

Medway Council
Planning Committee
Wednesday, 6 April 2022
6.30pm to 9.40pm

Record of the meeting

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

Present: Councillors: Barrett, Buckwell (Vice-Chairman),
Mrs Diane Chambers (Chairman), Curry, Etheridge, Howcroft-
Scott, Hubbard, McDonald, Opara, Potter, Thorne and Tranter

Substitutes: Councillor: Van-Dyke (Substitute for Stamp)

In Attendance: Councillor Price
Councillor Sands
Dave Harris, Head of Planning
Kemi Erifevieme, Planning Manager
Nicholas Roberts, Senior Planner
Robert Neave, Principal Planning Officer
Laura Caiels, Lawyer
Stephanie Davis, Democratic Services Officer

786 Apologies for absence

Apologies for absence were received from Councillors Hackwell and Stamp.

787 Record of meeting

The record of the meeting held on 9 March 2022 was agreed and signed by the Chairman as correct.

The Committee was advised that under delegated authority, the final wording of the refusal ground had been approved by the Head of Planning in consultation with the Chairman, Vice Chairman and Opposition Spokesperson:

Minute 724 – Planning application – MC/21/2328 - Land South of Bush Road

Refused on the following ground:

1. The scale and nature of the proposed development would result in a significant increase in additional activity within the Bush Valley, which would constitute a severe adverse impact and a direct loss of the currently undeveloped tranquillity and wildness of the AONB. It would

Planning Committee, 6 April 2022

also lead to the erosion of the rural character and uniqueness of the community of the Upper Bush Conservation Area and the wider Parish of Cuxton, contrary to Policies BNE12, BNE14, and BNE32 of the Medway Local Plan 2003 and paragraphs 177, 197 and 201 of the National Planning Policy Framework 2021.

788 Urgent matters by reason of special circumstances

There were none.

789 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 Potter referred to application MC/21/2493 - Phase 2, Bakersfield, Rainham, Gillingham, Medway and advised that he has been involved in discussions as Ward Councillor during Phase 1 and 2 of the scheme therefore he would leave the meeting for the consideration and determination of this application.

790 Planning application - MC/21/2292 - BAE Marconi Avionics, Marconi Way, Rochester

Discussion:

The Head of Planning outlined the planning application in detail and informed the Committee that the presentation was also for planning application MC/21/2291.

Members were being asked on this application to approve the outline for the redevelopment of the site with matters of access, scale and layout of the site.

Members were reminded that the site was partially designated as employment as part of the Local Plan and the principle for redevelopment for employment purposes was acceptable in planning terms.

The Committee discussed the application and raised a number of questions including ensuring that materials used were from sustainable sources, recycling

Planning Committee, 6 April 2022

of materials where possible during demolition and seeking agreement from BAE for other buildings to be photographed and kept on record for historical reference. In relation to conditions 7 and 8 on biodiversity that the applicants seek to achieve at least 10% Biodiversity net gain.

In response to questions raised, the Head of Planning acknowledged the importance of retaining records of historical sites and advised that the English Heritage has already photographed the buildings being discussed. He agreed to discuss the photographing of other buildings with BAE. The Committee was advised that in relation to the request for the 10% aspect of biodiversity as part of the conditions, this was an aspiration and would be discussed with BAE but could not confirm this would be achieved. Members were advised that this would become legislation in the future. Discussion would take place with BAE on materials and sustainability and as part of condition 10, new materials would be submitted and would be part of considerations.

Clarification was sought on the issues raised by Tunbridge and Malling Council and the Head of Planning advised that they did not object to the proposals. They raised concerns on environmental impact on local roads, all of which had been addressed through consideration of the application by an environmental specialist who agreed that there was no impact. Kent County Council and Network Highways had also reviewed the application and were satisfied with the proposals.

The Committee agreed that BAE was an important employer for Medway, they welcomed the application and investment in Medway by a world-renowned company.

Decision:

Approved with conditions 1 – 24 as set out in the report for the reasons stated in the report.

791 Planning application - MC/21/2291 - BAE Marconi Avionics, Marconi Way, Rochester

Discussion:

As outlined in the presentation for Planning application MC/21/2292, the Committee was asked for approval for demolition of existing buildings.

Decision:

Approved with conditions 1 – 11 as set out in the report for the reasons stated in the report.

792 Planning application - MC/21/2493 - Phase 2, Bakersfield, Rainham, Gillingham, Medway

Discussion:

The Head of Planning outlined the planning application in detail and drew Members' attention to page one of the supplementary agenda advice sheet which detailed a representation in the form of a complaint from a resident regarding the development proposed.

In response to a concern raised on whether the current drainage pipes would be able to cope or if there would be a further application for a new system to be built to manage the system, the Head of Planning advised that the Redrow application would be presented to Committee in a few weeks. The flood officer would check as part of the application, if the system was acceptable or needed to be expanded slightly to cope. As part of the connection of the pipe to the main drain, there was capacity to deal with this site as well as the Redrow site.

Decision:

Approved with conditions 1 – 15 as set out in the report for the reasons stated in the report.

793 Planning application - MC/19/3129 - Land To The South Of Stoke Road Adjacent Yew Tree, Hoo St Werburgh, Rochester, Medway

Discussion:

The Head of Planning outlined the planning application in detail and referred Members to page of the supplementary advice sheet which set out an additional condition. Members were reminded that when applications were received, the department had to calculate housing need as defined by Government set methodology and measure against that in terms of housing delivery. If Medway did not meet its housing targets by 95%, a 20% buffer was added to its housing delivery requirement, if 85% was not met, an action plan had to be produced and if 75% was not met the presumption in favour of sustainable development applied. While delivery was improving, the Council delivery was still below 75%

The Committee was advised that all policies in the Local Plan that restricted housing supply were not relevant to this application. The consideration for this application was based on whether the proposals were sustainable in terms of Economic, Social and Environmental considerations. The Head of Planning talked through these 3 elements and the weight to be applied to the various issues and whether any harm outweighed the need for housing.

Members were advised that in relation to the Parish Council's comments which alluded to the history of Hoo and paying due regard to the WWII stop line, the application site did not impact on the stop line which fell outside the application site.

Planning Committee, 6 April 2022

Members were also informed that as part of S106, the adopted developers contribution guide would only secure up to, £13000 per dwelling but that following negotiation the applicant had agreed to increase the contribution to £1.8million, which equated to £18000 per dwelling. The CIL tests still had to be met in that the contributions needed to relate to the development and make an unacceptable development acceptable while being reasonable in scale.

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

- The objection was based around the over saturation of Stoke Road, with 500 new houses planned less than a mile of Stoke Road.
- The development would create a commuter dormitory in a rural town
- The development would adversely affect the views, threaten biodiversity and character of the area.
- Additional housing would detract from the walking experience.
- This site would negatively affect the residents in particular those in residential homes who would be impacted by the noise, mess, and upheaval during construction of the site.

The Committee discussed the application and some Members raised concerns on impact to the infrastructure, in particular to the highway, transport, schools and social spaces.

The Head of Planning agreed that sensitivity would have to be afforded to residents of the care home near the proposed site but reminded the Committee that not all care homes were in rural areas and that people needed to adapt to accommodate for changes in demographics. There was a significant need for housing in Hoo Peninsula and the whole of Medway.

The Committee was informed that if they were minded to refuse the application, and the applicant took this to appeal, the chance of the decision being upheld was no more than 5% and the significant additional contribution that would have been received would not be received which would be a loss to the community of Hoo.

Some members of the Committee raised concerns on the wider landscape of the area and felt it would be beneficial to visit the area to get an understanding on what would be affected by housing development in the future. Reassurance was sought on the importance of the Stop line and that it would not be affected by the development

The Head of Planning acknowledged the points made on a later site visit to the wider area of the Peninsula to consider the Local Plan aspirations.

During discussion, it was suggested that this planning application be deferred to enable a site visit to take place and a motion to this effect was put forward.

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

Planning Committee, 6 April 2022

Decision:

Approved subject to:

- a) Section 106 agreement to secure the following
 - i) Secure a minimum of 25% affordable housing

A financial contribution of £1,809,400.00 in total to be proportionately split into the following:

- £474,423.93 towards Highways Improvements related to the development including improvements to junctions on the Strategic Highway Network
- £54,872 towards Nursery and Primary Education improvements directly related to the development
- £427,732.66 towards Secondary Education directly related to the development
- £223,641.35 towards Health and Social Care including improvements to Walter Brice Centre, new ambulance community response and new healthy living centre on Hoo peninsula. • £282,594.38 towards Community and Cultural Facilities including improvements/replacement sports centre, upgrades to community facilities including Library and Hoo Cultural and Heritage facilities including wayfinding
- £103,320 towards Green and Blue Infrastructure including improvements/provision public open space and facilities, improvements/provision of bridleways/public rights of way • £48,300 towards SAMMS plus
- £194, 516 towards further infrastructure improvements in the area.

- j) Conditions 1 – 26 as set out in the report for the reasons stated in the report, and additional condition 27 as follows:

27. Prior to first use of the proposed development details of the following highway works shall be submitted to and approved in writing by the Local Planning Authority:

- Access arrangements as outlined in drawing P18094-001D

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 2003.

794 Planning application - MC/21/2861 - Southern Belle, 170 High Street, Gillingham, Medway

Planning Committee, 6 April 2022

Discussion:

The Head of Planning outlined the planning application in detail and asked Members to note the amendment to condition 4 on page 2 of the supplementary agenda advice sheet.

The Committee agreed that this was a good scheme and a good use of the building.

Decision:

Approved with conditions 1 – 6 and 8 -12 as set out in the report for the reasons stated in the report and condition 7 amended as follows:

The development shall not be occupied, until the first-floor bay windows and dormers for flats 4, 5, 6 and 7 have been configured in accordance with drawing 0014.PL08 Rev D. This work shall be completed on the windows and dormers before the relevant flat is first occupied 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

795 Planning application - MC/22/0299 - Chiropodist Clinic, 28 Richmond Road, Gillingham, Medway

Discussion:

The Planning Manager outlined the planning application in detail.

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

- This change of use to a convenience store was on a very busy road which could cause high congestion due to limited availability of parking.
- There were already two convenience stores close to the location of this site and a LIDL proposed to be built on the junction of Richmond Road.
- There were a number of fast food outlets and public amenities already in Richmond road.
- The small car park at the back could cause traffic issues for the cul-de-sac at the back of the locations.
- If the Committee was minded to approve the application, it was asked that a condition be added for provision of electric power points in the car park.

Planning Committee, 6 April 2022

The Committee discussed the application in detail and raised concerns regarding the possibility of congestion in the area due to limited parking and it was asked if the three spaces at the rear belonged to the site. The Planning Manager advised that there was parking in the cul-de-sac but it could not be presumed that it belonged to the site.

The Principal Transport Planner advised that if the parking space was adjacent to the store, the use could be included in the conditions.

Decision:

Approved with conditions 1 – 3 as set out in the report for the reasons stated in the report and subject to a condition for an electric charging point in the car park at the rear of the site.

796 Planning application - MC/21/2996 - 109 Marshall Road, Rainham, Gillingham, Medway

Discussion:

The Planning manager outlined the planning application in detail.

Decision:

Approved with conditions 1 – 9 as set out in the report for the reasons stated in the report.

797 Planning application - MC/21/2313 - Land Behind 69 Ivy Street, Rainham, Gillingham

Discussion:

The Senior Planner outlined the planning application in detail.

The Committee discussed the application and shared the view that the application was very unusual with concern that the structure would run the full length of the garden of the property in Maplin's close and overshadow it. It was highlighted that instead of a garage, the site would become a single-story property and would be put to use which was better than its current use.

Decision:

Approved with conditions 1 – 13 as set out in the report for the reasons stated in the report.

798 Planning application - MC/21/2917 - Land Adjacent To West Bere, Grain Road, Isle Of Grain, Rochester

Discussion:

The Planning Manager outlined the planning application in detail.

A Member stated that the context of this retrospective application needed to be made clear with two previous consents for this application set out on page 145 of the report. The constructions that had been built to date were of a smart and decent style which should be encouraged on sites such as this. Extra housing was needed in this area and had been for a long time.

In response to a question on how common it was not to receive a comment from National Grid when asked to comment on a site, the Planning Manager advised that it was not uncommon to consult and not receive a response back.

Whilst Members had raised concern that the proposed third building was beneath the powerline; the proposed development were bungalows and this could help mitigate concerns. A Member added that the concern was mainly due to possible impact on health of residents.

Decision:

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

799 Planning application - MC/22/0065 - Dalham Barn, Cooling Road, High Halstow, Rochester

Discussion:

The Senior Planner outlined the planning application in detail.

It was commented that the proposal would be a vast visual improvement to the site, and it was asked if this would be a complete rebuild. The Senior Planner advised that the structure would remain with all other elements permitted under the terms of the order.

Decision:

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

800 Planning application - MC/22/0149 - 696 Maidstone Road, Rainham, Gillingham, ME8 0LJ

Discussion:

The Senior Planner outlined the planning application in detail and advised that the main addition was for a basement level to provide a gym and cinema room. There were tree protection measures in place to be adhered to prior to and during construction of the site.

Decision:

Approved with conditions 1 – 13 as set out in the report for the reasons stated in the report.

801 Planning application - MC/22/0153 - Land Adjacent 3 Valley Road, Gillingham, ME7 2ET

Discussion:

The Planning Manager outlined the planning application in detail. Planning consent for the site had been refused in 2021 for a 2 storey 3 bedroom development. The proposal now being presented was for a 2 bedroom bungalow with a dormer for loft space and was well in keeping with other properties with parking provided to the rear and access to which showed no impact to highway safety.

Decision:

Approved with conditions 1 – 11 as set out in the report for the reasons stated in the report.

802 Planning application - MC/21/3464 - 197 Grange Road, Gillingham, Medway, ME7 2TL

Discussion:

The Senior Planner outlined the application in detail and asked the Committee to note the amendment to the wording for conditions 5 and 6 as stated in page two of the supplementary agenda advice sheet. This also included an amended planning appraisal.

Decision:

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

Planning Committee, 6 April 2022

5. All windows on the ground floor side east and west elevations 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 the room it serves is occupied 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.

6. The area shown on the submitted layout as vehicle parking space, shall be provided, surfaced, and drained in accordance with details submitted to and approved in writing by the Local Planning Authority. 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 2015 (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 reserved parking space.

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 Policy T13 of the Medway Local Plan 2003. xxx

803 Performance Report 1 October 2021 to 31 December 2021

Decision:

Consideration of this item was deferred until 4 May 2022.

804 Report on Appeal Decisions 1 October 2021 to 31 December 2021

Decision:

Consideration of this item was deferred until 4 May 2022.

Chairman

Date:

Stephanie Davis, Democratic Services Officer

Telephone: 01634 332503

Email: democratic.services@medway.gov.uk