

**Medway Council
Planning Committee
Wednesday, 2 July 2025
6.30pm to 7.19pm**

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, Field, Filmer, Gilbourne, Gulvin, Hamandishe, Hamilton, Peake and Vye
Substitutes:	Councillors: Campbell (Substitute for Myton) Howcroft-Scott (Substitute for Bowen) Kemp (Substitute for Etheridge)
In Attendance:	Councillor Liubov Nestorova (agenda item 6) Julie Francis-Beard, Democratic Services Officer Dave Harris, Chief Planning Officer Peter Hockney, DM Manager Joanna Horne, Lawyer Amy Shardlow, Planner Tom Stubbs, Senior Planner Steven Ward, Highways Consultant

129 Apologies for absence

Apologies for absence were received from Councillors Bowen, Etheridge, Myton and Pearce.

130 Record of meeting

The record of the meeting held on 4 June 2025 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 38 – Planning Application MC/25/0387 Land to the east of Eastern Road, Gillingham, Medway

Following the Planning Committee's decision to refuse the application the final reason was as below:

Due to the constrained nature, characteristics and shape of the site it has not been demonstrated that a development of 5 residential units could be achieved

and deliver a development that would achieve appropriate design quality in terms of layout, would secure adequate levels of amenity for future residents and would provide adequate space for ecological mitigation. Therefore, the development cannot be considered to represent sustainable development and cannot be considered to be acceptable in principle, therefore, contrary to policies BNE1, BNE2, BNE37 and BNE39 of the Medway Local Plan (2003) and paragraphs 131, 135, 187, 193 and 198 of the National Planning Policy Framework (NPPF) (2024).

131 Urgent matters by reason of special circumstances

There were none.

132 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.

133 Planning application - MC/24/2527 Land between 46-52 Cliffe Road, Strood, Rochester, Medway ME2 3DR

Discussion:

The Senior Planner outlined the application in detail for the construction of two detached townhouses with associated parking.

The Senior Planner brought Member's attention to the supplementary agenda advice sheet which included an amendment to condition 14.

The Committee discussed the application in detail noting it would be a good use of a derelict plot, although concerns were raised regarding the size of the plots itself as the dwelling would only be offset from each boundary by approximately 0.5 metres.

In response to a member's question, the Senior Planner confirmed that the angle of parking for one of the spaces would be the only way that the parking spaces could be accommodated. He stated that Highways had commented and considered there to be sufficient room for the parking spaces. The Chief Planning Officer confirmed with reference to the street photos in the officer

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presentation, that other neighbouring properties had their parking spaces on an angle like this proposal, and it worked.

The Senior Planner clarified that biodiversity of the site was explained within the report, however, as this was already a residential garden, the trees do not count towards the Biodiversity Net Gain (BNG). The applicant had committed to mitigate the development by purchasing statutory credits. The statutory biodiversity net gain condition is included by the Legislation and as such not in the recommendation.

Decision:

Approved with conditions 1 to 14 as set out in the report for the reasons stated in the report, with an amendment to condition 14:

Amendment to condition 14:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification) no development shall be carried out within Schedule 2, Part 1, Classes A, AA, B and E of that Order unless planning permission has been granted on an application relating thereto.

Reason: To enable the Local Planning Authority to control such development in the interests of visual and neighbouring amenity in accordance with Policies BNE1 and BNE2 of the Medway Local Plan 2003.

134 Planning application - MC/25/0626 85 Shakespeare Road, Gillingham, Medway ME7 5QN

Discussion:

The Senior Planner outlined the application for the conversion of the existing Class (E) retail shop into a Class (Sui Generis) Hot food takeaway, along with the installation of a kitchen extraction system.

The Senior Planner brought Member's attention to the supplementary agenda advice sheet which included three additional objections, and a description change to remove the takeaway aspect. The details were now:

Conversion of the existing Class (E) retail shop into a Class (Sui Generis) Hot food delivery, along with the installation of a kitchen extraction system.

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

- Although it was important to support local businesses, the location of the premises was of serious and legitimate concern to residents. If approved, the proposal would negatively impact the safety, wellbeing and quality of life of residents in the local area.

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- Concerns were raised regarding the noise and late-night disturbance of delivery drivers which would result in constant disruption to the neighbours.
- Concerns were also raised regarding the proximity of Medway Maritime Hospital and it being a key route for emergency vehicles to have urgent access to the hospital. An increase in additional delivery drivers or motorcycles, could cause obstructions for those emergency vehicles.
- The storage commercial waste bins would be located at the rear of the property, a waste collection vehicle would not be able to access that area, which would lead to rubbish bags being left on the street or pathways. There were already issues with litter and fly tipping in the local area, this would just add to that.
- There were parking pressures in the area, which was within a parking zone, and residents were already struggling to find parking spaces. To add extra cars and delivery vehicles spaces would be limited, or the delivery vehicles would result to parking, irresponsibly, on the double yellow lines.
- Public health concerns – this area of Medway already faced significant health inequalities and fast food was found to be a cause of obesity, poor nutrition and long-term health issues. There were already a number of takeaways in the area and agreeing to this one would just be adding to the problem.

The Committee discussed the planning application in detail and supported the Ward Councillor's concerns of noise and disturbance, the safety of emergency vehicles and the fact that there were already a good selection of takeaways in the area. They discussed the fact that emergency vehicles needed to be able to focus on road safety and getting patients, urgently, to and from hospital. They did not need the extra burden of dealing with delivery drivers.

Members suggested that it may be appropriate for the premises to be converted to a residential property subject to the necessary planning permission.

Members acknowledged the objections, which they considered confirmed everything about the challenges of this property.

The Service Manager - Development Management clarified that due to the fact that the property had no off-street parking, and the original description was for takeaways, this would mean that customers or delivery drivers would want to park as close to the premises as possible. This could lead to cars being parked indiscriminately while they collected the food. He stated that the Planning Team were quite clear that a takeaway, where customers collected their own food, would not be suitable, however, a delivery service could be controlled by the applicant and operator as they would have control where the delivery drivers park. A proposal was for delivery bikes to park within the solid gated area, which would then not interrupt the traffic or surrounding areas, however, this area could only be accessed by motorbikes or scooters not 4 wheeled vehicles.

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As the majority of Members were not in favour of officer's recommendation of approval, the Vice Chairperson proposed a refusal statement on the grounds of additional noise and disturbance to neighbouring properties.

The Chief Planning Officer clarified that as several Members had raised issues regarding the lack of a Delivery and Service Plan, which would impact the highways and that could be added to the refusal, if Members were minded.

Decision:

Refused as the proposed use as a hot food delivery service with its associated traffic movement would result in additional noise and disturbance to neighbouring properties, in a predominantly residential area, which would result in significant harm to the amenity of the occupiers contrary to Policy BNE2 of the Medway Local Plan 2003 and paragraph 135 of the National Planning Policy Framework 2024.

In the absence of a Servicing and Delivery Plan it has not been demonstrated that the proposed use could operate without a resultant harm to highway safety and the free flow of traffic on an important access route into Medway Maritime Hospital, including its Accident and Emergency facility, and is therefore contrary to policies T1 and T13 of the Medway Local Plan 2003 and paragraphs 115 and 116 of the National Planning Policy Framework 2024.

Chairperson

Date:

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