

Medway Council
Planning Committee
Wednesday, 13 March 2024
6.30pm to 7.57pm

Record of the meeting

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

Present: Councillors: Stamp (Chairperson), Jones (Vice-Chairperson), Anang, Barrett, Bowen, Etheridge, Field, Gilbourne, Hamandishe, Howcroft-Scott, Myton, Nestorov, Peake and Pearce

In Attendance: Councillor Smitha Campbell
Chantelle Farrant-Smith, Senior Planner
Julie Francis-Beard, Democratic Services Officer
Dave Harris, Chief Planning Officer
Peter Hockney, DM Manager
Joanna Horne, Lawyer
Arron Nicholls, Senior Planner
George Stow, Highways Consultant

672 Election of Chairperson

Decision:

Councillor Stamp was elected Chairperson for the remainder of the 2023/24 Municipal Year.

673 Election of Vice Chairperson

Decision:

Councillor Jones was elected Vice Chairperson for the remainder of the 2023/24 Municipal Year.

674 Apologies for absence

Apologies for absence were received from Councillors Gulvin and Lammas.

675 Record of meeting

The record of the meeting held on 14 February 2024 was agreed and signed by the Chairperson as correct.

676 Urgent matters by reason of special circumstances

There were none.

677 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 that he often attended meetings for Frindsbury and Cliffe Woods Parish Councils and explained that if any planning applications were ever discussed there, which were due to be considered by the Medway Council Planning Committee meeting, he would not take part in the discussion at the Parish Council meetings.

678 Planning application - MC/23/2861 112 Maidstone Road, Chatham, Medway, ME4 6DQ

Discussion:

This item was moved up the agenda to enable consideration earlier in the meeting, due to a Ward Councillor being present.

The Senior Planner outlined the application in detail for the construction of a detached dwelling with associated garden to rear and parking to front, accessed via Scotts Terrace - demolition of the existing garage to rear.

The Senior Planner clarified that in condition 5, a Construction Environmental Management Plan (CEMP) would be submitted before any construction works were undertaken.

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

- Adjoining properties in Maidstone Road had been notified of the public Site Notice, however, residents in Scotts Terrace were not aware. A Public Site Notice had been secured onto a garage handle, but it had become detached. It was considered that sufficient notice had not been given to neighbours.
- Scotts Terrace was a very narrow street with only one access road to it, as the other access road had been blocked off. It was very close to a school with a high volume of traffic.

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- There were currently two disabled parking bays and concern was raised for emergency vehicle access and visitors parking.
- Although a CEMP would be in place, there was no confidence that residents would still be able to access Scotts Terrace with construction work taking place.

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

The Chief Planning Officer, following a request for a site visit, explained that a Committee site visit should only be undertaken to gain information that Members could not get from the officers report, the officer's presentation or street view. The Committee considered that enough information had been given, so in this instance, a site visit was not necessary.

The Senior Planner confirmed that the carpark at the end of Scotts Terrace was for the residents of the flats only and not the properties along Scotts Terrace.

Members were concerned with how narrow Scotts Terrace was, the volume of vehicles from the local school and visitors parking. The Chief Planning Officer clarified that there would be no loss of on-street parking as other residents would not have been able to park in front of the garage. Two off-road parking spaces had been provided which complied with Medway's Parking Standards.

The CEMP would advise that any construction vehicles, accessing the site, would be from Maidstone Road and not Scotts Terrace. An informative would be added to the decision notice which would state that, although there may be some occasions when deliveries would need to come via Scotts Terrace, the delivery of the majority of materials and storage of those materials would come via Maidstone Road.

The CEMP would also cover the hours construction works could take place and would state that no deliveries took place during school picking up and dropping off times. A contact number for the construction office would be available for residents and the construction company would be encouraged to communicate with residents and Ward Councillors to inform them of any issues and progress.

The Chief Planning Officer advised Members that the notification and consultation was in accordance with Medway's adopted practices. A Site Notice was posted and individual notification letters would only be sent to adjoining properties and not to the whole of Scotts Terrace. Residents were able to make comments and nine objections had been received.

Decision:

Approved with conditions 1 to 15 as set out in the report for the reasons stated in the report. The final wording of the informative to go on the decision notice setting out what would be necessary for the CEMP would be in consultation with the Chairperson, Vice Chairperson and Opposition Spokesperson.

679 Planning application - MC/23/1977 264 St Margarets Banks, Rochester, Medway, ME1 1HY

Discussion:

The DM Manager outlined the application in detail for a part retrospective - excavation works for the formation of a basement, including a room under the existing patio area. Alteration and enlargement of existing rear ground floor windows.

The Committee considered the application noting that the applicant had paused construction at this time and was waiting for the decision from the Planning Committee meeting and then they would submit a CEMP. Approximately 90% of the excavation works had already been completed with additional works within the basement and patio area being covered within the CEMP.

The DM Manager confirmed that condition 4 would deal with construction times and minimise construction noise and disturbance for the remainder of the development. With regards to the noise from the finished use of the property, that would be reviewed in terms of building regulations.

The DM Manager advised that the work would be overseen by a Building Control Officer.

The DM Manager clarified that the internal height of the basement constructed was approximately 3 metres in height for the current space, which would give adequate space for a suitable room height. Condition 2 would prevent the change of use of the dwelling to a House of Multiple Occupation (HMO) and, therefore, the basement was not expected to be used as a bedroom.

Decision:

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

680 Planning application - MC/23/2618 39B Bush Road, Cuxton, Rochester, Medway, ME2 1LP

Discussion:

The Senior Planner outlined the application in detail for the change of use from a hairdressers (Class E) to an office for use as a taxi company (Sui Generis).

The Senior Planner explained that the applicant had confirmed that the taxi office would not accept any walk-in bookings, they would all be pre-booked online and the taxi drivers would operate from their own address, therefore, no taxi drivers would work from the office.

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Decision:

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

681 Constitutional Issues

Discussion:

The Committee received a report updating the Scheme of Delegation in relation to the referral of planning applications to the Planning Committee. The report also set out some proposals in relation to the role of Ward Councillors addressing the Committee.

The Chief Planning Officer explained that he sought the Planning Committee's views on changes to the Employee Scheme of Delegation and the Planning Code of Good Practice and, if approved, a report would be submitted to Full Council in April 2024. He went through the amendments as set out in pages 49 – 59 in the agenda which included:

- Officers, under delegated authority, would be able to determine all applications which were straight forward or technical in nature.
- To increase the number of relevant letters (from separate households) of representation, that would trigger a referral, from 3 to 5.
- Where the applicant was the Council, and the proposed development was contrary to Local Planning Policy, the decision should be made by the Planning Committee.
- Where one letter of representation was received from a Parish Council (which would normally trigger a referral) the Parish Council would also need to confirm if they wanted the application referred to Committee for determination.
- Officers to determine certain applications in regard to trees.

Further amendments were:

- Ward Councillors to register their wish to speak at the Planning Committee meeting by 5.15pm on the day of the Committee.
- A Ward Councillor would only be permitted to address the Planning Committee once on an individual planning application, with the exception of a single Member Ward, who would be permitted to address the Planning Committee twice on an individual planning application.
- If an application was deferred, the Ward Councillor would not be permitted to address the Committee again on the same application, unless the Committee received legal advice that it was a new application, or the application had significantly changed.
- Ward Councillors would be allowed to speak on a planning application for up to 5 minutes.

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Committee Members then raised a number of questions and comments, which included:

A Parish Council may submit a representation, however, it may be a minor matter and the Parish Council would be satisfied that the planning application could be determined under delegated powers. If the Parish Council determined that the planning application need to be considered by the Planning Committee, they would inform the Chief Planning Officer.

The Chief Planning Officer explained that “relevant letters” meant those that raised planning issues and not just comments relating to things like loss of property value or loss of view both of which were not planning matters.

The Chief Planning Officer clarified that Ward Councillors could request, in writing with reasons, for any planning application to be referred to a Planning Committee meeting for consideration. Where a Member “called in” a planning application, Members commented they would appreciate them attending the meeting to speak as a Ward Councillor to explain their reasons why they called it in.

Decision:

- a) The Committee recommended the changes to the Employee Delegation Scheme, as set out in Appendix 1 to the report, to Full Council for approval.
- b) The Committee also recommended the changes to the Planning Codes of Good Practice, as set out in Appendix 2, to the report, to Full Council for approval.

Chairperson

Date:

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