

Medway Council
Planning Committee
Wednesday, 8 May 2024
6.30pm to 8.52pm

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, Bowen, Etheridge, Field, Gilbourne, Hamandishe, Myton, Peake and Pearce

Substitutes: Councillors:
Joy (Substitute for Lammas)
Kemp (Substitute for Gulvin)

In Attendance: Deinma Anga, Planner DM
Laura Caiels, Principal Lawyer - Place Team
Julie Francis-Beard, Democratic Services Officer
Hannah Gunner, Principal Planner
Dave Harris, Chief Planning Officer
Peter Hockney, DM Manager
Sam Pilbeam, Senior Planner
George Stow, Highways Consultant
Tom Stubbs, Senior Planner

769 Apologies for absence

Apologies for absence were received from Councillors Gulvin, Howcroft-Scott, Lammas and Nestorov.

770 Record of meeting

The record of the meeting held on 10 April 2024 was agreed and signed by the Chairperson as correct.

771 Urgent matters by reason of special circumstances

There were none.

772 Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

Planning Committee, 8 May 2024

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.

Councillor Pearce referred to planning application MC/23/2527 Lingley House, Elm Avenue, Chattenden, Rochester, Medway ME3 8LZ and informed the Committee that as he and his fellow Ward Members had submitted a representation and he wished to address the Committee as a Ward Council, he would take no part in the discussion or determination of this agenda item.

Councillor Joy referred to planning application MC/23/2855 5 Ranscombe Farm Cottages, Sundridge Hill, Cuxton, Rochester, Medway, ME2 1LA and stated that he lived in close proximity to this site, however, had no dealings with anyone at the location and the planning application would not affect him.

The Chief Planning Officer referred to MC/23/2527 Lingley House, Elm Avenue, Chattenden, Rochester, Medway ME3 8LZ and stated that he lived in close proximity to the site, however, he had no involvement in the processing of this planning application.

773 Planning application - MC/24/0154 Land at Chatham Docks Industrial Estate South Side, Three Road, Chatham, Medway, ME4 4SH

Decision:

This planning application was deferred.

774 Planning application - MC/23/2527 Lingley House, Elm Avenue, Chattenden, Rochester, Medway ME3 8LZ

Councillor Pearce withdrew from the meeting to speak as Ward Councillor.

Discussion:

The Senior Planner outlined the application in detail for the construction of a two-storey detached three-bedroom dwelling, including external works and new vehicular access - resubmission of MC/23/0631.

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

Planning Committee, 8 May 2024

- Thank you for deferring this planning application from the previous Planning Committee meeting so Natural England could be consulted, as seen in the report, no objections were received from them.
- Pleased to see the Hoo and Chattenden Neighbourhood Plan was now included in the report.
- Concerns were originally had regarding ecology, however, following representations from Natural England, KCC Ecology and the set of conditions imposed, this planning application was now deemed acceptable.

The Committee discussed the application, in detail, and a Member drew attention to the fact that a previous planning application for the site was refused in terms of the design, the shape of the building, the harm to visual amenities of the countryside and the landscaping. In his view nothing had really changed with this planning application. The Committee as a whole did not share that opinion and were happy with the Officer's assessment of this revised application.

Decision:

Approved with conditions 1 to 14 as set out in the report for the reasons stated in the report.

Councillor Pearce returned to the meeting as a Committee Member.

775 Planning application - MC/23/0187 Land at East Hill, Chatham, Kent

Discussion:

The Principal Planner outlined in detail the reserved matters application for Phase 1 (for the construction of 91 residential units including affordable housing together with associated access, parking, landscaping, open space, equipped play, infrastructure and earthworks) pursuant to Outline application MC/19/0765 (APP/A2280/W/21/3280915) - Outline application (with all matters reserved except access) for the erection of up to 800 dwellings with a primary school, supporting retail space of up to 150sqm and a community or nursery facility with an associated road link between North Dane Way and Pear Tree Lane and other road infrastructure, open space and landscaping.

The Principal Planner brought Members' attention to the supplementary agenda advice sheet which amended the applicant from FD Attwood and Partners to Taylor Wimpey. It also set out further representations and added two new conditions, conditions 5 and 6.

The Principal Planner confirmed that the contract to provide the 25% affordable homes would not be awarded until planning had been approved.

The Committee had a number of concerns and asked questions, which included:

Planning Committee, 8 May 2024

- **North Dane Way** - concern was expressed that North Dane Way was a very fast road and was close to the site. The Principal Planner confirmed that a roundabout, off North Dane Way, would be located to access this particular part of the site. It was expected that this would calm traffic, additionally landscaping could be positioned on the roundabout to reduce speed further.

Members were concerned with people crossing North Dane Way and the Principal Planner confirmed that there would be 2 pedestrian crossings linking the existing North Dane Way footpath and the footpath within the site. Due to the nature of the road and the location of the crossings, pedestrians would have a long view of North Dane Way to view oncoming traffic, when crossing.

The Chief Planning Officer understood how important the connectivity between the local area and the site would be, including access to local primary schools, Morrisons supermarket and other local facilities.

Members questioned whether the pedestrian crossing could be signalised. The Chief Planning Officer confirmed this was considered at the appeal hearing and the Inspector did not think a signalised crossing was necessary. This was also confirmed by the Highways Consultant who stated that he would not advise a signalised crossing so close to the roundabout, however, further road calming measures could be considered in the future.

Medway Council could consider whether to introduce traffic calming measures along North Dane Way such as speed cameras, however, this would be outside of this planning application.

- **Play Areas** – the Principal Planner explained the different types of play areas that would be provided: Local Area for Play (LAP) which were tailored for very young children. Local Equipment Area for Play (LEAP) which were tailored for children who are beginning to experience independent play and Neighbourhood Equipped Play Area for Play (NEAP) which were tailored for slightly older children.

The Chief Planning Officer explained that during negotiations it was agreed that the play space would be accessible not only for the occupiers of the 91 houses, and those in the later phases, but for local children outside of the development.

The Principal Planner clarified that the “kick about space” was just that, it would not be an official football / sport space. The area specified was much flatter, and the children could play ball on the space. Changing rooms and facilities were not included in Phase 1, however, this could be looked at for future phases and public facilities would be proposed as part of the wider provisions. The “kick about space” was positioned further away from the houses to reduce any disturbance.

Planning Committee, 8 May 2024

The Chief Planning Officer explained that the location of the LAP was forefront of the design process and was positioned there for the safety of the younger children, as it was overlooked, and parents could watch over them much easier.

- **Design** – the Chief Planning Officer informed Members that during the pre-application discussions with officers, there were a lot of negotiations to get the design right. This was a sensitive site, a greenfield site with complex contours and the visual impact required careful consideration. The original planning application submitted was not quite right and Members attended a presentation which included how the scheme had since changed.

The Chief Planning Officer stated that final approval of the materials would need to be submitted and despite losing the appeal, officers were satisfied that the design, landscaping and layout of the road would be a good scheme.

The Principal Planner confirmed that solar panel would be required as part of the sustainability requirements, however, they were only one aspect of a sustainable build.

- **Primary School** - following concerns from Members about the lack of a primary school within this planning application, the Chief Planning Officer clarified that although the masterplan, that came forward in February 2022, outlined there would be a primary school and retail units within the wider site, this planning application was for Phase 1 which did not include the area shown for the school and retail units. These would be considered at a later date.
- **Facilities** – the Principal Planner confirmed that a sustainable travel plan had been considered at the outline stage and explained which local buses would service the site. Members were concerned that it would be a 5 minute walk to the nearest bus stop, which could mean residents would be car dependent. It was also considered that there were insufficient walking and cycling facilities within the site.
- **Health Facilities** - the Chief Planning Officer explained that health facilities were covered within the S106 contributions.
- **Ecology** – the Chief Planning Officer confirmed that there was a condition that covered ecology and landscaping.
- **Kent Police** – had requested that the developers consult the Designing out Crime Officers and an informative would be included and Members were informed that the applicant had considered this throughout the design process.

Planning Committee, 8 May 2024

- **Controlled Water** – the Principal Planner explained that this was controlled by the Environment Agenda and discharge permits would be required during the construction works.

It was requested that the Chief Planning Officer discuss with the Highways Authority how to improve the road safety on North Dane Way. .

Decision:

Approved with conditions 1 to 4 as set out in the report for the reasons stated in the report and add conditions 5 and 6 as set out in the supplementary agenda advice sheet:

Add the following additional conditions:

- 5 Prior to the commencement of development above slab level, the full details of the finished appearance of the 'Stramp' (steps/ramp feature) which is located at the southern end of the site between the upper and lower streets shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance within the street scene and provision for landscaping, in accordance with Policies BNE1 and BNE6.

- 6 Notwithstanding the details to be submitted pursuant to condition 45 (Landscape and Ecology Mitigation Management Plan) of appeal decision MC/19/0765 (APP/A2280/W/21/3280915), prior to any handover of the maintenance of the public landscape areas to a management company, there must be a site visit involving the Local Planning Authority, the proposed landscape management company and the developer. The site visit will include a review of the site area proposed to be transferred to the management company and will assess whether the approved landscape plans have been implemented as approved, the condition and maintenance of all planting and what measures are necessary prior to a handover to the management company. The results of the site visit/walk over shall be submitted to and approved in writing by the Local Planning Authority and the agreed requirements in terms of re-planting/maintenance shall be undertaken prior to any hand over to the management company.

Reason: In the interests of the visual amenity of the area and to ensure that the important landscaping necessary to make the development acceptable is undertaken and maintained.

776 Planning application - MC/23/2814 Ambulance Station, Star Mill Lane, Darland, Chatham, Medway, ME5 7HE

Discussion:

Planning Committee, 8 May 2024

The Senior Planner outlined the application in detail for the demolition of the existing buildings, clearance of the site and the creation of 14 new homes and associated amenity, landscaping, access and parking.

The Senior Planner brought Members' attention to the supplementary agenda advice sheet which amended the second paragraph under the Proposal to read "3-bedroom instead of 4-bedroom". The supplementary agenda advice sheet also re-worded conditions 8 and 23 and added a further condition regarding an Air Quality Mitigation Scheme which was to be submitted.

Following concerns about the lack of parking, the Highways Consultant informed Members that they had attempted to increase the amount of parking, however, the applicant felt they had demonstrated that they were providing sufficient parking by increasing the parking spaces to 26. He also clarified that a Parking Management Plan was to be submitted under condition 20.

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:
 - i. £43,378.88 towards education improvements.
 - ii. £6,621.12 towards strategic measures in respect of the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites.
 - iii. Meeting the Council's costs.
- B. Delegated powers to add or amend conditions following any comments from the Environment Agency subsequent to additional information sent to them by the applicant; and
- C. The imposition of the following Conditions 1 to 24 as set out in the report for the reasons stated in the report with conditions 8 and 23 being reworded and an additional condition to be added, as follows.

Reword **condition 8** to enable demolition to be undertaken prior to submission of details of surface water drainage details. To read as follows:

No development, with the exception of demolition, shall take place until a scheme showing details of the disposal of surface water, based on sustainable drainage principles, including details of the design, implementation, maintenance and management of the surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

Those details shall include (if applicable):

Planning Committee, 8 May 2024

- i. a timetable for its implementation (including phased implementation where applicable).
- ii. appropriate operational, maintenance and access requirements for each sustainable drainage component are adequately considered.
- iii. proposed arrangements for future adoption by any public body, statutory undertaker or management company.

The development shall be undertaken in accordance with the approved details.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 168 of National Planning Policy Framework 2023.

Reword **condition 23** to read as follows:

- 23 Prior to the first occupation of all dwellings herein approved, the area shown on the submitted layout as vehicle parking space shall be provided, surfaced and drained. 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/garaging. During the build out of the application a pro-rata level per dwelling plus sufficient provision for the existing residents of Maynard Place should be provided at a minimum of 4 + number of units*(26-4)/14 parking bays.

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking and in accordance with Policies T1 and T13 of the Medway Local Plan 2003.

Add the following condition:

- 25 Prior to the first occupation of the development herein approved, an Air Quality Mitigation Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be prepared in accordance with the Medway Air Quality Guidance (April 2016) and shall specify the measures that will be implemented as part of the development to mitigate the air quality impacts associated with development related road transport emissions.

The approved details shall be implemented prior to the first occupation of the dwelling which they serve and shall be maintained as approved thereafter.

Reason: In the interests of sustainability and air quality with regard to Policy BNE24 of the Medway Local Plan 2003.

777 Planning application - MC/23/2855 5 Ranscombe Farm Cottages, Sundridge Hill, Cuxton, Rochester, Medway, ME2 1LA

Discussion:

The Planner DM outlined the application in detail for the remodelling of the existing dwelling with construction of a 2-storey side/rear extension; redevelopment of the existing porch; improvements to the existing carport; with associated landscaping - demolition of existing conservatory, pergola, and porch.

The DM Manager clarified that in terms of this planning application and the existing property, they would not be looking at removing permitted development rights. The removal of the large, detached outbuilding resulted in a significantly reduced built form.

Decision:

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

778 Performance Report - 1 January to 31 March 2024

Discussion:

The Committee received a report setting out performance for the period 1 January to 31 March 2024.

The Chief Planning Officer drew Members' attention to the slight downturn of planning applications received this quarter, which could be due to the current economical position. He stated that Medway Council do not actually build many houses, it was the developers that built houses and due to the current financial circumstances, they would not build houses if they could not be sold.

The Chief Planning Officer explained that the fees received within the first six months of the financial year, which were lower than previous years, was due to the lack of large planning applications being submitted.

He went onto explain that we are in a housing crisis and we need to address that; the average age, now, of a first time buyer was 37, house prices had increased by 23% and a new house was 8.7 times more than the average wage, while rental costs had increased substantially as well.

The Chief Planning Officer then discussed enforcements and explained that those that were causing the greatest harm would be given priority in accordance with the adopted Enforcement Policy, however, further enforcement notices were being issued.

Planning Committee, 8 May 2024

A number of compliments had been received and were set out on page 132 of the report.

The Chief Planning Officer stated that the Planning Service had undertaken two ISO Assessments within the last 6 months and both had come up with no non-conformities, which proved that the Planning Service were providing an excellent and consistent service.

Members extended their thanks to the Chief Planning Officer and his team for all their hard work and acknowledged the amount of work that went into producing the results shown.

Members requested that an additional section be added to the performance report to show how many homes were now being converted to care homes and to show their location. The Chief Planning Officer explained that due to Ofsted changing the requirements for care homes and the requirement for planning permission, the Planning Committee had seen a significant increase in the number of these planning applications and would be happy to provide that figure.

The Chief Planning Officer explained the difference between the number of units under construction and the number of units completed and why they differed. It was considered there was normally a 2-year lag between the start of construction and completion.

Decision:

The Committee noted the report and requested that the Chief Planning Officer express the Committee's appreciation for the levels of achievement to his staff within the Planning Service.

779 Appeal Decisions - 1 January 2024 to 31 March 2024

Discussion:

The Chief Planning Officer gave a summary of the appeal decisions referred to in appendix A to the report.

Members thanked the Chief Planning Officer and his officers for all their hard work on appeal decisions and enforcement notices including the two successful appeals at Lodge Hill where the Council won the appeal, which was to help protect the nightingale population and also the proper enforcement work that had been undertaken at Woodlands and Hempstead.

Decision:

The Committee noted the report.

Planning Committee, 8 May 2024

Chairperson

Date:

Julie Francis-Beard, Democratic Services Officer

Telephone: 01634 332012

Email: democratic.services@medway.gov.uk

This page is intentionally left blank