

Medway Council
Planning Committee
Wednesday, 8 February 2023
6.30pm to 8.30pm

Record of the meeting

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

Present: Councillors: Mrs Diane Chambers (Chairman), Buckwell (Vice-Chairman), Adeoye, Crozer, Curry, Fearn, Hackwell, Hubbard, Lammas, Potter, Prenter, Chrissy Stamp, Thorne and Tranter

Substitutes: Councillors:
Howcroft-Scott (Substitute for McDonald)

In Attendance: Councillor Ron Sands for Agenda Item 7
Melvin Andrews, Highways Consultant
Chantelle Farrant- Smith, Senior Planner
Julie Francis-Beard, Democratic Services Officer
Dave Harris, Head of Planning
Joanna Horne, Planning Solicitor
Carly Stoddart, Planning Manager

598 Apologies for absence

An apology of absence was received from Councillor McDonald.

599 Record of meeting

The record of the meeting held on 11 January 2023 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 504 MC/22/1867 Land East of Rainham Pumping Station and North of Lower Rainham Road, Rainham

With delegated authority, the Head of Planning agreed the final wording of the reason for refusal with the Chairman, Vice Chairman and Opposition Spokesperson to read as follows:

- 1 The use of the vehicular access onto the B2004 Lower Rainham Road from the proposed houses would impact on the free flow of traffic along this strategic route, particularly with vehicles having to wait to proceed

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east. This would increase congestion particularly at busier times of the day.

Furthermore, the increased vehicular movements, its proximity to the traffic-controlled feature (chicane) would lead to conflicts and would affect the flow of traffic and reduce highway safety to an unacceptable degree, particularly from the prospective drivers turning right from the access and heading west, and traffic heading east past the chicane.

As such the proposed development would therefore conflict with Policies T1 and T2 of the Medway Local Plan 2003 and paragraph 110 (b) of the National Planning Policy Framework 2021.

600 Urgent matters by reason of special circumstances

There were none.

601 Chairman's Announcements

The Committee welcomed Chantelle Farrant-Smith, the Senior Planner, to her first Planning Committee.

In addition, the Committee wished Carly Stoddart, 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.

602 Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

Councillor Buckwell referred to application MC/22/2824 18 Cadnam Close, Strood, Rochester, Kent and advised on behalf of all Members of the Conservative Group on the Committee that the applicant was a member of the same political party, therefore, they would leave the meeting for the consideration and determination of this application.

Councillor Hubbard referred to application MC/22/2824 18 Cadnam Close, Strood, Rochester, Kent and advised the applicant was known to him, as they had been opposing political colleagues in the Council since 1991, therefore, he would leave the meeting for the consideration and determination of this application.

Councillor Howcroft-Scott referred to application MC/22/2824 18 Cadnam Close, Strood, Rochester, Kent and advised that she had been the Chair of the Patient Participation Group and the applicant had been part of the group,

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therefore, she would leave the meeting for the consideration and determination of this application.

Other interests

There were none.

603 Planning application - MC/22/0687 Site at the former Medway Fire Station, Watling Street, Gillingham, Medway

Discussion:

The Head of Planning outlined the application in detail for the construction of a food retail store (Class E) with 4 residential apartments above fronting Watling Street, including the construction of 5 two storey dwellings fronting Star Mill Lane with means of access, car parking, servicing and landscaping.

The site was formally the old fire station with the new fire station adjacent to the site, the ambulance station to the rear and opposite across Star Mill Lane a retail parade.

The proposal was for a small mini supermarket on the ground floor along with 4 x 2 bed maisonettes above, 15 parking spaces to serve the supermarket to the rear, retail servicing arrangements and means of access from Star Mill Lane. The site fronting Star Mill Lane would have 5 x 3-bedroom properties with 18 parking spaces serving the 9 residential units. Electric charging points would be installed for both residents and users of the supermarket.

The Committee considered the application and the Head of Planning confirmed that following a question from a Member, the retail parking spaces would be policed by the supermarket themselves, CCTV would be monitored and signs visible stating parking was for customers only. Further details to be submitted as part of the Traffic Management condition.

Members asked why more landscaping was not shown on site. Could the front section of the site be curved to mirror the opposite side of the road and as there were iconic buildings nearby, could this application not mirror those buildings? The Head of Planning confirmed that the materials used would be covered within the conditions stated and it was considered that the scale, design and indicative materials were acceptable. The new fire station was specifically built to stand out on its own merits.

Decision:

Approved subject to:

- a) The submission of a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 to secure:
 - i. £2482.92 towards Designated Habitats Mitigation.

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- b) Conditions 1 to 29 as set out in the report for the reasons stated in the report.

604 Planning application - MC/22/2207 Land at Purvilles, 221 Lordswood Lane, Lordswood

Discussion:

The Planning Manager outlined the application in detail for the demolition of the existing dwelling, double garage and outbuildings and erection of 20 dwellings with associated infrastructure, access, car parking, play area provision and landscaping.

The Planning Manager confirmed that the initial application, MC/21/0922, was for 39 units which had been negotiated down to 24 units and the current application was for 20 units. The application had integrated parking, the housing standards were met and the proposed scheme would not dominate neighbouring properties which allowed for a better relationship with neighbours.

Condition 14 stated a Landscape Management Plan would be submitted and the site would then be managed by a Management Company who would maintain the trees. Balancing the loss of the biodiversity and the 5-year land supply issue, Officers had taken this all into account and had recommended approval subject to the Section 106 contributions as set out in the report.

The Committee considered the application and the Planning Manager confirmed that bricks being used for the development would be in keeping with the local area.

A Member was concerned with the Section 106 contributions and asked if more contributions could be given to the local area rather than going to the Great Lines Heritage Park. Princes Park required more funding for extra bins and trees, could that money be better spent in this specific area. More emphasis could be given to Kingfisher Playground and the Kingfisher Underpass as these areas were situated very near to the site and could be more beneficial to the local neighbourhood.

The Head of Planning explained he had discussed this with the Planning Manager and Green Space Officer and under the terms of Section 106 of the Town and Country Planning Act, the £54,466.166 contribution for open space facilities within the Princes Park Ward and Capstone Country Park could potentially be allocated to those two areas, in consultation with the Ward Councillors. The 5% contribution totalling £2,866.64 towards the Great Lines Heritage Park was a Medway wide benefit and was compliant with the adopted Developer Contributions guide. The £4,900 towards public realm improvements at Chatham Town Centre, was recommended due to Chatham being the main centre serving Medway, but this could be reallocated to public realm improvements in the local area in discussion with the Ward Councillors.

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Members thought using the public realm money to plant additional trees would be beneficial to the community.

A Member suggested some of the contributions could be allocated to improving the junction of Swift Crescent and Lordswood Lane. The Highways Consultant confirmed they could look at anti-skid provisions as part of the S106 due to the steep slope of the road and junction.

The Planning Manager confirmed, that under condition 18, the Climate Change Statement covered air source heat pumps.

The Head of Planning and Planning Manager confirmed that with additional tree planting, the biodiversity net gain would be greater with the proposed 20 units rather than the 39 and the additional landscaping would be managed by a Management Company and would be reviewed. A Biodiversity Net Gain Officer had recently been employed jointly with Medway and Kent County Council and their role, when the Environment Act was implemented in November 2023, would be to look at sites where 10% biodiversity was not possible and look at providing that requirement elsewhere. The requirement for 10% biodiversity was not yet in place.

Following a Member's question, the Highways Consultant confirmed that a Transport Statement had been provided by the applicant which included pedestrian and cycling traffic and although there would be increase in vehicle traffic it had no direct impact on the highways network.

The Head of Planning confirmed that as part of the S106 contributions the following could be amended:

- a) ix: £4,900 towards the public realm improvements at Chatham Town Centre, could be re-allocated to public realm improvements in the vicinity of the site and in consultation with the Ward Councillors

and

- x: to include the anti-skid provisions.

Decision:

Approved subject to:

- a) The applicant entering into a legal agreement under the terms of Section 106 of the Town and Country Planning Act 1990 to secure the following contributions:
 - i. £57,332.80 green space contribution. Of which:
 - £54,466.16 for open space facilities within Princes Park Ward and Capstone Country Park
 - £2,866.64 towards the Great Lines Heritage Park.

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- ii. £120,723.15 Education contribution. Of which:
£30,985.80 for nursery provision £26,076.34 for primary provision within 2 miles of development site or SEND education within Medway. £60, 261.80 for secondary provision £3,399.21 for sixth form provision within Medway.
- iii. £14,209.20 health contribution towards contribution towards extension/refurbishment or upgrading of existing proactive premises within the vicinity or contribution to a new facility.
- iv. £3,888.40 towards waste provision, improvements and promotion.
- v. £1,759.80 towards Youth Provision for you people between 8-10 and up to 25 with disabilities within the Chatham area.
- vi. £4,117.40 towards community facilities within the vicinity of the site.
- vii. £3,711 towards equipment and facilities at Libraries in the vicinity.
- viii. £5,471 towards improvements to Sports Provision at Medway Park.
- ix. £4,900 towards public realm improvements in the vicinity of the site and in consultation with the Ward Councillors.
- x. £10,000 highway contribution to improve aid pedestrian movements within the vicinity including anti-skid provisions on the junction between Swift Crescent and Lordswood Lane.
- xi. £5,241.72 towards strategic measures in respect of the coastal North Kent Special Protection Area.
- xii. Meeting the Council's costs.

- b) Conditions 1 to 26 as set out in the report for the reasons stated in the report.

605 Planning application - MC/22/2337 42 Main Road, Hoo St Werburgh, Rochester, Medway

Discussion:

The Senior Planner outlined the application in detail for the construction of a 2-bedroom detached chalet bungalow with attached garage accessed off Coombe Road and drew Members' attention to the supplementary agenda advice sheet No.1 which included an objection from Hoo Parish Council, one of Hoo Parish Councillors and a further letter of objection.

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This was a resubmission of a previously refused application that had been determined at Committee. The previous application had been for a three-bedroom chalet bungalow which had been refused on height, scale and the relationship with 42 Main Road.

The proposed site was a corner plot between Main Road and Coombe Road and formed part of the residential garden of 42 Main Road.

Concerns from objectors were the overdevelopment of the site, there had been two previous approvals for outline applications for a proposed bungalow within the site. The Senior Planner explained that when looking at the buildings and plots within the street scene the proposed development was comparable to those on the adjacent side of the road.

The other concern was the relationship with 42 Main Road as a non-designated heritage asset, the Senior Planner confirmed the Conservation Specialist previously noted that 42 Main Road was not listed as a non-designated heritage site.

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

- It was a small corner plot on Main Road and Coombe Road and permission had been refused twice before.
- He considered this to be an over development and potentially a back land development.
- 42 Main Rd was considered a historic building in the context of Hoo and was the entrance to the village centre. The character of the area would be negatively affected by the development.
- The design and height of the application was still unacceptable.

The Committee discussed the planning application noting the comments raised by the Senior Planner and the concerns of the Ward Councillor.

Although the height of the building had been lowered, Members were still concerned with the height of the development.

The Head of Planning confirmed that the SAMMS contribution had already been paid and that an appropriate assessment was to be carried out as part of the application. A copy of that assessment would be available to the Ward Councillors.

Decision:

Refused for the following reason:

The proposed development by reason of its design, scale, mass and height would result in an unacceptable form of development which fails to respect the immediate character of the area while negatively competing with the adjoining dwelling on 42 Main Road. The development as such fails to provide a positive

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improvement to the character and appearance of the street scene, contrary to Policies H4 and BNE1 of the Medway Local Plan 2003 and paragraphs 126 and 130 of the NPPF.

606 Planning application - MC/22/2302 254 Maidstone Road, Rainham, Gillingham, ME8 0HH

Discussion:

The Senior Planner outlined the application in detail for the construction of a detached dwelling to the rear with access via Camellia Close and drew Members attention to amendments to conditions 2 and 13 as set out in the supplementary agenda advice sheet No 1.

Objections were raised in relation to overlooking and the impact of neighbouring privacy. The only window that could cause any overlooking would be the dormer window to the rear. As the proposed site was within an existing residential area, the outlook from that window would not go above and beyond the existing mutual overlooking of two properties in Camellia Close and no objections had been raised.

Another objection related to parking and Medway's interim parking standards required two parking spaces for the development of which this application provided.

The impact of newts in the neighbouring garden was raised however the location of the pond was not identified. It was not considered the application would have an impact on the newt population.

The applicant had agreed to replant a tree, that was originally on the grass verge on Camilla Close, to mitigate the loss of the larch which had been removed and was included in the amended condition 13 in the supplementary agenda advice sheet No 1.

Decision:

Approved with conditions 1, 3 to 12 as set out in the report for the reasons stated in the report. Replace conditions 2 and 13 as shown in the supplementary agenda advice sheet No. 1 as follows:

Replace condition 2 as follows:

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

Received 26 September 2022:
1180A Proposed Section and Streetview Rev C
1180A Proposed Front Section Rev C
1180A Side Section Rev C

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Received 19 December 2022:

1180A Proposed Plans Rev C 1
180A Proposed Elevations Rev D

Received 6 January 2023:

1180A Proposed Block Plan Rev E

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

Replace condition 13 as follows:

Notwithstanding the submitted details, the dwelling shall not be occupied until details of a replacement tree (to be located to the front of the plot) has been submitted to and approved in writing by the Local Planning Authority. Details shall include species, size, and siting of the replacement tree as well as a maintenance plan. The replacement tree shall be planted by a competent person in accordance with the approved details and the best arboricultural practice and recommendations contained in British Standard 8545:2014 Trees from nursery to independence in the landscape. The replacement tree shall be planted in the first planting season (between the months of November and March) following first occupation of the dwelling herein approved.

If the replacement tree was removed, uprooted, destroyed, or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

Reason: To minimise the impact of the proposal on the amenity of the area in accordance with Policy BNE1 of the Medway Local Plan 2003.

607 Planning application - MC/22/2593 1 Willow Place, High Street, Isle of Grain, Rochester

Discussion:

The Senior Planner outlined the application in detail for the change of use of a single occupancy residential dwelling (Use Class C3) to a children's care home (Use Class C2).

There were no proposed external or physical internal alterations although two bedrooms at ground floor level would be changed to a games room and an office, therefore, no loss of outlook or over shadowing.

Although Class C3B would allow up to 6 people to live together as a single household receiving care, the reason that planning permission was required was that although the occupants would live as a family the level of care

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required to undertake daily tasks and the level of staff required to assist in those duties would take the proposal outside the C3B definition.

The proposal sought to house 3 children with behavioural and emotional issues. There would be 3 members of staff, 1 per child, together with the manager on site during the day and two members of staff on site during the night.

There would be an internal security system that would notify staff members if a child left their room during the night, therefore, the children would effectively be monitored 24 hrs a day.

Objections were received regarding the staffing levels. The Senior Planner confirmed that there would be 11 members of staff on a shift rota. Condition 3 stated that the use shall be operated in accordance with the submitted Planning Statement which included the number of staff present on site.

Concerns were also raised about additional noise and the loss of a residential house.

The Senior Planner confirmed that 4 parking spaces would be provided at the front and as the children would be aged between 11 and 18 they would not require parking spaces themselves. There would also be a public car park adjacent to the site which visitors could use.

The Committee considered the application noting concerns about the location of the application. Grain was the most remote part of Medway, was a long way from the main town centres and had limited public transport.

Would this be the best location for the children who possibly had been through very traumatic experiences. The personal social and health education was very important for these children, and they required the resources available locally to meet their needs. They needed to see their friends and go to school, could this be possible out in Grain. The Head of Planning explained Grain was a village, it had a Junior School and supported the needs of the community and some children may need to be in a quieter area and this location would be appropriate.

Members recommended a deferral for further expert advice from Medway's Children and Adult's Social Care Department.

Decision:

Deferred for consultation with Medway's Children and Adult's Social Care Department.

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608 Planning application - MC/22/2824 18 Cadnam Close, Strood, Rochester, Medway

Councillors Adeoye, Buckwell, Mrs Diane Chambers, Fearn, Hackwell, Howcroft-Scott, Hubbard, Lammas, Potter, Thorne and Tranter all withdrew from the meeting.

Discussion:

Appointment of Chairman – a nomination received from Councillor Prenter and seconded by Councillor Chrissy Stamp for Councillor Curry to Chair this item. Councillor Curry was appointed as Chairman for this item.

The Head of Planning outlined the application in detail for the construction of a single storey extension to the side - demolition of conservatory to the side. He explained the only reason this application had come to the Committee was because the applicant was a Councillor.

Decision:

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

Chairman

Date:

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