

Medway Council
Planning Committee
Wednesday, 25 September 2024
6.30pm to 8.28pm

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, Filmer, Gilbourne, Gulvin, Hamandishe, Hamilton, Myton, Peake and Pearce

In Attendance: Councillor Stephen Hubbard (for agenda item 7)
Councillor Chris Spalding (for agenda item 5)
Julie Francis-Beard, Democratic Services Officer
Hannah Gunner, Principal Planner
Dave Harris, Chief Planning Officer
Peter Hockney, DM Manager
Joanna Horne, Lawyer
Arron Nicholls, Senior Planner
George Stow, Highways Consultant
Tom Stubbs, Senior Planner

290 Apologies for absence

There were none.

291 Record of meeting

The record of the meeting held on 28 August 2024 was agreed and signed by the Chairperson as correct.

The Committee were advised of the following, as set out in the supplementary agenda advice sheet.

Minute number 252 - Planning application - MC/23/2793 63 Woodlands Road, Gillingham, Medway, ME7 2DU.

The decision taken by the Planning Committee on 28 August 2024, as set out in the minutes, was:

Refused due to the loss of existing parking area and lack of parking for the proposed flats and the lack of private outdoor space.

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Final wording to be agreed with the Services Manager – Development Management, Chairperson, Vice Chairperson and Opposition Spokespersons.

The final agreed reasons for refusal were:

The proposed development due to the loss of existing parking area and the lack of parking for the proposed flats would result in an increased pressure on existing on-street parking in an area of high levels of parking stress which would result in an unacceptable impact on highway safety contrary to Policy T13 of the Medway Local Plan 2003 and paragraph 115 of the National Planning Policy Framework (December 2023).

The proposed development fails to provide any private outdoor space for the flats and their future occupiers, which would result in an inadequate level of amenity for those occupiers, contrary to the standards set out in the Medway Housing Design Standards (interim) 2011, Policy BNE2 of the Medway Local Plan 2003 and paragraphs 131 and 135f of the National Planning Policy Framework (December 2023).

292 Urgent matters by reason of special circumstances

There were none.

293 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, he would not take part in the discussion at the Parish Council meetings.

During agenda item 5, Councillor Filmer declared an interest in MC/24/0291 Land adjacent to Fenn Street and Ratcliffe Highway, St Mary Hoo, Rochester, Medway, ME3 8RF and stated that he had a family involvement in Bradford's Garage which was close to the site.

Councillor Hubbard, speaking as a Ward Councillor, referred to planning application MC/24/1466 Manor Farm Quarry, Parsonage Lane, Frindsbury,

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Rochester, ME2 4UT and stated that although the owners and residents of the Manor House were relatives of his wife, he did not and never had a personal interest. He also stated that in readiness for a planning presentation he did meet a representative of the applicant recently and spoke for a short period of time regarding planning matters relating to this application and the Manor Farm housing estates reserved matter planning application.

294 Planning application - MC/24/0291 Land adjacent to Fenn Street and Ratcliffe Highway, St Mary Hoo, Rochester, Medway, ME3 8RF

Discussion:

The Senior Planner outlined in detail for a full planning application for 44 new homes (use class C3) with the provision of associated parking, open spaces, Sustainable Drainage Systems (SUDs) and earthworks. The provision of overflow parking for Fenn Bell Conservation project and enhancement to the existing access from Fenn Street on land adjacent to the Fenn Street and Ratcliffe Highway.

The Senior Planner informed Members that in the supplementary agenda advice sheet, an amendment of condition 23 and an additional representation were referenced.

With the agreement of the Committee, Councillor Spalding addressed the Committee as Ward Councillor and raised the following points:

- Concerns were given that this site would be car dominant which would increase the volume of traffic. There would be air quality issues, inadequate bus services, no safe access to local amenities, it would not be in-keeping with the surrounding neighbourhood, it would be unsustainable and would have an adverse impact on the quality of residents' lives.
- There were missing documents – no reptile report, no pre-application, no traffic survey, hence, Members did not have the full information.
- Although the Esquire traffic survey was set up where the traffic would typically go slow, there were still over 5,000 instances of speeding within one week.
- Previous planning applications in the area had been refused by the Planning Committee and were then dismissed at appeal. Why would this be different?
- The Local Plan was out of date, and he quoted the National Planning Policy Framework (NPPF) paragraph 11d which quoted “the presumption in favour of development, unless, adverse impacts outweigh benefits as a whole”. He went on to say that this development was not included in option 1 of the Local Plan Regulation 18 consultation.

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The Committee then asked a number of questions and comments, which included:

- **S106 Contributions** – some Members discussed where the S106 contributions should be awarded and suggested that the contributions be directed more locally such as the library contribution to go to Hoo Library instead of Grain, Strood or any mobile libraries. The sports improvement contribution to go to Deangate Sports Centre, instead of Hoo Sports Centre. The primary provision or SEND education to go to a potential new SEND school in Stoke. Concerns were raised that the contribution for health (£37,196.28) would not make a significant difference and it was requested that once the monies were awarded, it be used straight away. The public rights of way contribution should be ringfenced and be used within close proximity of the site.
- **Bus services** – some Members had concerns regarding the inadequate bus services and that the £50,000 contribution, towards bus service provision improvements would be insufficient. The Chief Planning Officer said that the contribution would go some way to improve the service, however, more work was required with the public transport providers.

Concerns were expressed regarding the congestion at the Four Elms roundabout and it was asked what could be done to mitigate against this.

- **Safety** – concerns were raised that although there would be a footpath around the site, how would pedestrians cross the A228? With no safe walking or cycling paths, the residents, without their own transport, would be confined within the development.

Concerns were raised regarding the access onto Fenn Street which was a narrow but busy country lane and questions were asked regarding the adequacy of the traffic calming measures. The access onto the Ratcliffe Highway was shared with the zoo overflow carpark and also led to the Allhallows Holiday Park.

- **Design** – a Member considered that the design was out of character for the area.
- **Car dominated development** – with poor public transport, families living there would be reliant on their own vehicles which would increase traffic.

The Highways Consultant stated that condition 23 stated that no more than 50% of the development herein approved should be occupied until the street calming and highways works on the Ratcliffe Highway have been completed. He also confirmed that the traffic assessment showed that the maximum hourly increase in vehicles would be 20 additional vehicles within a one hour period, equivalent to 1 car every 3 minutes.

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The Chief Planning Officer summed up the planning application and discussed the following points:

- There was a need to find sites to build homes, referring to the current housing crisis, which included a great demand to provide affordable homes. He went on to say that currently there were 818 children in Medway living in temporary accommodation.
- The National Planning Policy Framework (NPPF) required a 5-year housing land supply and Medway Council needed to provide sites for 1,658 dwellings per year, which would equate to 22,500 dwellings by 2041, so although 44 homes would not solve this, it was an important contribution.
- The NPPF indicated there were three elements to sustainable development, which were, social, economic and environmental. The Chief Planning Officer suggested Members give significant weight to the social aspect of providing homes to meet the housing need in Medway and the applicant had agreed to start construction quicker, within 18 months rather than the normal 3 years. A registered provider had been selected to deliver 11 homes for affordable rent for 1 and 2 bedroom units.
- Members were requested to give moderate weight to the economic side, as the application provided employment opportunities during construction and supported local building trades serving small to medium enterprises (SME). There would then be additional spend available for the local economy after occupation.
- He stated that negligible weight should be given to the impact of the zoo, although the applicant said they would use the money to retain the zoo, the homes that would be provided would be permanent, the zoo may not be so.
- Highway mitigation should be given moderate weight as the Highways Consultant had confirmed that this planning application, on highways terms, was acceptable.
- The Chief Planning Officer confirmed that Four Elms Roundabout was highly congested at peak times, however, the Highways Consultant clarified that 44 homes would not justify an impact on the roads and there were proposals to improve the roundabout as part of a separate proposal.
- He clarified that although Fenn Street was not within option 1 of the Local Plan Regulation 18, as stated by the Ward Councillor, the site was included within option 2 and the preferred option, 3.

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- The Chief Planning Officer acknowledged Members' request to amend some of the S106 contributions and he would be happy to consider them and would discuss the changes with the relevant ward councillors.
- Although the site was within the countryside it was not within a site designated of landscape importance, it was not in an area of outstanding natural beauty or within a greenbelt area. The landscaping proposed would help soften the development and make it more acceptable.
- He confirmed it would be a car dominated scheme, nothing could change that.

It was requested, by Members, that a deferral of this planning application be moved and voted on to allow Members of the Planning Committee to attend a site visit of the site.

Decision:

Deferred for a site visit.

295 Planning application - MC/24/0975 Edwards Close Play Area, Edwards Close, Wigmore, Gillingham, Medway, ME8 0PB

Discussion:

The Senior Planner outlined the application in detail for the construction of a replacement multifunctional hall.

The Committee considered the application and expressed support in developing this site for the community and they considered the proposal would encourage young people to become engaged within their own area.

The Senior Planner clarified condition 12 was included for the submission of lighting to ensure it would have no detrimental impact on neighbouring properties or wildlife.

Decision:

Approved with conditions 1 to 15 as set out in the report for the reasons stated in the report.

296 Planning application - MC/24/1466 Manor Farm Quarry, Parsonage Lane, Frindsbury, Rochester, ME2 4UT

Discussion:

The Principal Planner outlined the application in detail for the variation of condition 1 (Time Limit) on planning permission MC/20/2806 to amend the requirement for the discontinuation of the in-filling operation until 31 December 2027.

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The Principal Planner showed Members the calculation of loads required to complete the quarry in-fill, as stated in the presentation. In May 2024, it had been calculated that the void remained at 346,370 m³. For the completion of the in-fill 822 average loads per month would need to be achieved and they were currently completing 1,000 loads per month coming into site.

She confirmed that after attending the site, a good standard was being maintained daily. Wheel washing was in good order and being done regularly and the road sweeper was in use and would be used more frequently when required.

With the agreement of the Committee, Councillor Hubbard addressed the Committee as a Ward Councillor as his ward boundary aligned with the site. Councillor Hubbard raised the following concerns:

- This ongoing in-fill of the quarry was controversial. The work had been active for a long time and a further 3 year extension was proposed with a possible further extension.
- Local residents were unable to enjoy their gardens with the constant bleeping of machinery, noise and dust. Everything being covered in dust had become detrimental to their mental health.
- Concerns received from Parish Council representations that further restoration and redevelopment of the Manor Farm Barn could not be carried out until the Manor Farm housing development was completed, when the money for the restoration would be available.
- There was a very urgent need to increase housing within Medway, he suggested consulting the developer to request different housing proposals for the 130 homes to be built within the quarry and access via Berwick Way.
- He requested a deferral of this planning application for a site visit.

The Committee considered the application and were disappointed with how long the development had taken to get to this point and asked if there would be a guarantee that it would be completed within the timeframe given. The Service Manager - Development Management confirmed this was not a planning matter, however, the applicant had calculated they would meet the timescale given.

The Principal Planner confirmed that in relation to noise and disturbance, the hours of operation were: Monday to Friday 8am – 5.30pm and 8.30am – 1pm on Saturday. A Management Plan was in place and to date, no complaints had been received and the Service Manager – Development Management confirmed that an acoustic fence had been installed.

The Principal Planner clarified that condition 22 dealt with the reduction of dust and was covered in the Dust Management Plan. To help reduce dust, the in-fill was suppressed by water spray and no settlement period was required as the in-fill was compacted via rollers.

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The Principal Planner explained that if the application was refused, the applicant could not continue to infill the quarry from December 2024 onwards, and therefore, the proposed housing development could not commence, which would also have implications for the proposal for the grade 1 barn.

The Principal Planner confirmed that condition 14, the restoration of the agricultural land on site, related only to securing the quarry fill and not the future housing development.

Decision:

Approved with conditions 1 to 26 as set out in the report for the reasons stated in the report.

297 Report on Section 106 Agreements April to June 2024

Discussion:

The Chief Planning Officer gave a summary of the Section 106 funding received, what agreements had been signed and the bird mitigation contributions received from April to June 2024 and referred to appendix 1 of the report and informed Members how important this report was to keep them updated on the decisions they made.

Members were concerned with the bus services contributions for a number of planning applications, the Chief Planning Officer explained he would be meeting with the public transport team to discuss what the money should be spent on and he confirmed that the relevant Ward Councillors and Parish Councillors would be consulted on what was agreed.

Decision:

The Committee noted the report.

Chairperson

Date:

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