

Medway Council
Planning Committee
Wednesday, 18 December 2024
6.31pm to 7.38pm

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, Etheridge, Field, Filmer, Gilbourne, Gulvin, Hamandishe, Hamilton, Peake and Pearce

Substitutes: Councillor:
Howcroft-Scott (Substitute for Myton)

In Attendance: Councillor Stephen Hubbard (Agenda item 5)
Duncan Berntsen, Senior Urban Design Officer
Julie Francis-Beard, Democratic Services Officer
Dave Harris, Chief Planning Officer
Peter Hockney, DM Manager
Joanna Horne, Lawyer
George Stow, Highways Consultant
Steven Ward, Highways Consultant

541 Apologies for absence

Apologies for absence were received from Councillors Bowen and Myton.

542 Record of meeting

The record of the meeting held on 20 November 2024 was agreed by the Committee 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 380 (Committee 23 October 2024)

Planning Application - MC/23/0284 Land at Blowers Wood, Maidstone Road, Hempstead, Gillingham

As reflected in the minutes and following further discussions with Ward Councillors, the S106 Highways contribution of £100,000 previously directed to upgrading the existing shared cycle/ pedestrian footpath on Hoath Way to be redirected as follows:

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£100,000 towards pedestrian crossing improvements and/or traffic calming measures on Wigmore Road.

543 Urgent matters by reason of special circumstances

There were none.

544 Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

Councillor Filmer referred to planning application MC/24/0308 – Strood Civic Centre, Rochester, ME2 4AU and stated that as there were comments made from the Rochester Bridge Trust and he was one of the Council's representatives for the Trust, he would take no part during the discussion and would not vote.

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.

545 Supplementary Agenda Advice Sheet

The Supplementary Agenda Advice sheet, which was published ahead of the meeting referred, in particular, to the new National Planning Policy Framework (NPPF) which had been published by the Government on 17 December 2024, i.e. after the publication of the Agenda for this committee meeting.

The Supplementary Agenda Advice Sheet stated that it was important that all planning applications considered since Agenda publication were assessed against the paragraphs in the new NPPF.

All the reports had been assessed against the new NPPF and were considered to conform. Although relevant paragraph numbers had changed, the wording relevant to the applications remained essentially the same.

546 Planning application - MC/24/0308 Strood Civic Centre, Rochester, ME2 4AU

Discussion:

The Service Manager - Development Management outlined the application in detail for the demolition of the existing CCTV building and other ancillary buildings on site and the construction of residential units inclusive of a live/work unit (Use Class F1 or Class E), cafe/bar (Use Class Eb), public open space, earthworks including flood defences, landscaping, drainage and associated infrastructure.

The Service Manager – Development Management stated that following the submission of the initial masterplan, which had far more properties proposed, this planning application had evolved to produce a better design and layout. This proposal reflected the surrounding character of the area, incorporated the views across the river and reflected the historic buildings that were previously on the site.

The Service Manager – Development Management clarified that on pages 39 - 42 of the agenda, the Rochester Bridge Trust accepted the principle of the development on the site, however, it had made a number of points with many of them relating to highways matters which had been dealt with as set out in the report.

The Service Manager – Development Management stated this was a well-designed scheme, providing 195 homes along with the 41 conditions to secure a high-quality finish and completion of the development.

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

- He was impressed with the design which considered the history of the former buildings that occupied the site, the Invicta Engineering Works Factory, the Aveling and Porter and the former Civic Centre and the old Rochester Bridge Station.
- He was pleased to see that the architect took on board Members comments especially the brick colour of the former Aveling and Porter building, which was a very important design feature.
- He was glad to see that the scheme would incorporate Jane's Creek.
- Although he was very disappointed that the Council had demolished the former Civic Centre, which was Strood's dominate gateway building, this site needed to be developed

The Committee discussed the planning application in detail noting the points raised by the Ward Councillor and the good architectural design on a site that had been waiting for development for some time. Members were pleased to see the 25% of affordable housing and the café/bar and terrace in the planning

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application which would provide stunning views across the river and towards Rochester.

As the River Medway was a tidal river and with rising sea levels, due to climate change, Members were concerned with flooding especially along the Esplanade. The Chief Planning Officer confirmed that officers had liaised closely with the Environment Agency regarding flood protection and stated that new flood walls had been constructed and the land raised behind them to protect the proposed development from flooding.

The Chief Planning Officer advised that, following concerns from Members regarding traffic, this would be one of the most sustainable sites in Medway due to its proximity to two train stations, the bus station and improved cycle and pedestrian routes. A reduction in car parking spaces from the Council's standards was appropriate based on the sustainability of the site and its location and this in turn would reduce the impact on the local highway network.

The Chief Planning Officer confirmed that a percentage of the affordable housing would be accessible for anyone with a disability.

Following a discussion that there would be no S106 contributions as the development was providing affordable housing, the Chief Planning Officer confirmed that following a viability assessment it was deemed that even reduced S106 contributions would not be viable.

Although Medway Development Company Ltd (MDC) was the applicant, which was owned by Medway Council, their role was to appoint an architect to work closely with officers to produce this scheme. MDC had not been given favourable treatment and developing a high-quality scheme that would stand the best chance of getting planning permission was the extent of their instruction at present. The site had previously been to market and no developer had come forward to deliver a satisfactory, viable scheme. MDC had produced a well worked out scheme and had considered the history and the heritage of the site and the surrounding area.

It was, therefore, considered that the substantial benefits of the scheme demonstrably outweighed any harm which arose from the development being unable to support both S106 contributions and affordable housing provision, especially given that there was an agreement to deliver the affordable housing outside of any legal agreement.

Members acknowledged and were pleased to see, within the landscaping of the site, a statue of Isaac Newell would be erected along with interpretation board showing the history of the site. Isaac Newell was born on the site and founded both the Colegio Commercial Anglicano Argentino and the football club Newell's Old Boys.

Members requested that the foundation stone and commemorative plaque that was removed from site when it was cleared, be returned and placed somewhere within the development.

Decision:

Approved subject to:

- A. The applicant paying the Strategic Access Management and Monitoring Strategy (SAMMS) contribution of £328.17 per dwelling (excluding legal and monitoring officer's costs).
- B. Conditions 1 to 41 as set out in the report for the reasons stated in the report.

547 Planning application - MC/24/0251 43 - 47A Luton High Street, Luton, Chatham, Medway ME5 7LP

Discussion:

The Service Manager - Development Management outlined the application in detail for the demolition of a two-storey building (E Class and C3 Class) and single storey building (E-Class) and the construction of a four-storey building comprising 24 x self-contained flats (13 x 1-bedroom and 11 x 2-bedroom flats), 3 x commercial units and 3 x offices with associated refuse/recycling and cycle store.

The Committee considered the application noting that it was overbearing and an overdevelopment of the site, out of character with the surrounding buildings and area and would fail to meet the needs of future occupants including unacceptable low levels of daylight, which could be harmful for residents' wellbeing.

Members stated the site was suitable for development, however, this planning application was unacceptable. They suggested that as the area needed regeneration, if a better scheme could be submitted, it could be brought back to this Planning Committee for consideration. The Chief Planning Officer confirmed he would discuss this further with the developer.

Decision:

Refused for the following reasons:

- 1 The proposed development would represent an overdevelopment of the site, that would result in a dominant building, out of character with the surrounding built form, by virtue of its design, scale, mass, height and relationship to the neighbouring non-designated heritage asset and is considered to be contrary of Policy BNE1 of the Medway Local Plan 2003 and paragraphs 131, 135 and 209 of the National Planning Policy Framework 2023 (December).
- 2 The proposed development fails to meet the needs of future occupants as it would result in unacceptable levels of daylight to some habitable room

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windows. The development is considered to be contrary to Policy BNE2 of the Medway Local Plan 2003 and paragraph 135 of the National Planning Policy Framework 2023 (December).

- 3 The development would result in unacceptable overlooking to the neighbouring property and would be viewed as a dominant form of development from neighbouring property windows and garden area. The development is considered to be contrary to Policy BNE2 of the Medway Local Plan 2003 and paragraph 135 of the National Planning Policy Framework 2023 (December).
- 4 The application fails to address the impact of the proposal on the Special Protection Areas of the Thames Estuary and Marshes and the Medway Estuary and Marshes through either the submission of details to allow the undertaking of an Appropriate Assessment or via a contribution towards strategic mitigation measures. In the absence of such information or contribution, the proposal fails to comply with the requirement of the Conservation of Habitat and Species Regulations 2010 and is contrary to Policies S6 and BNE35 of the Local Plan and paragraphs 186 and 187 of the NPPF.
- 5 In the absence of a suitably worded legal agreement, the application fails to mitigate the additional demand from development, with regard to the services provided within the Medway area, through the lack of secured contributions in line with the Medway Council's Developer Contributions Guide 2019 and is contrary to Policy S6 of the Local Plan and paragraph 57 of the NPPF.

The Chairperson thanked George Stow, Highways Consultant, for his hard work as this was his last Planning Committee and wished him all the best for his future and welcomed Steven Ward who would be the Highways Consultant at future Planning Committee meetings.

Chairperson

Date:

Julie Francis-Beard, Democratic Services Officer

Telephone: 01634 332012

Email: democratic.services@medway.gov.uk