, in accordance with Policies T1, T2 and T3 of the Medway Local Plan.

- 14 No commercial unit/building herein approved shall be occupied until the area shown on the submitted layout as vehicle parking space for that unit/building has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2018 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this parking.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking and in accordance with Policies T1 and T13 of the Medway Local Plan 2003.

18. Prior to first occupation, electrical infrastructure for the provision of a minimum of 10% of parking spaces to be Electric Vehicle Charging Points shall be provided. Charging points for 5% of parking spaces shall be provided prior to first occupation of the development. Details of the type and location of the points and the phasing of the remaining 5% provision shall be submitted to and approved by the Local Planning Authority prior to first occupation of the development and implemented as approved.

Resolved: In the interests of improving air quality and to comply with Policy BNE24 of the Medway Local Plan 2003.

- c) It be noted that the Head of Planning will discuss with ecologists the possible re-colonisation of reptiles at the application site and if necessary add a further condition or require a further ecological survey under delegated authority in consultation with Chairman, Vice Chairman and Opposition Spokesperson.
- d) The Head of Planning will also review the wording of condition 19

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to including reference to landscape maintenance. If this cannot be added to condition 19, under delegated authority the Head of Planning will add a further condition in consultation with the Chairman, Vice Chairman and Opposition Spokesperson.

368 Planning application - MC/19/1028 - Unit 2B London Medway Commercial Park, James Swallow Way, Hoo St Werburgh, Rochester

Discussion:

The Head of Planning outlined the planning application in detail.

In response to questions concerning the travel plan and surface water drainage, the Head of Planning confirmed that these were covered by proposed conditions 8, 11 and 12.

Decision:

Approved with conditions 1 – 14 as set out in the report for the reasons stated in the report.

369 Planning application - MC/19/1506 - The Cricketers, Sturdee Avenue, Gillingham

Discussion:

The Senior Planner outlined the planning application in detail and confirmed that the proposed development would provide 4 parking spaces within the application site.

Whilst Members noted that the development would not result in the loss of the public house, concern was expressed as to the loss of parking for patrons of public house and the potential impact this could have for demand for on-street parking especially during events. In response, the Senior Planner confirmed that the application site had been fenced off and therefore had not been available for parking for the public house for some time. He also confirmed that the public house had been sited in Sturdee Avenue since the 1930's prior to planning controls and therefore there were no conditions in place to require that the public house provide a car park.

Decision:

Approved with conditions 1 – 17 as set out in the report for the reasons stated in the report.

370 Planning application - MC/19/1336 - Shipwrights Arms, 44-45 Hills Terrace, Chatham

Discussion:

The Senior Planner outlined the planning application in detail.

He confirmed that the applicants had now paid the contribution of £1227.80 towards Bird Mitigation and therefore there was no longer a need to impose this requirement should the application be approved.

The Committee discussed the application and a number of Members expressed a view that they would prefer provision of a further 2 bedroomed flat in the roofspace rather than 2 bed sit units.

Decision:

Consideration of the application be deferred to enable officers to undertake further discussions with the applicant concerning the possible provision of a 2 bedroomed flat in the roofspace as opposed to 2 bed sits.

371 Planning application - MC/17/4357 - Greatfield Lodge, Darnley Road, Strood, Rochester

Decision:

The Committee noted that as the applicant had now entered a Unilateral Undertaking/Section 106 agreement to secure appropriate developer contributions, this application had been withdrawn from the agenda and a decision notice would be issued in accordance with the Committee's decision on 19 December 2018.

372 Planning application - MC/19/1915 - 122 Ploughmans Way, Rainham, Gillingham

Discussion:

The Head of Planning outlined the planning application in detail and drew attention to the current scheme and how it differed to that previously refused in February 2019.

He drew attention to the supplementary agenda advice sheet and suggested that if the Committee was minded to approve the application, proposed conditions 4 and 5 be amended.

In addition, he referred to a revised paragraph relating to the 'neighbouring residential amenity' section of the planning appraisal section of the report also set out on the supplementary agenda advice sheet.

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Decision:

Approved subject to:

- a) Securing a contribution of £245.56 towards wildlife mitigation;
- b) Conditions 1 – 3 and 6 – 8 as set out in the report for the reasons stated in the report and revised conditions 4 and 5 as set out below:
 4. Prior to first occupation the first floor south west elevation windows to serve the living room shall be provided as per approved drawing 3170-005 rev A and shall thereafter be retained as such.

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.

5. Notwithstanding the details set out on drawing 3170-005 rev A , the timber screen around the patio shall be a minimum of 1.7m in height and no more than 2m in height as measured from the floor level of the patio. The screen shall be erected prior to first occupation of the dwelling and shall thereafter be retained.

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.

Chairman

Date:

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