

**Medway Council**  
**Planning Committee**  
**Wednesday, 12 January 2022**  
**6.30pm to 8.20pm**

**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, Hubbard,  
Potter, Chrissy Stamp, Thorne and Tranter

**In Attendance:** Councillor Phil Filmer  
Laura Caiels, Principal Lawyer - Place Team  
Michael Edwards, Head of Transport and Parking  
Kemi Erifevieme, Planning Manager  
Dave Harris, Head of Planning  
Ellen Wright, Democratic Services Officer

**584 Apologies for absence**

Apologies for absence were received from Councillors Barrett, Etheridge, Howcroft-Scott, McDonald and Opara.

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.

**585 Record of meeting**

The record of the meeting held on 8 December 2021 was agreed and signed by the Chairman as correct.

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

There were none.

**587 Chairman's announcements**

The Chairman informed the Committee that planning application MC/21/0564 – Upper Mount, Old Road, Chatham had been deferred from consideration at this meeting at the request of the applicant and in the light of this, the Head of

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Planning had also requested deferral of planning application MC/21/0355 – Garages at Berkeley Mount, Old Road, Chatham.

### **588 Declarations of Disclosable Pecuniary Interests and Other Significant Interests**

#### Disclosable pecuniary interests

There were none.

#### Other significant interests (OSIs)

The Chairman, Councillor Mrs Diane Chambers referred to planning application MC/21/3141 – 48 Kingfisher Drive, Princes Park, Chatham and informed the Committee that as the applicant was a colleague who served on the Planning Committee, she would leave the meeting and take no part in the determination of the application.

Councillor Buckwell referred to planning application MC/21/3141 – 48 Kingfisher Drive, Princes Park, Chatham and informed the Committee that as the applicant was a colleague who served on the Planning Committee, he would leave the meeting and take no part in the determination of the application.

Councillor Thorne referred to planning application MC/21/3141 – 48 Kingfisher Drive, Princes Park, Chatham and informed the Committee that as the applicant was a colleague who served on the Planning Committee, he would leave the meeting and take no part in the determination of the application.

Councillor Tranter referred to planning application MC/21/3141 – 48 Kingfisher Drive, Princes Park, Chatham and informed the Committee that as the applicant was a colleague who served on the Planning Committee and, as he also worked alongside this colleague on other matters that were not Council related, he would leave the meeting and take no part in the determination of the application.

Councillor Hackwell referred to planning application MC/21/3141 – 48 Kingfisher Drive, Princes Park, Chatham and informed the Committee that as the applicant was a colleague who served on the Planning Committee he would leave the meeting and take no part in the determination of the application.

Councillor Potter referred to planning application MC/21/3141 – 48 Kingfisher Drive, Princes Park, Chatham and informed the Committee that as the applicant was a colleague who served on the Planning Committee, he would leave the meeting and take no part in the determination of the application.

#### Other interests

Councillor Curry referred to planning application MC/21/2750 – Land between 18 – 20 Alamein Avenue, Wayfield, Chatham and informed the Committee that

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as he wished to address the Committee as Ward Councillor on this planning application, he would remove himself from the Committee and take no part in the determination of the application.

Councillor Potter referred to planning application MC/21/3236 – 105 Station Road, Rainham, Gillingham and informed the Committee that although he had been contacted by the applicant as Ward Councillor, he had not expressed a view upon the application and had referred the applicant to the other Ward Councillor for Rainham North. Therefore, he would remain and take part in the consideration and determination of the planning application.

### **589 Planning application - MC/21/0564 - Upper Mount, Old Road, Chatham ME4 6BP**

#### **Decision:**

Consideration of this application was deferred at the request of the applicant.

### **590 Planning application - MC/21/0355 - Garages at Berkeley Mount, Old Road, Chatham, Medway**

#### **Decision:**

Consideration of this application was deferred at the request of the Head of Planning due to the deferral of planning application MC/21/0564 - Upper Mount, Old Road, Chatham.

### **591 Planning application - MC/21/2753 - 37 Grain Road, Wigmore, Gillingham, Medway**

#### **Discussion:**

The Planning Manager outlined the planning application in detail and explained the difference between the current application and that previously refused and dismissed at appeal. Officers were now satisfied that the current scheme had addressed previous concerns.

#### **Decision:**

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

### **592 Planning application - MC/21/2065 - Land adjoining 35 Cooling Road, High Halstow, Rochester, Medway**

#### **Discussion:**

The Planning Manager outlined the planning application and explained that whilst the application was identical to that previously submitted and approved

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under planning application MC/18/0096, this was an outline application for five self-build detached houses with all matters reserved except access.

She explained that in processing the application, whilst no representations had been received as a result of individual neighbour consultations and other bodies, including High Halstow Parish Council, an objection had been received from Highways, details of which were set out in the report.

She informed the Committee that in response to these concerns, the applicant had submitted further information along with a visibility splay, details of which had been circulated prior to the meeting on the supplementary agenda advice sheet.

In response to this additional information, the Head of Transport and Parking explained the reasons for the highway objections which centred upon the visibility splay to the west being obstructed by the neighbouring boundary treatment and vegetation and concerns as to pedestrian movement and safety down a narrow rural lane with no street lighting and lack of footpath.

With the agreement of the Committee, Councillor Filmer addressed the Committee as Ward Councillor and outlined the following points in support of the application:

- This application is a self-build development and there have been no objections to the planning application.
- The site falls within a 30mph area and is regularly used by walkers and cyclists.
- Had there not been unforeseen delays due to the Covid pandemic, work would have already commenced on the previously approved development and therefore, it was inappropriate to refuse this planning application when the development had once been approved.

The Committee discussed the planning application noting the concerns outlined by the Head of Transport and Parking and the points raised by the Ward Councillor.

It was noted that no objections had been received from local residents or High Halstow Parish Council and the development could be considered to be a natural extension to the existing village.

Concern was expressed that the development would be located on a greenfield site and did not provide a sustainable development as there was not the opportunity for residents to walk to local shops due to the lack of footpaths. However, it was recognised that being a self-build development, such development was unlikely to be provided within an urban area.

Referring to the additional information supplied on the supplementary agenda advice sheet, concern was expressed that due to this not being available until late afternoon, there had been little time for Members of the Committee to read

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the information supplied by the applicant in support of the application which aimed to address the highway concerns.

Whilst noting the concerns expressed by Highways, the Committee was mindful that the planning application was identical to that previously approved in 2018.

### **Decision:**

Approved subject to conditions to be agreed by the Head of Planning in consultation with Planning Spokes.

### **593 Planning application - MC/21/3236 - 105 Station Road, Rainham, Gillingham, Medway**

### **Discussion:**

The Planning Manager outlined the planning application and explained the reasons why the application was being recommended for refusal.

The Committee considered the application noting that the property located next door had a similar dormer to the rear.

### **Decision:**

Approved with conditions to be agreed by the Head of Planning in consultation with Planning Spokes.

### **594 Planning application - MC/21/2750 - Land between 18-20 Alamein Avenue, Wayfield, Chatham ME5 0HZ**

### **Discussion:**

The Planning Manager outlined the planning application and informed the Committee that this site had been the subject of a number of planning applications in recent years. She advised that the current application had similarities to the previous applications in terms of the number of dwellings, type and layout in terms of parking and private amenity space. However, the current application now included an additional storey at basement level to the rear and an increase in the height of the dwellings when viewed from the street elevation.

With the agreement of the Committee, Councillor Curry addressed the Committee as Ward Councillor and raised the following concerns:

- As the building was now 3 storeys, it appears very large when viewed from the neighbours garden and blocked afternoon sunlight.
- Many windows in the development were required to be of obscure glass and non-opening which provided evidence of the level of overlooking from the development.

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- The developers had not implemented the application as originally approved and this application was therefore part retrospective.
- There were concerns that despite proposed condition 16, these dwellings could be turned into Houses in Multiple Occupation.

The Committee discussed the application and concern was expressed that the basement level could at some stage be converted to a bedroom which would then make the two properties 4 bedroomed properties.

The Planning Manager confirmed the level of increase in height at the front and rear of the properties.

The Committee was reminded that although this was a retrospective application, in determining the current application, it was necessary for the Committee to consider whether the application would have been considered acceptable in this format when originally submitted.

### **Decision:**

Approved with conditions 1 – 16 as set out in the report for the reasons stated in the report.

### **595 Planning application - MC/21/3141 - 48 Kingfisher Drive, Princes Park, Chatham, Medway**

#### **Discussion:**

In the absence of the Chairman and Vice Chairman, Councillor Hubbard was appointed to chair the meeting for this planning application.

The Planning Manager outlined the planning application in detail and explained that the application had only been referred to the Committee for determination due to the applicant being a Medway Councillor.

#### **Decision:**

Approved with conditions 1 and 2 as set out in the report for the reasons stated in the report.

### **596 Planning Applications - Review of the Deadline for the Receipt of Representations**

#### **Discussion:**

The Committee received a report setting out a review of the current arrangements for the deadline for the receipt of representations on planning applications and setting out proposals for changing the deadline prior to meetings of the Planning Committee.

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The Head of Planning explained the rationale for the review and outlined the options available.

The Committee discussed the report and the preferred option was to change the existing arrangements for the receipt of representations so that where the statutory consultation period for a planning application had already expired, no representations would be accepted for consideration by the Committee unless they had been received within the Planning Service before 12 noon, 4 clear working days before the date of the Committee at which the application was to be considered. This would mean that no further representations would be accepted beyond this point (where the statutory consultation had already expired).

In selecting this option, the Committee was mindful of the current procedure which had operated for a number of years, but noted that in recent months, the level and complexity of representations received close to the current cut off time i.e. the day before the Committee, was placing considerable pressure on officers to read the representations and prepare a response for inclusion on the supplementary agenda advice sheet. This pressure would be alleviated with the revised cut of time and would also allow the supplementary agenda advice sheet to be circulated to Members well in advance of the date of the committee meeting.

The Committee noted that to change the cut off date for receipt of representations would constitute a change to the Planning Code of Good Practice, and would therefore require a recommendation to Full Council on 24 February 2022. During discussion, it was suggested that prior to recommending this to Council, officers review the wording to ensure that the reference to '4 clear working days' could be easily understood by the public and that it be made clear that a Bank Holiday is not included as a working day.

It was also suggested that the Head of Planning review the wording of the statutory timescales as they are listed on the Planning Website.

### **Decision:**

The Committee:

- a) agreed to recommend to Full Council on 24 February 2022 to approve the changes to the Planning Code of Good Practice as set out in Appendix 1 to the report with such changes to take effect starting with the Planning Committee scheduled to take place on 6 April 2022.
- b) requested that prior to recommending a) above to Full Council, officers review the wording to ensure that the reference to '4 clear working days' can be easily understood by the public and that it be made clear that a Bank Holiday is not included as a working day.
- c) noted that the Head of Planning had agreed to review the wording of the statutory timescales as they are listed on the Planning Website

**597 Performance Report: 1 July 2021 - 30 September 2021**

**Discussion:**

The Committee received a report setting out performance for the period 1 July 2021 to 30 September 2021.

The Head of Planning drew attention to current staffing issues within the Planning Service and outlined the management action undertaken in an attempt to fill posts and relieve pressure on existing staff. He advised that the inability to recruit to Senior Planner posts was not unique to Medway and was a countrywide problem.

The Head of Planning referred in particular to the level of planning applications being received and the number of planning inquiries held in 2021. Of the four planning inquiries that had taken place, only one decision had been received which had been in favour of the Council and the Planning Inspector had determined that Medway was acting positively in an attempt to meet its housing need. He also confirmed that Medway was within the top 20 Local Authorities in the Country in defending planning appeals.

The Committee commended the Head of Planning and his team for performance during the past quarter and referring to the issues raised by the Head of Planning asked whether there was anything that the Committee could do to help overcome the current pressures.

It was noted that during the Covid pandemic, a temporary increased delegation scheme had been introduced which enabled the three Planning Spokes to screen planning applications before submission to the Planning Committee and that during this period, as a result of this screening, there had been a reduction in planning applications submitted to the Committee for determination. The Head of Planning advised that this increased delegation had helped as there was an increased workload for officers when an application was referred to the Planning Committee for determination. It was however noted that when it had been suggested that this increased delegation scheme be adopted permanently, this had not received favourable support.

**Decision:**

The Committee noted the report and requested that the Head of Planning express the Committee's appreciation for the levels of achievement to staff within the Planning Service.

**598 Report on Appeal decisions 1 July to 30 September 2021**

**Discussion:**

The Committee received a report setting out a summary of appeal decisions for the period 1 July 2021 to 30 September 2021.



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### **Decision:**

The Committee noted the report.

### **Chairman**

### **Date:**

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