

**Medway Council**  
**Planning Committee**  
**Wednesday, 11 January 2023**  
**6.30pm to 7.55pm**  
**Record of the meeting**

**Present:** Councillors: Mrs Diane Chambers (Chairman), Buckwell (Vice-Chairman), Curry, Hackwell, Howcroft-Scott, Hubbard, Lammas, McDonald, Potter, Prenter, Chrissy Stamp, Thorne and Tranter

**Substitutes:** Councillors:  
Barrett (Substitute for Carr)  
Gulvin (Substitute for Fearn)

**In Attendance:** Melvin Andrews, Highways Consultant  
Duncan Berntsen, Senior Urban Design Officer  
Kemi Erifevieme, Planning Manager  
Julie Francis-Beard, Democratic Services Officer  
Dave Harris, Head of Planning  
Vicky Nutley, Head of Legal Services

**499 Apologies for absence**

Apologies for absence were received from Councillors Carr and Fearn.

**500 Record of meeting**

The record of the meeting held on 14 December 2022 was agreed and signed by the Chairman as correct.

The Committee was informed of the following, as set out in the supplementary agenda advice sheet no.1:

**Minute 466 MC/22/147 Land south of Lower Rainham Road**

Confirmation of final wording of additional conditions agreed by the Committee:

11. Prior to the occupation of the 175th dwellinghouse hereby approved the vehicular link between the application site and the road network to the northwestern side of the boundary, as required by condition 19 of outline planning permission MC/18/1796, shall be bought into use. Thereafter the vehicular link shall be maintained unobstructed for use by traffic (vehicular and pedestrian).

## Planning Committee, 11 January 2023

Reason: In the interests of highway safety and amenities of the local residents and in compliance with Policies T1, T13 and BNE2 of the Medway Local Plan 2002.

12. 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) no development shall be carried out within Schedule 2, Part 1, Class[es] A, B, C and E of that Order unless planning permission has been granted on an application relating thereto in relation to all perimeter dwellings adjoining the northwestern, southwestern and southeastern boundaries of the site.

Reason: To enable the Local Planning Authority to control such development in the interests of visual and neighbouring amenity in accordance with Policies BNE1 and BNE2 of the Medway Local Plan 2003.

The amendment requirements re roof plan for houses on western boundary, was dealt with through the receipt of amended plans in advance of decision being issued and then the approved plans condition 2 being amended to refer to those plans.

### **501 Urgent matters by reason of special circumstances**

There were none.

In addition, the Committee wished the Planning Manager all the very best and thanked her for all her hard work as this would be her last Planning Committee at Medway Council.

The Committee also thanked Councillor Howcroft-Scott as this would be her last Planning Committee at Medway Council this municipal year.

### **502 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 referred to planning application MC/22/1810 Bardell Wharf, Rochester and informed the Committee that as he wished to address the Committee as Ward Councillor on this planning application, he would take no part in the determination of the application.

## Planning Committee, 11 January 2023

### 503 Planning application - MC/22/1810 Bardell Wharf, Rochester, Medway, ME1 1NG

Councillor Tranter withdrew as a Member of the Committee to speak as a Ward Councillor.

#### **Discussion:**

The Head of Planning outlined the application in detail which was for mixed-use development comprising residential units (Class C3) and commercial floorspace (Class E) together with vehicular access off Bardell Terrace, vehicle (including on site and on street spaces) and cycle parking provision, private amenity space, landscaping, engineering works, public realm, and associated works. Highway works to the junction of Corporation Street and High Street and alterations to pedestrian crossing - demolition of all buildings on site.

The Head of Planning confirmed that a site visit had taken place on Saturday 7 January 2023 and was noted in the supplementary agenda advice sheet no. 2 along with a briefing note from the Applicant's Highway Consultant.

An additional S106 contribution to include a scheme of local improvements would be provided to the wider area (supplementary agenda advice sheet no.1) and an amendment to condition 21 (supplementary agenda advice sheet no.2). Final details of the proposed highway layout would be brought back to this Planning Committee for determination as part of the assessment of condition 21.

With the agreement of the Committee, Councillor Tranter addressed the Committee as Ward Councillor which included the following points:

- During the pre-application stage there were discussions of high levels of affordable housing, now it seems there would only be 10%.
- Concern regarding the cost of bird mitigation of over £100,000 when nothing was being contributed to mitigate the impact of people living close to the development. There was a need to get the best possible outcome for the local communities and the quality of development however accepting the reality of viability.
- Ward Councillors for River and Rochester West to be actively involved with the final Star Hill crossing, which was currently one of the most difficult and dangerous junctions for cyclists and there would be a need to make it safe for pedestrians.
- Welcomed discussions with developers to help uplift and improve the local area using their own labour and access to materials making it cost effective.

The Committee discussed the planning application noting the comments outlined by the Head of Planning and the points raised by the Ward Councillor:

Members agreed the site visit was beneficial and welcomed the additional condition to improve the wider area and that the proposed highways layout

## Planning Committee, 11 January 2023

would be brought back to this Committee as there were still concerns for vehicles, cyclists and pedestrians. The Head of Planning confirmed that no further development could take place, above slab level, within any phase until the highway details were brought back for approval.

The Highways Consultant confirmed that the submission of stage 1 and 2 of the Road Safety Audit, the footpaths are shown as adequate.

Members agreed that Ward Councillors should be involved as much as possible in discussions regarding the highway crossing improvements.

### **Decision:**

**Approved** subject to:

A. Section 106 agreement to secure the following:

- i. £103,179.12 towards strategic measures in respect of the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites
- ii. 10% affordable housing
- iii. Restriction to the occupation of phase including the central area until the works to Star Hill Roundabout have been undertaken.
- iv. A scheme of local improvements to be provided to the wider area.

B. Conditions 1-20 and 22-44 as set out in the report for the reasons stated in the report and an amendment to condition 21 as set out in the supplementary agenda advice sheet no. 2.

### **Amend Condition 21 as follows:**

21. Notwithstanding the highways crossing improvements shown on drawings 43370\_5501\_009 Rev C and 43370\_5501\_023, no development shall take place above slab level within any phase or sub phase, including the central area, until final details of the highway crossing improvements for the Corporation Street/Star Hill junction, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented in full prior to first occupation of the central area phase.

### **504 Planning application - MC/22/1867 Land east of Rainham Pumping Station and north of Lower Rainham Road, Rainham, Kent**

Councillor Tranter returned to the meeting.

### **Discussion:**

The Head of Planning outlined the application in detail for the construction of 2 detached residential properties with associated parking, access and landscaping works - resubmission of MC/22/0534.

## Planning Committee, 11 January 2023

The Head of Planning explained that two additional conditions were added to the recommendations and confirmed that a Certificate B had been completed and submitted on 15 December 2022, which indicated Southern Water were served notice on 13 December 2022, as set out in the supplementary agenda advice sheet no.1 and 2.

The Head of Planning confirmed that although the representation from Kent County Council (biodiversity), in supplementary agenda no. 2, explained that the development of the site did not provide for Bio-Diversity Net Gain and, therefore, the proposal did not meet one aspect of paragraph 174 of the National Planning Policy Framework (NPPF), The Environment Act had not been brought into effect as yet requiring Bio Diversity Net Gain and the conditions 5,13,14,18 were considered appropriate to address the other ecological recommendations of KCC ecology. .

The Committee considered the application noting concerns regarding the highway, road safety, congestion and access to and from the property which was situated within a traffic-controlled chicane on Lower Rainham Road.

### **Decision:**

**Refused** on Highway Safety concerns. Final precise wording to be agreed with Planning Spokes.

### **505 Planning application - MC/21/3587 16 Burrows Lane, Middle Stoke, Rochester, Medway**

### **Discussion:**

The Planning Manager outlined the application in detail for the construction of a detached 2-bedroom chalet bungalow.

The Planning Manager explained this would be a minor development in the rural countryside and was situated within an established development with local bus services and shops located in Lower Stoke which was approximately 9 minutes walk away.

The Committee considered the application noting concerns regarding flooding. The Planning Manager confirmed the site was situated within a 'low risk' flood zone but was subject to a high risk of surface water flooding.

The Head of Planning confirmed that condition 9 dealt with sustainable drainage principles which would alleviate concerns regarding surface flooding.

### **Decision:**

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

**506 Planning application - MC/22/2361 To the rear of 124 Maidstone Road, Chatham, Medway**

**Discussion:**

The Planning Manager outlined the application in detail for the construction of two semi-detached dwelling houses with associated parking and landscaping and vehicle access.

The Planning Manager explained this site had been subject to a number of planning applications over the last two decades.

Several Members were concerned with the amount of development on the site and local area and the way it had changed the street scene. They suggested it may have been more suitable for one application for a larger development rather than lots of smaller individual developments on the site.

**Decision:**

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

**507 Planning application - MC/22/1891 35 Milton Avenue, Cliffe Woods, Rochester, Medway**

**Discussion:**

The Planning Manager outlined the application in detail for the construction of a two-storey extension to side and demolition of garage.

Following a question from a Member, the Head of Planning confirmed that the Parish Council had expressed concerns over increased on-street parking rather than objecting to this application. He apologised and explained that he could therefore have dealt with this application under his delegated authority in consultation with the Planning Spokes but as the application had come to the Committee it could still be determined. He confirmed there was sufficient parking spaces.

The Planning Manager confirmed that within the parking standards a garage must be over 13.5 sq metres and this specific garage was smaller so would not relate to specific parking spaces.

**Decision:**

**Approved** with conditions 1 to 5 as set out in the report for the reasons stated in the report.

**Planning Committee, 11 January 2023**

**Chairman**

**Date:**

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