

Medway Council
Meeting of Planning Committee
Wednesday, 13 November 2019
6.30pm to 7.34pm

Record of the meeting

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

- Present:** Councillors: Barrett, Bhutia, Bowler, Buckwell,
Mrs Diane Chambers (Chairman), Curry, Sylvia Griffin, Hubbard,
Potter, Chrissy Stamp, Thorne and Tranter (Vice-Chairman)
- Substitutes:** Councillors:
Browne (Substitute for Lloyd)
Gulvin (Substitute for Etheridge)
Price (Substitute for McDonald)
- In Attendance:** Dave Harris, Head of Planning
Joanna Horne, Planning Solicitor
Mark Lawson, Environmental Services Manager
Robert Neave, Principal Transport Planner
Ellen Wright, Democratic Services Officer

430 Apologies for absence

Apologies for absence were received from Councillors Etheridge, Lloyd and McDonald.

431 Record of meeting

The record of the meeting held on 16 October 2019 was agreed and signed by the Chairman as correct.

The Chairman drew attention to the supplementary agenda advice sheet advising the following update on an application considered by the Committee on 16 October 2019:

Minute 367 - Planning application – MC/19/1748 – Plot 1 St Anthonys Way, Medway City Estate, Rochester

Condition 19 on landscaping was amended to add the following sentence at the end regarding maintenance –

“A management company shall be responsible for the long term maintenance of the approved landscaping throughout the site and including the buffer area”

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In terms of the ecology buffer area, as the Council's advisor, KCC ecology had confirmed that as fencing was erected and the grassland regularly cut there was unlikely to be reptile re-colonisation. With respect to the maintenance of the buffer area they considered that this should be monitored and that monitoring would identify if further management was necessary. This was already provided for in the wording of condition 3.

432 Urgent matters by reason of special circumstances

There were none.

433 Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

Councillor Potter referred to planning application MC/19/0575 – 1 Pepys Way, Strood, Rochester and informed the Committee that as his grandmother lived close to the application site, he would leave the meeting for consideration and determination of this planning application.

Other interests

There were none.

434 Planning application - MC/19/1770 - Land South of 1 Lyra Close Rainham, Gillingham

Discussion:

The Head of Planning outlined the planning application in detail and suggested that should the Committee be minded to approve the application, proposed condition 14 be amended as set out on the supplementary agenda advice sheet.

In addition, he referred to a change to the planning appraisal section of the report to include a paragraph on climate change and energy efficiency as set out on the supplementary agenda advice sheet.

The Committee discussed the application having regard to the parking provision provided as part of the development and it was suggested that the Head of Planning, under delegated powers, amend the wording of condition 15 so as to ensure that the car barn remains an open structure and is not filled in by walls or doors at a future date.

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Decision:

Approved with conditions 1 – 13 and 16 - 17 as set out in the report for the reasons stated in the report, condition 14 amended as set out below and condition 15 as set out in the report subject to the Head of Planning being granted delegated authority to amend condition 15 so as to ensure that the car barn remains an open structure and is not filled in by walls or doors at a future date:

14. Prior to first occupation of the dwellings on plots 1 and 6, the landing windows on the first floor side elevation shall be fitted with obscure glass and apart from any top hung light that has a cill height of not less than 1.7m above the internal finished floor level, shall be non opening. The window shall be retained as such thereafter.

435 Planning application MC/19/0575 - 1 Pepys Way, Strood, Rochester

Discussion:

The Head of Planning reminded the Committee that this planning application had previously been considered on 26 June 2019 following which it had been deferred to enable the applicant to provide evidence of the right of access from Broom Hill Road and to serve notice on the surrounding properties with an interest in and/or that use the vehicular access from Broom Hill Road.

He confirmed that the necessary evidence had been provided in the form of Land Registry deeds and a Statement of Truth from the occupants of the flat above 1 Pepys Way and he confirmed that notice had now been served on all properties using the access way.

The Committee discussed the planning application.

Decision:

Approved subject to:

- a) A Section 106 agreement to secure £718.83 towards bird mitigation.
- b) Conditions 1 – 6 as set out in the report for the reasons stated in the report.

436 Planning application MC/19/2199 - 45 May Road, Rochester ME1 2HY

Discussion:

The Head of Planning outlined the planning application and suggested that if the Committee was minded to approve the application, proposed condition 5 be amended as set out on the supplementary agenda advice sheet.

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The Committee discussed the application and in particular concerns as to the impact of the development upon a neighbouring property's solar panels. The Head of Planning confirmed that impact on solar panels was now a material planning consideration following a recent court case but having undertaken an assessment of this particular planning application, whilst there was some impact, it was not considered to be sufficiently significant as to warrant refusal of the planning application.

Decision:

Approved with conditions 1 – 4 and 6 - 8 as set out in the report for the reasons stated in the report and condition 5 amended as follows:

5. Prior to first occupation of the new dwelling, details of the provision of an electric car charging facility on plot to serve the new dwelling shall be submitted to and approved in writing by the Local Planning Authority. The approved car charging facility shall be provided prior to first occupation of the dwelling and shall thereafter be retained.

437 Performance Report 1 July 2019 - 30 September 2019

Discussion:

The Head of Planning outlined the performance report for the period 1 July – 30 September 2019.

A Member requested that future reports include cumulative data on income from fees rather than a monthly chart and the Head of Planning agreed to include information on both in future reports.

The Committee requested that the Head of Planning pass on its appreciation to staff within the planning team for the work undertaken to achieve such excellent performance statistics.

Decision:

The Committee noted the report.

438 Report on Section 106 Agreement April - September 2019

Discussion:

The Head of Planning reported upon Section 106 agreements for the period April – September 2019.

Decision:

The Committee noted the report.

439 Report on Appeal Decisions 1 July - 30 September 2019

Discussion:

The Head of Planning reported upon appeal decisions for the period 1 July – 30 September 2019.

Decision:

The Committee noted the report.

440 Exclusion of the press and public

Decision:

The Committee agreed to exclude the press and public from the meeting during consideration of agenda item 12 (Section 215 Enforcement) because consideration of this matter in public would disclose information falling within paragraph 6 of Part 1 of Schedule 12A to the Local Government Act 1972 as specified in agenda item 11 (Exclusion of Press and Public) and, in all the circumstances of the case, the Committee considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

441 Section 215 Enforcement

Discussion:

The Committee received a report setting out Section 215 enforcement for the last quarter of 2018/19 and quarters 1 and 2 of 2019/20.

The Environmental Services Manager informed the Committee that during this period, there had been resourcing issues with two vacancies in the team and priority had been directed towards removal of flytipping. However, one vacancy had now been filled and as plant growth had been slower at this time of year, the team had now caught up with Section 215 enforcement cases.

The Committee expressed its appreciation for the work undertaken by the Environmental Enforcement Team.

Decision:

The Committee noted the report.

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Chairman

Date:

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