

Medway Council
Planning Committee
Wednesday, 9 February 2022
6.30pm to 8.05pm

Record of the meeting

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

Present: Councillors: Adeoye, Mrs Diane Chambers (Chairman), Curry, Etheridge, Hackwell, Hubbard, Opara, Chrissy Stamp, Thorne and Tranter

In Attendance: Dave Harris, Head of Planning
Joanna Horne, Planning Solicitor
Robert Neave, Principal Transport Planner
Ellen Wright, Democratic Services Officer

672 Apologies for absence

Apologies for absence were received from Councillors Barrett, Buckwell, Howcroft-Scott, McDonald and Potter.

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.

673 Record of meeting

The record of the meeting held on 12 January 2022 was agreed and signed by the Chairman as correct.

Attention was drawn to the following:

Minute 592 - Planning application – MC/21/2065 – Land adjoining 35 Cooling Road, High Halstow, Rochester)

Referring to the supplementary agenda advice sheet, attention was drawn to Minute 592 (Planning application MC/21/2065 – Land adjoining 35 Cooling Road, High Halstow, Rochester) and the Committee was requested to agree that as well as applying conditions as set out on the supplementary agenda advice sheet and set out below, a deed of variation to the Section 106

Planning Committee, 9 February 2022

agreement previously entered into with the original application also be approved so that the requirement for plots to be self-build would also apply to this particular application. The Committee was also requested to note that the bird contribution had now been paid.

Decision:

The Committee approved the deed of variation to the Section 106 agreement so that the requirement for plots to be self-build would also apply to this particular application and the following conditions:

- 1 Approval of the details of the layout, scale and appearance of the buildings and the landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To accord with the terms of the submitted application and to ensure that these details are satisfactory.

- 2 Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted in writing to the Local Planning Authority for approval. Such application for approval shall be made to the Authority before the expiration of three years from the date of this permission and the reserved matters shall be carried out in accordance with the approved details.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

- 3 The development to which this permission relates must be begun no later than the expiration of 2 years from the final approval of the reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

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

Received on the 12 July 2021:

20/24/SK03 Rev A (For the purpose of the access only)
20/24/SK05 Rev A (For the purposes of the common areas)
5704-LLB-XX-XX-DR-L-0001 Rev PO2 (Purpose of common areas and the northern and eastern boundaries)

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

Planning Committee, 9 February 2022

- 5 Prior to first occupation of any dwelling a Landscape Management Plan (LMP) for the common area within the site shall be submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include long-term design objectives, management responsibilities and maintenance schedules for all landscape areas held within these common areas, the boundary with Cooling Road and the landscape buffer to the western boundary, for a minimum period of five years and a timetable for the implementation. The development shall thereafter be implemented in accordance with the approved landscaping (and LMP) and shall thereafter be managed in accordance with the approved details.

Reason: To ensure a satisfactory external appearance and provision for landscaping in accordance with Policies BNE1 and BNE6 of the Medway Local Plan 2003.

- 6 No development shall take place above slab level until details of the surfacing and drainage of the vehicle access has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details before the access is brought into use and shall be so retained at all times thereafter.

Reason: To ensure that the development permitted does not prejudice conditions of amenity and highway safety in accordance with Policies T1 and CF12 of the Medway Local Plan 2003.

- 7 No development shall take place until a scheme showing details of the disposal of surface water, based on sustainable drainage principles, including details of the design, implementation, maintenance and management of the surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.

- i. Details of the design of the scheme (in conjunction with the landscaping plan where applicable).
- ii. A timetable for its implementation (including phased implementation).
- iii. Operational maintenance and management plan including access requirements for each sustainable drainage component.
- iv. Proposed arrangements for future adoption by any public body, statutory undertaker or management company.

The development shall be undertaken in accordance with the agreed scheme.

Reason: Required prior to commencement to manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 167 of the NPPF.

- 8 No development shall take place on each individual self-build plot until a Construction Environmental Management Plan (CEMP), for that self-

Planning Committee, 9 February 2022

build plot, has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of hours of construction working; measures to control noise affecting nearby residents; wheel cleaning/chassis cleaning facilities; dust control measures; pollution incident control and site contact details in case of complaints. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan.

Reason: Required before commencement of each plot, in order to protect residential amenities in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 9 No development shall take place above slab level until servicing has been put in place for each plot, providing access to a public highway and connections for electricity, water and wastewater. This shall remain in place until the occupation of the final unit.

Reason: In order to provide amenities in accordance with Policies BNE2 and CF12 of the Medway Local Plan 2003.

- 10 No development shall take place above ground floor slab level, on each individual plot, until details of the provision of 1 electric vehicle charging point (1 per dwelling) has been submitted to and approved in writing by the Local Planning Authority. Details shall include the location, charging type (power output and charging speed), associated infrastructure and timetable for installation. The development shall be implemented in accordance with the approved details and shall thereafter be maintained.

Reason: In the interests of sustainability in accordance with paragraph 112e of the National Planning Policy Framework 2021.

- 11 Within 2 months of works commencing on site an Ecological Enhancement Plan must be submitted to the Local Planning Authority for written approval. It must demonstrate that the measures detailed within the Ecological Enhancement Strategy (Lloydore; Feb 2021) will be implemented and the timescale for the implementation of the measures. The Ecological Enhancement Plan must be implemented as approved.

Reason: In order to minimise the impact on wildlife and habitat with regard to Policies BNE37 and BNE39 of the Medway Local Plan 2003.

- 12 The reserved matters application for each individual plot, must include integrated bird and bat boxes within the building.

Reason: In order to minimise the impact on wildlife and habitat with regard to Policies BNE37 and BNE39 of the Medway Local Plan 2003.

Planning Committee, 9 February 2022

- 13 Prior to the occupation of the first dwelling on site, the vehicular access shall be constructed in accordance with the approved plans, including sight lines from the access of 45 metres in each direction along Cooling Road.

Reason: To ensure that the development permitted does not prejudice conditions of highway safety or efficiency in accordance with Policies T1 and T2 of the Medway Local Plan 2003.

- 14 Prior to the first occupation of each dwelling house, a plan indicating the positions, design, materials and type of boundary treatment to be erected to serve the relevant dwelling shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details before the relevant dwelling is first occupied and shall thereafter be retained.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 15 Prior to occupation (or within an agreed implementation schedule) a signed verification report carried out by a qualified drainage engineer (or equivalent) must be submitted to and approved by the Local Planning Authority to confirm that the agreed surface water system has been constructed as per the agreed scheme and plans. The report shall include details and locations of critical drainage infrastructure (such as inlets, outlets and control structures) including as built drawings, and an operation and maintenance manual for the unadopted parts of the scheme as constructed.

Reason: This condition is sought in accordance with paragraph 167 of the National Planning Policy Framework 2021 to ensure that suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk onsite or elsewhere.

- 16 The details submitted in pursuance of Condition 1 shall show land reserved for parking or garaging in accordance with the adopted Parking Standards. None of the buildings shall be occupied until this area has been provided, surfaced and drained in accordance with the approved details. Thereafter no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to the reserved vehicle parking area.

Reason: Development without provision of adequate accommodation for the parking or garaging 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.

Planning Committee, 9 February 2022

- 17 Prior to the installation of any external lighting on the site, including for each individual plot, a lighting design strategy for the site boundaries and for each plot should be submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall include the following details: height, position, external appearance, any shielding, light intensity, colour, spillage (such as light contour or lux level plans); demonstration of the effect on the rural landscape; identification of those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory; how and where external lighting will be installed so that it can be clearly demonstrated that the areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy.

Reason: In order to limit the impact of the lighting on the surrounding landscape and wildlife with regard to Policies BNE1, BNE5, BNE37 and BNE39 of the Medway Local Plan 2003.

- 18 The plot(s) must be marketed to self/custom builders for a minimum period of 24 months from the commencement of development on the plot(s), after which time evidence of this should be provided to the satisfaction of the Local Planning Authority before any consideration by the landowner/developer is given to revert to open market sale/to be developed by the landowner/developer. This evidence would be required in any subsequent full planning applications to the Local Planning Authority.

Reason: To take account of the self-build nature of the submitted application and to regulate and control any subsequent development of the site in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 19 For each reserved matters application relating to an individual plot, evidence shall be provided from the person(s) purchasing the plot to prove they have had primary input into the final design and layout of their home. This evidence shall be submitted to the Local Planning Authority as part of the reserved matters application.

Reason: To take account of the self-build nature of the application in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 20 Each reserved matters application submitted, in pursuance of this permission, shall include statements of conformity with the Design Code received 12 July 2021 and herein approved.

Planning Committee, 9 February 2022

Reason: To take account of the self-build nature of the development site and ensure consistency in design, in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 21 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification) all dwellinghouses herein approved shall remain in use as a dwellinghouse falling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order amending, revoking and re-enacting that Order with or without modification) and no change of use shall be carried out unless planning permission has been granted on an application relating thereto.

Reason: To enable the Local Planning Authority to control such development in the interests of amenity, in accordance with Policy BNE2 of the Medway Local Plan 2003.

Minute 593 – Planning application – MC/21/3236 – 105 Station Road, Rainham

The Committee noted the following conditions agreed by the Head of Planning in consultation with the Chairman, Vice Chairman and Opposition Planning Spokesperson:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

Received 6 January 2022:

PR.03 - Proposed Block Plan
PR.04 A - Proposed Floor Plan and Roof Plan
PR.05 A - Proposed Elevations
PR.08 A - Proposed Section

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

- 3 All materials used externally shall match those on drawing number PR.05 A (Proposed Elevations) received 6 January 2022.

Planning Committee, 9 February 2022

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Medway Local Plan 2003.

674 Urgent matters by reason of special circumstances

There were none.

675 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.

676 Planning application - MC/21/1287 - Land at Town Road, Cliffe Woods, Rochester, Medway

Discussion:

The Head of Planning outlined the planning application in detail and reminded the Committee that in May 2017, the Council had refused an outline application for development of this site for the erection of up to 255 residential dwellings. However, following a public inquiry, the Planning Inspector had recommended that the appeal be allowed but the Secretary of State had then called in the appeal for his determination.

The Secretary of State had subsequently dismissed the appeal on two grounds, one relating to the National Planning Policy Framework (NPPF) and the other due to the lack of an adequate local bus service. However, since that decision, the NPPF had been changed and therefore the first reason for dismissing the appeal was no longer applicable and, when considering a revised planning application MC/19/0287, it had been noted that a financial contribution to fund a new bus service had been agreed. Therefore, the two reasons given by the Secretary of State for dismissing the original appeal had been addressed and therefore in 2019, the Committee had no alternative but to approve the outline application subject to conditions and a Section 106.

The principle of the development at this site had therefore been established by the granting of outline planning permission under planning application MC/19/0287 for up to 225 dwellings.

Planning Committee, 9 February 2022

The Head of Planning informed the Committee that a new developer had now taken over the site and the current application sought approval of all reserved matters, except access, for 184 dwellings. Access to the site had been approved as part of the outline application and therefore those matters now requiring approval related solely to appearance, landscaping, layout and scale.

He confirmed that the development would include 25% affordable housing (46 properties).

The proposal would comprise of onsite open space, children's play space surface water attenuation and ancillary works, a landscape buffer along the eastern and southern boundaries of the site and a pedestrian link to the adjoining footpath to the north of the site.

To the north of the site a separate, full application for allotments had been submitted and this application had also been included on the agenda for consideration at this meeting.

The Head of Planning suggested that if the Committee was minded to approve the application, a new condition 4 be approved dealing with energy efficiency and climate change as set out on the supplementary agenda advice sheet and he drew attention to an amendment to the planning appraisal section of the report relating to Climate Change and Energy Efficiency.

The Committee discussed the report and the Head of Planning and Principal Transport Planner answered questions on a number of issues including: provision of a bus shelter and real time information, cycle routes, hedgerows, access, private and open space allocation and management, cat ownership, energy efficiency/climate change and current regulations, school places and 106 educational contributions, electric vehicle charging points and the traffic management plan.

Arising from the discussion Members requested that:

- the welcome pack for each new homeowner include details of local cycle links and bus service credits;
- the location and provision of real time information of bus services be the subject of liaison with local Ward Councillors;
- when more information is available on the agreed S278 and timings as well as traffic management, details to be shared with Ward Councillors.
- condition details pursuant to landscaping consider provision of a replacement hedge along boundary with properties in Ladyclose Ave.

During discussion, it was suggested that as this planning application involved detailed information and drawings, the application be deferred to enable more time for this information to be considered. In response, the Head of Planning informed the Committee that in line with Government recommended guidance on the national planning application process, this application had previously been the subject of a detailed presentation to Members by the developers. In addition, officers within the Planning Team were always available to speak to

Planning Committee, 9 February 2022

Members of the Committee on planning applications and Ward Councillors had taken up this opportunity in advance of the meeting.

The suggestion of a deferral was not supported upon being put to the vote.

Decision:

Approved with conditions 1 – 3 as set out of the reasons stated in the report and condition 4 as follows:

4. The development shall be carried out in accordance with the climate change and energy efficiency measures details in the letter Redrow Homes – Sustainability and Energy Efficiency dated and received 1 February 2022.

Prior to the occupation of the 184th dwelling a verification report shall be submitted to and approved in writing by the local planning authority. The verification report shall detail and confirm the measures that have been implemented.

Reason: In the interests of energy efficiency and climate change in accordance with paragraphs 8, 149, 150 and 151 of the National Planning Policy Framework

677 Planning application - MC/21/3045 - Land South of Buckland Road, Cliffe Woods, Rochester, Medway

Discussion:

The Head of Planning outlined the planning application and in particular its relationship to planning application MC/21/1287.

It was noted that if approved, the allotments would be run and managed by the Parish Council.

Decision:

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

678 Planning application - MC/21/2923 - 294 Hempstead Road, Hempstead, Gillingham, Medway

Discussion:

The Head of Planning outlined the planning application and explained the reason for the request to vary condition 2 on planning application MC/18/3610.

Planning Committee, 9 February 2022

The Committee discussed the application and noted the Principal Transport Planner's response to questions concerning the vehicular movements on and off the site should the application be approved.

Decision:

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

679 Planning application - MC/21/3394 - Rear of 19 Paget Street, Gillingham, Medway ME7 5ER

Discussion:

The Head of Planning outlined the planning application and informed the Committee that this would be a car free development based on the fact that the site was located within an area close to Gillingham Town Centre in an area with parking controls, had nearby bus stops and was in close proximity to Gillingham Train Station and proposed cycle storage. He confirmed that if approved, future residents would be informed that they would not be able to apply for parking permits and would not be able to park on site.

If the Committee was minded to approve the application, proposed condition 4 was to be amended as set out on the supplementary agenda advice sheet.

Decision:

Approved with conditions 1 – 3 and 5 – 13 as set out in the report for the reasons stated in the report and condition 4 amended as follows:

- 4 The first floor windows serving flat 2 and the rooflights serving flat 3 on the northwest facing rear elevation and roof slope shall be fitted with obscure glass and apart from any top-hung light, that has a cill height of not less than 1.7 metres above the internal finished floor level of the room it serves, shall be non-opening. This work shall be completed before first occupation of relevant flat and shall be retained thereafter.

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.

680 Planning application - MC/21/3436 - 16 Stour Close, Strood, Rochester, Medway

Discussion:

The Head of Planning outlined the planning application and informed the Committee that this was a balanced application. He explained that that application related to the construction of a 2-bed end of terrace house in a cul-de-sac. As part of the development, 2 parking spaces would be provided, one for the existing house and one for the new property and therefore, any visitors

Planning Committee, 9 February 2022

or additional vehicles would need to be parked on the roadway for which there was already competing demand.

The Committee discussed the application and several members of the Committee, including a Ward Councillor indicated that they had knowledge of the area and confirmed that the availability of on street parking was very limited in the cul-de-sac resulting in vehicles being parked on grass verges. This was evidenced by a view of Google Street View which was displayed at the meeting.

Based on the information supplied and the views expressed, it was generally considered that the provision of one further house on this site with one parking space would constitute an overdevelopment and potential increase in demand for on-street parking in an area where there was already a high level of demand for on-street parking.

Decision:

Refused on the grounds that the development would constitute an overdevelopment of the site and lead to a potential increase in demand for on-street parking in an area where there was already a high level of demand for on-street parking and the Head of Planning was granted delegated authority to approve the refusal grounds with the Chairman, Vice Chairman and Opposition Spokesperson outside of the meeting.

Chairman

Date:

Ellen Wright, Democratic Services Officer

Telephone: 01634 332012

Email: democratic.services@medway.gov.uk