

**Medway Council**  
**Planning Committee**  
**Wednesday, 25 October 2023**  
**6.32pm to 8.05pm**

**Record of the meeting**

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

**Present:** Councillors: Hubbard (Chairperson), Stamp (Vice-Chairperson), Anang, Barrett, Bowen, Etheridge, Gilbourne, Gulvin, Hamandishe, Howcroft-Scott, Jones, Lammas, Nestorov and Pearce

**Substitutes:** Councillors:  
Browne (Substitute for Field)  
Myton (Substitute for Shokar)

**In Attendance:** Councillor Teresa Murray (for agenda item 6)  
Chantelle Farrant- Smith, Senior Planner  
Julie Francis-Beard, Democratic Services Officer  
Dave Harris, Chief Planning Officer  
Chris Hawkins, Planning Consultant  
Joanna Horne, Legal  
Amy Shardlow, Planner  
George Stow, Highways Consultant

**336 Apologies for absence**

Apologies for absence were received from Councillors Field and Shokar.

**337 Record of meeting**

The record of the meeting held on 27 September 2023 was agreed and signed by the Chairperson as correct.

The Committee was advised of the following, as set out in the supplementary agenda advice sheet:

**Page 8 Minute 263 - MC/23/1309 1 Ripplewaters, St Mary's Island**

Reason for refusal as agreed by Chief Planning Officer, following consultation with the Chairperson, Vice Chairperson and Planning Opposition Spokespersons:

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The outbuilding, by virtue of its height, footprint and overall scale within a development of relatively small gardens where permitted development rights have been removed, is harmful to the overall character and appearance of the area and is therefore contrary to the provisions and aspirations for good design set out in Policy BNE1 of the Medway Local Plan 2003 and paragraphs 126 and 130 of the NPPF 2021.

### **Page 12 Minute 268 - MC/23/1739 Hempstead Village Hall and All Saints Church**

Additional conditions as agreed by Chief Planning Officer, following consultation with the Chairperson, Vice Chairperson and Planning Opposition Spokespersons:

5. Prior to commencement of development, details of measures to facilitate secure cycle parking and the parking of mobility scooters shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle and mobility scooter parking facilities shall be provided prior to the bringing into use of the extended car parking area hereby approved.

Reason: To provide a sustainable alternative to the private car in accordance with Policy T4 of the Local Plan 2003.

6. Prior to commencement of development, an options appraisal regarding the potential provision of an Electric Vehicle Charging point on site shall be submitted to and approved in writing by the Local Planning Authority. If agreed as part of the options appraisal, the electric charging point shall be provided as part of the delivery of the additional parking area hereby approved.

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

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

There were none.

### **339 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 Etheridge stated he attends meetings for Wainscott and Cliffe and Cliffe Woods Parish Councils and explained that if any planning applications were discussed and would eventually come to the Medway Council Planning Committee meeting, he would ask for a dispensation to leave the room during the discussion.

**340 Planning application - MC/21/2993 Land West of Station Road Rainham Gillingham Medway**

**Discussion:**

The Planning Consultant outlined the application in detail for the approval of reserved matters (Appearance, Landscaping, Layout, Scale) pursuant to planning permission (MC/19/2898) for the construction of up to 75 dwellings (C3 use class), open space, landscaping (including Sustainable Urban Drainage) with associated infrastructure.

The Committee considered the application and were pleased with 25% of affordable housing within this development. The Planning Consultant confirmed that ordinarily affordable housing would be located throughout the development, this had not happened here due to the relatively small site, however, it was considered appropriate. There would be no discernible difference in appearance for social or private housing.

The Planning Consultant acknowledged questions regarding whether Permitted Development rights could be removed, however, he clarified that Permitted Development Rights could only be removed if it could be demonstrated that implementation of those rights would cause harm to occupier or neighbouring amenity. He agreed to consider those plots where this might occur and draft an appropriately worded condition. Final wording would be drafted and agreed in conjunction with the Chief Planning Officer, Chairperson, Vice Chairperson and Opposition Spokespersons.

Members discussed Kent Police's comments and requested an additional condition be added to follow the Secured by Design Homes 2019 guidance. A further condition was requested to be added for consideration for the installation of solar panels. The Consultant recommended that the secure by design be covered by an informative and that the potential for solar panel be covered by condition.

The Planning Consultant and Chief Planning Officer confirmed that the development did not require a play area within the site as families would have access to a play area within the open space immediately adjoining the site within the Bellway Homes development.

The Planning Consultant confirmed that there would need to be some changes to tree species in places and this could be dealt with through further submissions with an appropriately worded informative recommended.

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The Planning Consultant acknowledged Southern Water's comments that permeable paving proposed over adoptable sewers was unacceptable and informed Members that the sewer would be diverted.

### **Decision:**

**Approved** with conditions 1 to 7 as set out in the report for the reasons stated in the report and additional conditions to be included regarding the removal of Permitted Development rights and solar panels and informatives regarding trees and Secured by Design. Final wording to be agreed in conjunction with the Chief Planning Officer, Chairperson, Vice Chairperson and Opposition Spokespersons.

### **341 Planning application - MC/23/0038 Land Rear of 18-24 City Way Rochester ME1 2AB**

#### **Discussion:**

The Chief Planning Officer outlined the application in detail for the construction of a part two storey/ part three storey block of 8 flats with associated external works. He explained the complexities of the site, the historic Napoleonic Walls and the previous planning history.

The Chief Planning Officer explained to Members the officer's recommendation of refusal, which were set out on page 35 and 36 of the agenda. The applicant had tried to move the development away from the Napoleonic Walls, however, officers still considered the proximity was too close.

The Chief Planning Officer acknowledged the Applicant had not yet made any contributions to the North Kent Strategic Access Management and Monitoring Scheme (SAMMS), he stated they were willing, however, no payment had been made as yet.

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

- The payment of SAMMS was an oversight and the applicant would be willing to pay the contribution that was due.
- This development could be a gateway into the Delce Shopping Area. At present there were unsightly advertising boards which do not encourage people to shop there.
- In the last 10 years, 3 blocks of flats have been built with no amenity space and were an overdevelopment, so why was this planning application being refused?
- This new development could raise awareness of the heritage of the area.

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The Committee discussed the planning application noting the points raised by the Ward Councillor.

Members were concerned with the protection and preservation of the Napoleonic Walls reflecting Medway's military history. The Chief Planning Officer explained he would speak to Historic England and the Kent County Council's Archaeology Officer. He also informed Members that over the last 12 years (since the first application came to the Planning Committee meeting) more understanding had been gained regarding military fortifications including Napoleonic Walls.

Members also acknowledged the lack of parking and the Chief Planning Officer explained that this would be a "car-free development". While a restriction could be included in the Parking Management Plan that insisted that residents would not be able to apply for parking permits for the surrounding areas, this would only apply to those roads which had restrictions relating to parking permits.

The Chief Planning Officer and his officers considered there was still a better scheme that could come forward for the site.

Following a request from a Member, the Chairperson clarified that a deferral would not be beneficial nor would a site visit. The officer's recommendation was clear and the Committee should determine the application.

### **Decision:**

**REFUSED** for the reasons given in 1 to 3 as set out in the report.

### **342 Planning application - MC/23/1445 22 Sunnymead Avenue Gillingham Medway ME7 2DY**

#### **Discussion:**

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

The Planner confirmed that this was a retrospection planning application.

The Chairperson clarified that, although it had been reported that there may be more than one child at the property currently, condition 3, on page 54 of the agenda, stipulated this planning application was only for one child. The Chief Planning Officer stated that if the applicant wished to increase the number of children, a separate planning application would need to be submitted and it would need to come back to a future Planning Committee meeting.

The Chief Planning Officer confirmed that those licensing and registering the property would assess and approve the layout which would include a fire risk assessment being undertaken and whether fire doors would be required.

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The Chairperson explained that on those occasions where the Committee approved planning permission for children's care homes, he would advise that this approval was only in planning terms and that the Planning Committee had not given permission for the Children's Care Home. That permission would be granted by Ofsted, working with the Children's Services Department of the (relevant) Local Authority whose children would be living there, which may not be Medway Council.

Concerns raised by residents and others would be made available to Ofsted.

### **Decision:**

**Approved** with conditions 1 to 3 as set out in the report for the reasons stated in the report.

### **343 Planning application - MC/23/1577 1 Gladstone Road Chatham Medway ME4 6DY**

### **Discussion:**

The Senior Planner outlined the application in detail for the construction of a detached dwelling - demolition of the existing garage.

The Senior Planner brought Members' attention to the supplementary agenda advice sheet which showed further representations had been received.

The Senior Planner explained to Members the officer's recommendation of refusal, which were set out on page 63 and 64 of the agenda.

Members were concerned with the overdevelopment and overbearing form of the development and the detrimental impacts on highway safety and residential amenity due to no off-street parking as parking was currently at a premium in the area.

### **Decision:**

**REFUSED** for the reasons 1 to 4 as set out in the report.

## **Chairperson**

### **Date:**

**Julie Francis-Beard, Democratic Services Officer**

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