

**Medway Council**  
**Planning Committee**  
**Wednesday, 23 October 2024**  
**6.32pm to 10.19pm**

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

**Substitutes:** Councillors:  
Brake (Substitute for Etheridge)  
Joy (Substitute for Filmer)  
Van Dyke (Substitute for Field)

**In Attendance:** Councillor Stephen Hubbard (for agenda item 10)  
Councillor Andrew Lawrence (for agenda item 8)  
Councillor Chris Spalding (for agenda item 5, 6 and 7)  
Julie Francis-Beard, Democratic Services Officer  
Hannah Gunner, Principal Planner  
Dave Harris, Chief Planning Officer  
Peter Hockney, DM Manager  
Vicky Nutley, Head of Legal Services  
Nick Roberts, Principal Planner  
George Stow, Highways Consultant  
Tom Stubbs, Senior Planner

**373 Apologies for absence**

Apologies for absence were received from Councillors Etheridge, Field and Filmer.

**374 Record of meeting**

The record of the meeting held on 25 September 2024 was agreed and signed by the Chairperson as correct.

**375 Urgent matters by reason of special circumstances**

There were none.

**376 Declarations of Disclosable Pecuniary Interests and Other Significant Interests**

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

There were none.

Other interests

There were none.

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

**Discussion:**

The Senior Planner outlined the application 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. Provision of overflow parking for Fenn Bell Conservation project and enhancement to existing access from Fenn Street on land adjacent to the Fenn Street and Ratcliffe Highway.

The Senior Planner brought Members' attention to the supplementary agenda advice sheet which, under the recommendations, deleted condition 7 and renumbered conditions 8 to 28 accordingly. Kent County Council (KCC) Biodiversity were content with the information provided and the verification letter required by condition 7 was no longer required.

He clarified that although the Flood Risk Assessment was acceptable, a collapsed surface water pipe had been identified and the applicants had agreed to address this as part of the development which would improve the existing situation on site.

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

- Road safety issues – no clear visibility or sight lines when exiting the site. The speed traffic survey showed that over 80% of vehicles were travelling above the speed limit, contrary to what the Planning Team were suggesting.
- Bus services in the area were non-existent and the proposed new bus stops were deemed not safe, along with a lack of pavements. Looking at the S106 contributions, what would the £50,000 specifically be spent on to improve bus services?

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- St Mary Hoo Parish Council had instructed a road safety audit to be undertaken. A number of issues were raised, and it was stated that Medway Council's Highways Consultant had not seen the report.
- All local schools were full and there were no safe walking routes.
- KCC Ecology – the reptile and bird survey clearly stated that any habitat clearance should be undertaken outside the main nesting season which was March to August. Esquire had cleared hedgerows in August to install a reptile fence, he considered this was Esquire getting a head start.
- Only 11 of the proposed dwellings would be for social housing, the remainder would be going to market.

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

Following the Members visit to the site, some were concerned with the road safety aspect and suggested installing a simple roundabout which could reduce speed and improve traffic flow. It was queried whether a condition could be imposed to reduce the speed of the traffic.

Further concerns were expressed with the poor bus service in the area, a lack of suitable pavements and no safe walking routes to local schools.

In response to the concerns raised, the Highways Consultant clarified that in the traffic assessment, 15% of the traffic had exceeded the 40mph speed limit, which was not particularly unusual. The traffic assessment did not raise any specific concerns with the access arrangements and proposals were included to help reduce speed. He also confirmed that the traffic assessment showed a maximum increase of 20 additional vehicles within a single-hour period, which equated to 1 vehicle every 3 minutes, not a substantial increase.

The Highways Consultant confirmed that he had not had sight of the road safety audit commissioned by St Mary Hoo Parish Council that was being discussed and was, therefore, unable to comment on the safety issues raised.

The Chief Planning Officer stated that the original traffic audit had been assessed by the Highways and Safety Team and was deemed acceptable. He confirmed the Highways Consultant would review the St Mary Hoo Parish Council road safety audit once submitted.

The Chief Planning Officer explained that the site was not being used for agricultural land and was not in a designated local landscape area. A small to medium sized enterprise (SME) would develop the land, employing local people and was considered a good design. This site was one of the preferred options of Regulation 18 of the Local Plan and would deliver 25% affordable homes, which was very difficult to provide currently.

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### Decision:

### Recommendation - Approved Subject to S106

- 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:
- £10,778.24 towards community facilities within the vicinity of the site.
  - £9,293/68 towards equipment and facilities at Hoo, Grain and/or Strood and/or Mobile Libraries.
  - £14,321.56 towards sports improvements at Hoo Sports Centre and/or Deangate.
  - £10,178.96 towards waste and recycling services.
  - £42,686.71 green space contribution.
  - £74,072.88 for nursery provision within 2 miles of the development.
  - £181,815.06 for primary provision within 2 miles of development site or SEND education within Medway.
  - £144,058.32 for secondary provision within Medway.
  - £37,196.28 health contribution towards extension/refurbishment or upgrading of existing proactive premises within the vicinity or contribution to a new facility.
  - £3,300 towards public rights of way improvements.
  - £50,000 towards bus service provision improvements.
  - £14,443.88 towards strategic measures in respect of the coastal North Kent Special Protection Area.
  - Meeting the Council's costs.
- B. And conditions 1 to 28 as out in the report for the reasons stated, although condition 7 would be deleted and conditions 8 to 28 renumbered accordingly.

**378 Planning application - MC/24/1289 Land west of Edinburgh Road, Isle Of Grain, Rochester, Medway**

**Discussion:**

The Senior Planner outlined the application in detail for the construction of 34 dwellings together with access, parking, landscaping, open space and associated infrastructure and earthworks.

The Senior Planner brought Members' attention to the supplementary agenda advice sheet which included an additional representation and officer's comments.

The Senior Planner clarified, using the Health and Safety Executive (HSE) Consultation Zones and the HSE Land Use Planning Methodology slides from the presentation, that as there would be 34 dwellings, there could be an increased risk of harm due to the proximity of hazardous substances stored at the National Grid, Grain.

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

- Although the development was considered good for families there were issues with the local infrastructure including access, the lack of local school places and GP' surgeries.
- Parking would be an issue and emergency vehicles could encounter problems gaining access for any emergencies. Could disabled parking spaces be reviewed?
- Current issues with Southern Water with poor localised water pressure.
- Could the developer look at the access to the site, improve the junction and resurface the road to improve road safety for the residents, especially due to additional construction vehicles.
- Mosquitos were a major problem on the Isle of Grain, could something be done within the new dwellings to prevent residents getting bitten.

The Committee discussed the planning application noting the points raised by the Ward Councillor and Members were in favour of the 34 dwellings being 100% affordable. They considered the development similar, in design, to neighbouring dwellings.

There were concerns with the narrow roads, parked cars, emergency access and the capacity at Four Elms Hill roundabout. The Highways Consultant acknowledged that Four Elms Hill roundabout was a known congestion area, however, it was projected that the development would generate an additional 13 vehicles during peak hours which equated to 1 in every 4 ½ minutes, which was not regarded as having a particularly severe impact on the traffic.

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In response to concerns, the Senior Planner confirmed that mosquito repellent planting could be secured via a submission pursuant to the landscaping condition.

Members requested that MHS Homes, the registered provider of the affordable homes, assess Medway nominations as a priority. The Senior Planner confirmed that local connection cascade would be implemented which would allow as many Grain residents as possible to reside within the development.

The Chief Planning Officer advised Members that the planning application in Edinburgh Road recommended a resolution for approval subject to the requirements, as set out in the agenda, to notify the HSE for them to decide if they wished to pursue a call in to the Secretary of State and for the assessment of the Grain Local Wildlife site to be submitted and assessed by KCC Ecology.

### **Decision:**

**Approved** subject to:

- a) Resolution to approve subject to:
  - i) Notification of HSE to decide if they wish a call into the Secretary of State to be considered.
  - ii) For the assessment of the Grain Local Wildlife site to be submitted and assessed by KCC Ecology.
- b) Conditions 1 to 24 as set out in the report for the reasons stated in the report and the landscape condition being reviewed to include mosquito repellent planting.

### **379 Planning application - MC/24/1213 Land rear of The Old Vicarage, High Street, Isle of Grain, Rochester, Medway, ME3 0BS**

#### **Discussion:**

The Service Manager - Development Management outlined the application in detail for the construction of two detached dwellings with associated parking and landscaping.

The Senior Planner brought Members' attention to the supplementary agenda advice sheet which included an additional representation from Councillor Spalding and Natural England.

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

- Within the supplementary agenda advice sheet, concerns were submitted from Councillor Spalding regarding fire and safety issues where he stated that the Kent Fire and Rescue Service had advised that an access driveway should be a minimum of 3.7 metres wide. Measurements of the proposed access driveway showed it was 3.0

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metres at its widest and 2.4 metres at the narrowest point, therefore, not deemed wide enough.

- The site plan showed access from the main road, which was a private road not owned by the applicant and, therefore, the applicant had no rights using it.
- Within the planning application it stated there would be 5 retained parking spaces. Those spaces were not owned by the applicant. Those spaces belonged to the Old Vicarage and access was often restricted.
- Although a request was made that the applicant submit a Great Crested Newts survey, this has yet to be submitted.

### Decision:

#### Approved subject to:

- a) The applicant completing a S106 agreement or unilateral undertaking to secure the two dwellings proposed as self-build.
- b) The imposition of conditions 1 to 18 as set out in the report for the reasons stated in the report.

### **380 Planning application - MC/23/0284 Land at Blowers Wood, Maidstone Road, Hempstead, Gillingham, Medway**

#### Discussion:

The Principal Planner outlined the application in detail for the construction of 88 dwellings (including 25% affordable) together with associated parking, access, open space, landscaping and sustainable drainage systems (SUDs).

The Principal Planner brought Members' attention to the supplementary agenda advice sheet which included a representation from Redrow Homes.

With the agreement of the Committee, Councillor Lawrence addressed the Committee as Ward Councillor and outlined the following points:

- There were insufficient parking spaces provided within the development. With more vehicles travelling to and from work and visiting Hempstead Valley Shopping Centre, it would be a car dominated development.
- With no gas on site and electric heat pumps provided for each unit, he considered the electric heat pumps were ineffective and would have a negative impact on the residents.
- S106 contributions – could the contribution for primary schools go specifically to Hempstead Infant and Junior School, Fairview Community Primary School and Bredhurst Primary School. Could some of the £100,000 contribution for upgrading the cycle / pedestrian footpaths on Hoath Way go towards installing cycle stores at Hempstead Valley Shopping Centre to encourage young people to safely use their bicycles.

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- Increased traffic through Bredhurst, Lidsing and Wigmore Road. During construction what was the plan for managing construction traffic, how would they get from the motorway or would they go through Boxley. A management plan to be provided to protect residents.
- Maintaining the rights of way, could a service charge be introduced to residents so that the associated costs do not become the responsibility of the Council.

The Committee discussed the application in detail and had concerns with the parking for the development and road safety at Hempstead Valley roundabout and queried whether the roundabout could be traffic lighted.

The Principal Planner confirmed that although there were only 2 air quality monitors in Medway: 1 in Chatham and 1 near Maidstone, the Environmental Protection Team assessed the Air Quality Assessment submitted and deemed the development satisfactory.

The Principal Planner confirmed that additional pedestrian lighting was proposed underneath the bridge.

The Chief Planning Officer explained to Members that the developer had anticipated future building regulations when gas would not be available, hence the installation of electric heat pumps and he had assessed the noise of the heat pumps, and he deemed the noise impact acceptable.

Members agreed for the Chief Planning Officer to review the S106 contribution for Hoath Way and he would discuss the changes with the relevant Ward Councillors.

### **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) £21,560 to assist with development of new square/civic space in Rainham Precinct Shopping Centre and improvements to the Shopping Centre and town centre gateways.
  - ii) £239,064.32 to enhance open space facilities within the vicinity of the development.
  - iii) £16,328.40 to improve equipment and facilities at Hempstead library and/or Wigmore Library.
  - iv) £18,116.56 towards enhancement and/or expansion of community facilities which will serve the new residents of the development.



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- v) £17,108.96 for the provision, improvement and promotion of waste and recycling services to cover the impact of the development.
  - vi) £504,521.28 toward mitigating the impact of the additional pupils generated by the development comprising.
    - Nursery - £109,436.21
    - Primary - £177,427.78
    - Secondary - £213,612.22
    - Sixth Form - £4,045.07
  - vii) £24,072.40 to support the creation of a new swimming gala timing system and improved facility for club and community users at Medway Park.
  - viii) £100,000 for the upgrading of the existing shared cycle/ pedestrian footpath on Hoath Way. Improvements include widening and resurfacing.
  - ix) £13,200 for the provision of travel vouchers to be issued to each dwelling to the value of £150 per voucher per dwelling.
  - x) £62,520.48 to support the creation of additional capacity in Primary Care premises as a result of the increase in housing and resulting patient registrations.
  - xi) £7743.12 to support youth development in the Wigmore and Rainham Area.
  - xii) £36,000 to mitigate against the extra footfall on PROW GB40. Contribution to be ring fenced to fund its future maintenance.
  - xiii) £24,277.44 towards Designated Habitats Mitigation.
  - xiv) 25% of all housing to be provided as affordable housing.
- B. The imposition of conditions 1 to 33 as set out in the report for the reasons stated in the report.

### **381 Planning application - MC/23/0531 Land south of Buckland Road, Cliffe Woods, Rochester, Medway**

#### **Discussion:**

The Principal Planner outlined the application in detail for the construction of 44 dwellings (25% of which would be affordable), together with access, public open space and landscaping and associated works.

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The Principal Planner brought Members' attention to the supplementary agenda advice sheet which stated, under the proposal, a change from 45 dwellings to 44 dwellings along with the associated S106 contributions. Conditions 2, 3 and 13 were amended and Redrow Homes submitted a representation.

Members proposed, and agreed, for delegated authority to be given to the Chief Planning Officer to amend the S106 contributions to incorporate the £10,790 towards Public Realm be spent in Cliffe Woods not Strood Town Centre. The Chief Planning Officer explained that the £14,393.25 contribution going towards improving interpretation at Upnor Castle was requested by the Heritage Team but could be put to community improvements in Cliffe Woods.

### Decision:

### Approval 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:
- Secure a minimum of 25% affordable housing.
  - A contribution of £8,164.20 (£185.55 pd) toward Libraries. Specifically, to improve equipment and facilities at Hoo Library and/or the Community Mobile Library and/or Strood Library.
  - A contribution of £12,036.20 (£273.55 pd) toward Leisure. Specifically, the creation of a mindfulness studio with yoga hot pods at Hoo Sports Centre.
  - A contribution of £8,554.48 (£194.42 pd) toward waste and recycling services. Specifically, the provision, improvement and promotion of waste and recycling services.
  - A contribution of £53,661.77 for nursery school provision within 2 miles of the development and/or SEND education in Medway.
  - A contribution of £114,084.00 for primary school provision within 2 miles of the development and/or SEND education in Medway.
  - A contribution of £66,088.62 for secondary school provision in mainstream or SEND secondary within Medway.
  - A contribution of £10,790 (£245 pd) toward Public Realm improvements in Cliffe Woods.
  - A contribution of £3,871.56 (£87.99 pd) toward youth development. Specifically, to aid youth development within the Cliffe Woods area.

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- A contribution of £14,443.88 towards strategic measures in respect of the coastal North Kent Special Protection Area.
  - A contribution of £14,393.25 towards community facility improvements in Cliffe Woods
  - Meeting the Council's costs.
- B. The imposition of conditions 1 to 24 as set out in the report for the reasons stated in the report with amendments to conditions 2, 3 and 13 as follows:

### **Amend condition 2** to read:

#### 1 Approved Plans

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

A 937 011 Site Location Plan  
A1003 01 G Planning Layout  
A1003 01 G Planning Layout Colour  
A937 003 D Planning Layout - Character Areas Plan  
A937 003 D Planning Layout - Materials Plan  
A937 004 D Planning Layout - Massing Plan  
A937 005 D Planning Layout - Occupancy Plan  
A937 006 D Planning Layout - Parking Plan  
A937 007 D Planning Layout - Affordable Housing Layout  
A937 008 E Planning Layout - Enclosure Plan  
A937 009 D Refuse Strategy Plan  
A937 013 A Fire Attenuation Plan  
A1003 55 E Street Scenes A-D

A1003 13A Letchworth Plans  
A1003 65 Letchworth Part Cladding  
A1003 66 Leamington Lifestyle Brick  
A1003 67 Leamington Lifestyle Render  
A1003 68 Overton Render  
A1003 17A Cambridge Brick  
A1003 18A Cambridge Part Cladding  
A1003 50A Harrogate Full Render  
A1003 20B Harrogate Part Cladding  
A1003 51B Harrogate Full Cladding  
A1003 70 Henley Plans  
A1003 71 Henley Brick  
A1003 38A Leadsham Plans  
A1003 40A Leadsham Render  
A1003 24B Richmond Plans  
A1003 25A Richmond Brick

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A1003 26B Richmond Render  
A1003 28A Hampstead Plans  
A1003 29A Hampstead Brick  
A1003 30A Hampstead Render  
A1003 31A Tavy Spey 2 Block Plans  
A1003 32A Tavy Spey 2 Block Cladding  
A1003 33A Tavy Spey 4 Block Plans  
A1003 34A Tavy Spey 4 Block Cladding  
A1003 54A Buxton 2 Block Brick  
A1003 36 Single Garage  
A1003 37 Twin Garage

2968-EXT-PP-01 P4 Planting Plan Sheet 1 of 4  
2968-EXT-PP-02 P2 Planting Plan Sheet 2 of 4  
2968-EXT-PP-03 P2 Planting Plan Sheet 3 of 4  
2968-EXT-PP-04 POS P2 Planting Plan Sheet 4 of 4  
22-033-111 A Proposed Landscaping Plan  
2968-DT-09 P2 Technical Detail Planting on Bund

22-033-107 E Surface Water Drainage Strategy  
22-033-108 E Foul Water Drainage Strategy

**Amend condition 3** to read:

### 3 Materials

All materials used externally shall match those approved under Condition 6 of MC/19/0287 (MC/24/0101) for the adjacent Redrow site at Town Road, Cliffe Woods, unless otherwise agreed in writing with the local planning authority.

**Amend condition 13** to read:

### 13 Drainage

Prior to final occupation (or within an agreed implementation schedule) a signed verification report carried out by a qualified drainage engineer (or equivalent) must be submitted to and approved in writing by the Local Planning Authority to confirm that the approved surface water system has been constructed as per the approved scheme and plans. The report shall include details and locations of critical drainage infrastructure (such as inlets, outlets and control structures) including as built drawings, and an operation and maintenance manual for the unadopted parts of the scheme as constructed.

**382 Planning application - MC/23/0685 20 Broom Hill Road and land to the rear, Strood, Rochester, ME2 3LE**

**Discussion:**

The Senior Planner discussed the application in detail for an outline application with some matters reserved (appearance and landscaping) for the demolition of existing buildings and construction of 26 flats set across 3 blocks of flats with associated access, refuse storage and parking.

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

- An overdevelopment of the site with poor amenity and landscaping provided.
- Poor access to the site and the area cannot cope with additional traffic.
- Concerns with the junction, traffic and overflow parking on Broom Hill Road and Pepys Way.
- There were 89 letters of objection, which proved that local residents felt strongly against this planning application.
- Concerns with the air quality in the area and the impact on wildlife.

The Committee discussed the application in detail and had concerns with the overdevelopment of the site and it being out of character to the surrounding area. They noted that the applicant had reviewed the design and were pleased to see they had reduced the height of the building but still had concerns over the appearance with respect to the character of the area.

Concerns were also raised regarding the impact on the wildlife especially bats. The Senior Planner explained this was for outline planning permission and details pertaining to appearances would be submitted at a later date. The Service Manager - Development Management acknowledged that Members requested a clear requirement that would ensure there would be no disturbance to bats. He suggested this could be included in the reserved matters where no windows or balconies faced the caves.

The Service Manager - Development Management confirmed that condition 13 which covered the foundation designs proposed were appropriate for the site given its context of chalk cliffs. Conditions 10, 11, 12 and 20 dealt with surface water.

The officers' recommendation was overturned, and the application was subsequently refused due to not being in keeping with the pattern of the surrounding area and harm the character of the site.

**Decision:**

**Refused** due to its size, scale, flat roof design and quantum of development would represent overdevelopment of the site contrary to the prevailing pattern,

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grain and character of the area, which would result in significant harm to the character and appearance of the surrounding area contrary to policies BNE1 and H9 of the Medway Local Plan (2003) and paragraphs 131 and 135 of the National Planning Policy Framework (2023).

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

### **383 Planning application - MC/23/2421 14 Brompton Farm Road, Strood, Rochester, Medway, ME2 3QY**

#### **Discussion:**

The Service Manager - Development Management discussed the application in detail for an outline application with some matters reserved (appearance and landscaping) for the demolition of the existing dwelling and for the construction of 5 x 4-bedroomed dwellings and 1 x 3-bedroom dwelling with associated parking, amenity and landscaping.

#### **Decision:**

**Approved** with conditions 1 to 18 as set out in the report for the reasons stated in the report.

### **384 Planning application - MC/23/2834 257 High Street, Rochester, Medway, ME1 1HQ**

#### **Discussion:**

The Chief Planning Officer outlined the application in detail for the change of use from Class (C3a) dwelling house to Class (Sui Generis) House in multiple occupation (HMO) x 7 bedrooms with the construction of a single storey garden room to rear.

The Chief Planning Officer brought Members' attention to the supplementary agenda advice and requested an amendment to condition 3 for all improvements to be completed prior to occupation.

Members acknowledged that this design would be a good way to restore the building without losing any character.

The Chief Planning Officer confirmed that the proposed bedrooms would exceed the national space guidelines recommendations for an HMO.

#### **Decision:**

**Approved** with conditions 1 to 6 as set out in the report for the reasons stated in the report with an amendment to condition 3 to read:

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**Amend condition 3** to read:

**3**      **Materials**

The development shall be completed in accordance with the plans and details hereby approved and all external changes shall be completed prior to the occupation of the HMO hereby permitted.

Reason: To ensure a high quality finish to the development in accordance with Policies BNE12 and BNE14 of the Medway Local Plan (2003).

**Chairperson**

**Date:**

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

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