

**Medway Council**  
**Planning Committee**  
**Wednesday, 23 June 2021**  
**6.30pm to 10.41pm**

**Record of the meeting**

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

**Present:** Councillors: Adeoye, Buckwell (Vice-Chairman),  
Mrs Diane Chambers (Chairman), Curry, Hackwell, McDonald,  
Opara, Potter, Chrissy Stamp and Tranter

**Substitutes:** None

**In Attendance:** Councillor Hazel Browne  
Councillor Rodney Chambers, OBE  
Hannah Gunner, Senior Planner  
Dave Harris, Head of Planning  
Joanna Horne, Planning Solicitor  
Councillor Clive Johnson  
Robert Neave, Principal Transport Planner  
Councillor Adam Price  
Carly Stoddart, Planning Manager  
Michael Turner, Democratic Services Officer  
Councillor Mrs Elizabeth Turpin

**91 Apologies for absence**

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

During this period, due to the Coronavirus pandemic, it was informally agreed between the two political groups to run Medway Council meetings with a reduced number of participants. This was to reduce risk, comply with Government guidance and enable more efficient meetings. Therefore, the apologies given reflects that informal agreement of reduced participants

**92 Record of meeting**

The record of the meeting held on 26 May 2021 was agreed and signed by the Chairman as correct.

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### 93 Urgent matters by reason of special circumstances

There were none.

### 94 Declarations of Disclosable Pecuniary Interests and Other Significant Interests

#### Disclosable pecuniary interests

There were none.

#### Other significant interests (OSIs)

There were none.

#### Other interests

Councillor Tranter disclosed that, in relation to agenda item 8 (Planning application - MC/21/0323 - Land South of View Road, Cliffe Woods, Rochester) the applicants had contacted him regarding some procedural concerns but he had not discussed the details of the application with them. Councillor Mrs Chambers added that she had been copied into the email correspondence on this matter.

### 95 Planning application - MC/20/1180 - 89 Ingram Road, Gillingham, ME7 1SH

#### **Discussion:**

The Planning Manager introduced this report which related to an application to construct a block comprising of three 1-bedroom and six 2- bedroom flats with associated parking, cycle and refuse store. Members' attention was drawn to the supplementary advice sheet which set out further information from the applicant and advised that the reference in the relevant planning history section of the report to MC/19/2855 should be replaced with MC/19/2588.

With the agreement of the Committee, Councillor Price spoke as Ward Councillor and set out the following concerns:

- the retrospective nature of the application
- overlooking
- bins and storage
- inadequate parking
- road safety concerns due to extra traffic
- overdevelopment.

Councillor Price added he shared residents' concerns that Medway Council branding had been placed on Block B, which the Head of Housing had now asked the applicant to remove.

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### Decision:

Refused on the grounds set out in the report and the appropriate Enforcement Action was endorsed.

### 96 Planning application - MC/21/0440 - Medway Bridge Marina, Manor Lane, Rochester, Borstal

#### Discussion:

The Senior Planner introduced this report which dealt with an application to construct a four-storey building with undercroft parking comprising of forty 2-bedroom apartments together with new vehicle access from Manor Lane and associated landscaping. Members' attention was drawn to the supplementary advice sheet which set out representations from Kelly Tolhurst MP clarifying her position regarding any interest in the site and also recommended the words "Medway South" be deleted in relation to the proposed Primary Care Network S.106 contribution.

Members were advised that the issues raised at the last meeting when this application had been discussed were dealt with in the report. The Head of Planning commented that if the application was approved then discussions would take place with ward councillors about the distribution of the S.106 contributions. An additional condition was now recommended in response to highways concerns expressed at the last meeting and public consultation would take place before a decision was made on the details relating to that condition.

With regard to the new vehicle access from Manor Lane, the Head of Planning clarified that access was from the existing access road which led onto a new road.

#### Decision:

Approved subject to:

- a) a Section 106 agreement to secure the following:
  - i) Secure a minimum of 25% affordable housing (no less than 10 units)
  - ii) A financial contribution of £228,941.65 in total to be provisionally split in the following ways:
    - £15,339.05 toward Nursery provision (at one or more of Pilgrim, Crest Infants, Delce Academy and Warren Wood)
    - £33,554.90 toward Secondary Provision (for Holcombe, Sir Joseph Williamson Mathematical, Rochester Grammar Schools and Victory Academy)

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- £6,581.30 toward Sixth form provision (for Holcombe, Sir Joseph Williamson Mathematical, Rochester Grammar Schools and Victory Academy)
- £9,800.00 toward Public Realm improvements to the Town Centre gateways and Rochester High Street
- £6,736.00 toward improved library facilities at Rochester
- £25,791.60 toward Primary Care Network
- £7,058.00 toward waste and recycling
- £10,000 toward improvements of sustainable infrastructure (in particular bus shelter(s) in near vicinity)
- £98,861.94 for improvements to open space facilities in the Borstal area
- £5,203.26 for the Great Lines Heritage Park
- £10,015.60 toward Habitats Regulations (mitigation for Wintering Birds - at £250.39 per dwelling)

b) Conditions 1- 36 as set out in the report, for the reasons as stated in the report.

### **97 Planning application - MC/20/1867 - Land North of Commissioner's Road, Strood, Rochester**

#### **Discussion:**

The Senior Planner introduced this report which dealt with an application for approval of reserved matters, being appearance, layout and scale pursuant to planning permission MC/16/4268. Reference was made to the supplementary agenda sheet which set out two additional letters of representation.

Clarification was sought from the Senior Planner on when the works were due to start given approval had been granted in 2016 and reference was made to ongoing issues with dust suppression. A comment was made that the layout of the site appeared to have changed significantly and a deferral was suggested to allow more time to study this. In response, the point was made that any drawings shown in relation to an outline application were only ever indicative and the decision for Members now was the drawings and proposals as now presented.

Comments were made that this represented a good use of a brownfield site. An assurance was sought about what residents would experience given the site was on a slope and whether gardens would have steep gradients. The Senior Planner advised that infilling meant the entrance to the site would come up to road level and would drop in level though the site, the cliff face would be over 15 metres above roof lines and viewpoints at the top of the site were protected.

In response to a query, Members were advised that after the site was completed the access would be from Commissioners Road before the width restriction into Medway City estate but that prospective residents would be able to turn left towards Medway City Estate as well as right into Commissioners Road.

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### Decision:

Approved subject to conditions 1-7 as set out in the report for the reasons stated in the report.

### 98 Planning application - MC/21/0323 - Land South of View Road, Cliffe Woods, Rochester

#### Discussion:

The Planning Manager introduced this report which related to an application for approval of reserved matters being appearance, landscaping, layout and scale and the discharge of conditions 1 (Approval of details), 5 (Materials), 6 (Landscaping), 7 (Landscape management plan), 16 (Flood risk), 18 (Parking) and 20 (Electric charging points) pursuant to Outline planning permission MC/16/3742 for construction of 50 retirement homes comprising a 2/3 storey block of apartments and single storey bungalows with ancillary meeting room, gymnasium, office, parking and garaging.

In discussing the application, the point was made that it did not differ significantly from the previously submitted application which had been refused for good reasons. The applicants had not taken on board comments previously made by Members and officers in any meaningful way. It was also argued that this type of housing was much needed in Medway and the applicant had extensive experience of this customer base, understood the market and would be managing the site. The possibility of deferring a decision so officers could work with the applicants to make the scheme more acceptable in terms of layout and landscaping was suggested.

The issue of pre-application advice was raised and officers confirmed they had met with the applicants last year to discuss concerns and advised that an unchanged application would probably be refused. The current application had been submitted without the applicants taking up the opportunity for pre-application advice, which had been offered.

#### Decision:

Refused on the grounds set out in the report.

### 99 Planning application - MC/21/0445 - Buddys View, Perry Hill, Cliffe, Rochester

#### Discussion:

The Head of Planning introduced this report which related to an application for a change of use of land to provide for the stationing of three additional caravans, extension of existing hardstanding and associated planting and

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parking. Members' attention was drawn to the supplementary advice sheet which amended conditions 3 and 6 and added a new condition 7.

With the agreement of the Committee, Councillor Mrs Turpin spoke as Ward Councillor and set out the following concerns:

- uncertainty whether all the buildings on the site had planning permission.
- the landscaping proposals agreed previously had not been complied with.
- the exposed nature of the site from Perry Hill.
- wastewater flowing into neighbouring footpaths.

The Head of Planning advised that the landscaping conditions agreed in 2016 had not been complied with but this had been raised with the applicants and would be complied with, alongside the landscaping conditions for this scheme. In addition, the wastewater concerns were being addressed.

### **Decision:**

Approved subject to conditions 1,2, 4 and 5 as set out in the report for the reasons stated in the report and amended conditions 3 and 6 and new condition 7 as set out below:

- 3 The use hereby permitted shall be carried on only by Mr and Mrs Frank Ball and their children Priscilla Ball, Charlotte Ball Jr, Buddy Ball, Frank Ball Jr, Brandon Ball, Joanne Ball and Brittney Ball and their dependents. When any of the additional caravans hereby permitted cease to be occupied by any of the abovementioned individuals, then within one month of the cessation all the materials and equipment, including caravans, amenity blocks, hard surfaces and cesspool, brought onto the land in relation to that caravan area, or works undertaken to it in connection with the use, shall be removed and the land restored to its condition prior to the use and development taking place.
- 6 Remove the words 'of the buildings or completion of the development, whichever is the sooner' and replace with the words 'of any of the additional units'.
- 7 None of the additional caravans shall be first occupied until measures to deal with foul and surface water connections have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be installed prior to occupation of any of the additional caravans and shall thereafter be retained.

Reason: To ensure appropriate measures are installed in the interests of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

**100 Planning application - MC/21/0332 - Garages Adjacent To No.53 Danson Way, Norfolk Close, Rainham, Gillingham**

**Discussion:**

The Head of Planning introduced this report which related to an application for a redevelopment to provide two 3 bed dwelling houses with associated car parking spaces and amenity space. Members were advised that the supplementary advice sheet set out a new condition 12 and it was clarified that the reference in the amenity section of the planning appraisal to Langford Close should read Langdale Close.

With the agreement of the Committee, Councillor Browne spoke as Ward Councillor and set out the following concerns:

- local residents had highlighted the need for bungalows.
- the development would overshadow gardens.
- there was no anti-social behaviour in the area, the potential of which was suggested by the applicant in the additional representations submitted.
- if the site turned out to be contaminated then it would be left as a waste site.

A point was made that the garages were a community asset. They were in good condition and 18 out of the 19 garages were occupied, even if not all were used for cars. All of this would be lost in order to gain two properties. Parking around Langford Close was already a problem and the development would lead to additional on street parking. It was also argued that the proposed properties were too large and the application constituted an over development. A suggestion was made that further discussions should take place with the applicant about more suitable options for housing, possibly bungalows.

The Principal Transport Manager advised that the application met the Council's parking standards, that the survey of garage use resulted from in person visits and the applicant could at any time choose to terminate the leases of the garages. The survey had shown there were parking pressures but that there would be sufficient on street capacity to accommodate any potential overspill resulting from the development.

**Decision:**

Deferred to enable negotiations to take place with the applicant about the possibility of a revised application.

**101 Planning application - MC/20/3293 - 18 Broom Hill Road and Land to rear, Strood, Rochester ME2 3LE**

**Discussion:**

The Head of Planning introduced this report which related to an application for a variation of condition 4 of planning permission MC/19/1708. Members'

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attention was drawn to the supplementary advice sheet which amended the wording of conditions 27 and 28 and added a new condition 30.

With reference to the slight increase in the building footprints mentioned in the report, the Head of Planning clarified that the proposed additional excavation into the cliffs/sluffing meant the site could accommodate this.

### Decision:

Approved subject to conditions 1- 26 and 29 as set out in the report, for the reasons stated in the report, and amended conditions 27 and 28 and new condition 30 as set out below:

- 27 Add the words 'of House 7' after the words 'Details of the windows design...'
- 28 Add the words 'of House 8' after the words 'Details of the windows design...' and replace the number 7 with the number 8.
- 30 The development shall be implemented in accordance with the measures to address energy efficiency and climate change set out within the Committee report and the application submissions. Prior to first occupation of the development a verification report prepared by a suitably qualified professional shall be submitted to the Local Planning Authority confirming that all the agreed measures have been undertaken and will thereafter be maintained on site

Reason: In the interests of sustainability and to positively address concerns regarding Climate Change in accordance with the NPPF.

## 102 Planning application - MC/21/0607 - 264 Napier Road, Gillingham ME7 4HL

### Discussion:

The Head of Planning introduced this report which related to an application for a change of use from warehouse and retail to MOT centre including car servicing and repairs. The supplementary advice sheet set out a replacement for condition 3 to that set out in the report, details of further representations submitted and an additional paragraph in the amenity section of the planning appraisal. Members were also advised that the petition referred to in the report had received 151 signatures.

With the agreement of the Committee, Councillor Johnson spoke as Ward Councillor and set out the following concerns:

- there had been two petitions against the proposal, signed by 250 residents.



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- while he had no objection to the business itself, the site was the wrong place for this type of business as it was a densely populated residential area.
- there were already a number of businesses of this type in the area.
- residents had concerns about road safety and pollution.
- the site was on a busy junction and would increase traffic flows.
- the proposed 4 parking spaces was inadequate and would lead to parking overflowing onto nearby streets.

Concerns were expressed about the effect of the business on local residents, cars being dropped off overnight or early in the morning, noise from the business and whether any controls put in place to mitigate noise would be adhered to. It was suggested the site would be more appropriate for housing.

The point was made that the site was already designated for commercial use and this would not change if permission was refused and would not prevent another commercial use being proposed.

### **Decision:**

Approved subject to conditions 1-2 and 4-6 as set out in the report, for the reasons stated in the report, and revised condition 3 as set out below:

- 3 The use shall not commence until a scheme to minimise the transmission of noise from the use of the premises has been submitted to and approved in writing by the Local Planning Authority. Noise from the premises should be controlled, such that the noise rating level (L<sub>Ar,Tr</sub>) emitted from the development shall be at least 10dB below the background noise level (LA<sub>90,T</sub>) at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014. All works which, form part of the approved scheme shall be completed before the use is commenced and shall thereafter be maintained in accordance with the approved details.

### **103 Planning application - MC/21/0692 - 266 Hempstead Road, Hempstead, Gillingham**

#### **Discussion:**

The Planning Manager introduced this report which related to an application for approval for alterations of an existing bungalow to form new access from The Paddock and construction a new 4bed/5person detached house in the front garden. Members' attention was drawn to a new condition 12 as set out in the supplementary advice sheet.

The Planning Manager clarified (reference page 181 of the agenda pack) that the statement that the high-level windows would have a detrimental impact on neighbouring amenity in terms of loss of privacy/overlooking should have read that they would not have a detrimental impact.

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With the agreement of the Committee, Councillor Rodney Chambers O.B.E spoke as Ward Councillor and set out the following concerns:

- the detrimental effects the application would have on the residents of 264 Hempstead Road, including loss of privacy, a dramatic impact on the quiet enjoyment the property experienced and an increase in noise.
- the new gardens would be much smaller than other gardens in the road
- the proposal constituted an overdevelopment.

In discussing the application several comments were made in support of Councillor Chamber's objections, arguing the proposal was an overdevelopment and would have a significant detrimental effect on 264 Hempstead Road including a loss of privacy, with all of the property's current outside space prejudiced.

### **Decision:**

Refused with authority delegated to the Head of Planning to agree the reasons for refusal, following consultation with the Chairman, Vice-Chairman and Opposition Spokesperson.

### **104 Planning application - MC/21/0903 - Charwood, 239 Walderslade Road, Walderslade, Chatham**

### **Discussion:**

The Planning Manager introduced this report which related to an application for the demolition of existing dwelling and construction of a terrace of three 3-bedroom dwellings and two 3-bedroom detached dwellings, with associated parking. Attention was drawn to a new condition 15 as set out in the supplementary advice sheet.

In response to a query about any impact on the bus stop outside the property, the Principal Transport Planner advised that the kerb would not need to be dropped fully but if necessary the bus stop could be re-located if buses needed a lower kerb in future.

### **Decision:**

Approved subject to conditions 1-14 as set out in the report for the reasons stated in the report and new condition 15 as set out below:

- 15 The development shall be implemented in accordance with the measures to address energy efficiency and climate change set out within the Committee report and the application submissions. Prior to first occupation of the development a verification report prepared by a suitably qualified professional shall be submitted to the Local Planning Authority confirming that all the agreed measures have been undertaken and will thereafter be maintained on site

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Reason: In the interests of sustainability and to positively address concerns regarding Climate Change in accordance with the NPPF.

### **105 Planning application - MC/21/0969 - Visitor Centre, 95 High Street, Rochester**

#### **Discussion:**

The Head of Planning introduced this report which related to an application for approval to install an ATM to the recessed front elevation of the Visitor Information Centre located at 95 High Street Rochester to provide 24-hour banking facilities for customers to facilities/services and shops in Rochester High Street, as well as residents in the immediate area.

Councillor Tranter spoke as ward councillor in support of the application, noting the high demand for this service in the area and that any perceived harms would be outweighed by the benefits to the public and the economy.

#### **Decision:**

Approved subject to conditions 1-3 as set out in the report for the reasons stated in the report.

**Chairman**

**Date:**

**Michael Turner, Democratic Services Officer**

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