

Medway Council
Planning Committee
Wednesday, 24 September 2025
6.31pm to 10.22pm

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, Filmer, Gilbourne, Gulvin, Hamandishe, Peake, Pearce and Vye

Substitutes: Councillors:
Campbell (Substitute for Hamilton)
Mandaracas (Substitute for Myton)

In Attendance: Councillor Andrew Lawrence (for agenda item 11)
Councillor Ron Sands (for agenda item 10)
Councillor Chris Spalding (for agenda item 8 and 9)
Chantelle Farrant-Smith, Senior Planner
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
Jacky Olsen, Senior Planner
Amy Shardlow, Planner
Steven Ward, Highways Consultant

304 Apologies for absence

Apologies for absence were received from Councillors Hamilton and Myton.

305 Record of meeting

The record of the meeting held on 27 August 2025 was agreed by the Committee and signed by the Chairperson as correct.

306 Urgent matters by reason of special circumstances

There were none.

307 Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

Councillor Gilbourne referred to planning application MC/25/1084 Hempstead Library, Hempstead Road, Hempstead, Gillingham ME7 3QG and stated that he sat as a Managing Trustee on the Hempstead Village Hall Management Committee which had a lease with Hedgehogs Nursery so would withdraw from the meeting and take no part in the discussion or determination of the application.

Other interests

Councillor Etheridge stated that he often attended meetings of 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 Mandaracas referred to planning application MC/25/1112 Land adj to 91 Hawbeck Road, Parkwood, Gillingham Medway and stated she had limited involvement with this planning application whilst working with the local MP and would, therefore, withdraw from the meeting and take no part in the discussion or determination of the application.

Councillor Campbell referred to planning application MC/25/1112 Land adj to 91 Hawbeck Road, Parkwood, Gillingham Medway and stated although she worked for the local MP, she did not undertake case work so had no involvement in this planning application and would remain and take part in the discussion of this application.

308 Planning application - MC/25/1112 Land adj to 91 Hawbeck Road, Parkwood, Gillingham Medway

Councillor Mandaracas left the meeting for this item.

Discussion:

The Service Manager - Development Management outlined the application in detail for the construction of a detached dwellinghouse with garage, associated landscaping and parking.

The Service Manager – Development Management brought Member's attention to the supplementary agenda advice sheet which addressed additional representations.

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The Service Manager – Development Management clarified that he had responded and answered questions from the local MP regarding highways, the stopping up order and the self-build element of the development.

The Committee considered the application noting that parking was proposed in front of the garage and the dwelling which would provide two parking spaces and that there were no parking restrictions on the street within the local area.

The Service Manager – Development Management explained that although the consideration of the loss of space was a key planning consideration, the harm would not be significant. He clarified that within the surrounding area, there were other dwellings that were located closer to the footpath than this proposed property.

Following a question from a Member, the Service Manager – Development Management confirmed that he had been assured that the applicant would live in the property. There was a self-build requirement for the applicant to enter into a legal agreement as part of the approval process and would form part of the permission, which stated that they must occupy the property for a minimum of three years following construction.

The Service Manager – Development Management confirmed that condition 5 would prevent this dwelling from being converted into a house of multiple occupation (HMO).

The Service Manager – Development Management advised that there would be no habitable windows that would cause significant harm to neighbouring properties.

Following questions from Members, the Service Manager – Development Management advised that condition 13 required hard and soft landscaping to be submitted to and approved by the LPA and the soft landscaping to the rear and the boundary treatments required under condition 4 would prevent surface water run-off.

Decision:

Approved subject to:

- A. The applicant entering into agreement under Section 106 of the Town and Country Planning Act to secure:
 - i. The dwelling to be delivered and occupied as a self-build development.
- B. Conditions 1 to 13 as set out in the report for the reasons stated in the report.

Councillor Mandaracas returned to the meeting.

309 Planning application - MC/25/0371 Land to the rear of Berengrave Lane, Rainham ME8 7FG

Discussion:

The Senior Planner outlined the application in detail for the construction of thirty-three dwellings with associated access road, landscaping and car parking.

The Senior Planner brought Member's attention to the supplementary agenda advice sheet which amended some recommendations: the S106 Libraries figure should read £7,285 not £7,634.22 and changes to Condition 21 should show the correct date as 25 February 2025 for the Climate Change Verification not 25 December 2025. An additional condition regarding carports to be added along with an additional informative regarding Biodiversity Net Gain. An amendment to the Flooding and Drainage section of the report under the Planning Appraisal was set out on the supplementary agenda.

The Committee discussed the application in detail and the Senior Planner confirmed that refuse vehicles could access and move around the site easily and no objections had been received regarding this.

The Senior Planner confirmed that the hedgerows were located within the shared space, and he explained that the applicant would be reminded that hedgerows could not be cut or trimmed during the nesting bird season. He also clarified that the management company would maintain the biodiversity on site, including bat boxes, and swift boxes installation could be included within the Ecology Report.

The Chief Planning Officer confirmed that previous S106 contributions secured in the area were being allocated to the Highways Team for investment in options to improve and widen the Lower Rainham Road on that section where there were traffic lights at the bottom of Berengrave Lane.

The Chief Planning Officer explained the purchase of biodiversity units through a habitat bank. There were currently no approved habitat banks set up within Medway, the applicant had agreed to purchase these units in the nearest site which was currently in Harrietsham. However, if Medway had habitat banks set up by the time the development commenced, those units could be purchased within Medway. Members requested further training on biodiversity and habitat banks.

The Senior Planner and Chief Planning Officer clarified that an informative would be added to ensure compliance with Kent Police advice regarding the Secure by Design. It was also discussed that Southern Water require a connection charge for all new properties connecting to mains drainage.

The Highways Consultant confirmed that he was consulted regarding parking and had assessed the report and had no objections. He stated he had

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modelled any additional vehicles and considered it would have no impact to the local traffic.

Decision:

Approved subject to:

- A. The applicants entering into agreement under Section 106 of the Town and Country Planning Act to secure:
 - i. £7,285 to improve equipment and facilities at Rainham Library.
 - ii. £10,741.17 towards Safety and long term protection for the new EV charging ports at Cozenton Leisure Centre.
 - iii. £7,634.22 for the provision, improvement and promotion of waste and recycling services.
 - iv. £112,561.68 towards improvements to open space and outdoor formal sport within the vicinity of the development, including Great Lines Heritage Park, broken down as follows:
 - a. To enhance open space facilities within the vicinity of the development, including Riverside Country Park = £106,933.60
 - b. Medway's Metropolitan park - Great Lines Heritage Park = £5,628.08
 - v. £12,559.47 to contribute towards interpretation at the Guildhall Museum.
 - vi. £60,834.51 for nursery provision within a radius of 2 miles from the development site and/or SEND education within Medway.
 - vii. £149,321.37 for primary provision within a radius of 2 miles from the development site and/or SEND education within Medway.
 - viii. £118,312.26 for secondary provision within Medway.
 - ix. £31,144.08 towards sixth form provision within Medway.
 - x. £20,000.00 To assist with development of new square/civic space in Rainham Precinct Shopping Centre and improvements to the Shopping Centre and town centre gateways.

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- xi. £80,000.00 towards community facilities in Rainham, including but not limited to St Margarets Church, Millennium Centre and the Oast Community Centre.
- xii. £27,897.21 health contribution to support the creation of additional capacity in Health Care premises required as a result of the increase in housing and resulting patient registrations.
- xiii. £12,232.64 towards strategic measures in respect of the coastal North Kent Special Protection Area.
- xiv. Meeting the Council's costs.
- xv. Clause to ensure the proposed S278 works proposed as part of Transport statement (Ref; 425.065471.00001) received 25 February 2025 are undertaken prior to the occupation of any units. The works shall include Pedestrian crossing improvements at Chalky Band Road, Berengrave Lane and Station Road; and Wheelchair accessible kissing gates at either end of Berengrave Nature Reserve.

B. Conditions 1 to 24 as set out in the report for the reasons stated in the report, with an amendment to condition 21 and a new condition and informative added:

Condition 21 – Amendment

The development herein approved shall incorporate the measures as set out in the Energy and Sustainability Statement 2114L-06-01-03 Issue-3 (received 25 February 2025). Prior to occupation a verification report prepared by a suitably qualified professional shall be submitted to and approved in writing by the Local Planning Authority confirming that all the approved measures have been implemented.

Reason: In the interests of sustainability and to positively address concerns regarding climate change in accordance with paragraph 162 of the National Planning Policy Framework 2024.

New Condition 25

The approved carports shall not be enclosed, and no other permanent development shall take place, within or to the car ports whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or reenacting that Order). The car port parking spaces shall remain available for parking.

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

Additional Informative

When submitting the Biodiversity Gain Plan to discharge the Biodiversity Net Gain condition the applicant should look at whether relevant habitat banks have been created and have credits available within the Medway area prior to securing credits out of Medway.

310 Planning application - MC/24/1535 Acorn Wharf, Gas House Road, Rochester, Medway, ME1 1PJ

Discussion:

The Principal Planner outlined the application in detail for the construction of 132 one and two bed apartments in three blocks along with a detached commercial building, cafe with associated landscaping and parking. Construction of a replacement river wall and refurbishment of crane.

The Principal Planner brought Member's attention to the supplementary agenda advice sheet which amended the Bird Mitigation section of the report to state "tariff of £337.49".

Following a question from a Member, the Principal Planner explained that under condition 33, it would be agreed in writing that the Environment Agency would not be responsible for the future maintenance of the river wall and confirmed that would fall to the care of the applicant or their management company.

The Principal Planner confirmed that Rochester Riverside had been decontaminated as part of the groundworks. Contamination works were conditioned on this application. The Principal Planner would share the contamination report with Members.

The Chief Planning Officer acknowledged that this was one of the most difficult sites to develop, however, this was a good scheme and would make a substantial contribution to the housing supply.

The Principal Planner stated a Landscape Management Plan would be submitted which would include all landscaping aspects including the green roof and would be managed by the management company.

The Chief Planning Officer explained that the development was not yet at a stage where it could confirm what would go into the commercial units. Once planning permission was granted, the applicant could move forward and market those units.

Decision:

Approved subject to:

A. The applicant entering into a Section 106 agreement to secure the following:

- a) Financial contributions as follows.
 - i) £44,548.68 toward Habitats Regulations (mitigation for Wintering Birds - £337.49 per unit x 132 units)
- b) Non-financial obligation as follows.
 - i) A late-stage review at 90% of completions to enable an overage/capture of 50% of any profit in excess of what the viability assumes

B. Conditions 1 to 33 as set out in the report for the reasons stated in the report.

311 Planning application - MC/25/0740 Land adjacent to Fenn Street and Ratcliffe Highway, St Mary Hoo, Rochester Medway

Discussion:

The Service Manager - Development Management outlined the application in detail for the construction of a temporary access road to facilitate access to the development approved under planning approval MC/24/0291.

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

- The safety of the development entrance was discussed, at length, when the main planning application was determined by the Planning Committee and nothing was stated regarding this temporary access road or the road safety audit that had been provided by the Parish Council.
- A Transport Technical report was received by the Parish Council confirming the dangers and concerns especially in the area by the roundabout. The visibility splays did not consider any vehicles coming round the roundabout such as lorries. That omission meant the applicants highway report was incomplete and could not be relied on.
- A covering letter from Esquire stated a temporary construction access would be required throughout construction so, why wasn't that submitted with the original application.
- Materials coming in via Thamesport were often held up on site because of restrictive site movement capability. Those materials had to be moved to another part of the site which cost money and time.
- Esquire want to put pedestrians, including the children who walk to school at risk.

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The Committee discussed the planning application noting the points raised by the Ward Councillor and the Service Manager - Development Management confirmed this would be a new temporary access point for two years while construction took place. The access that currently existed would remain and be used to serve the Zoo overflow carpark and the residential development as units completed and became occupied. He explained that two years was the maximum amount that could be allowed, otherwise it would affect the provision of the biodiversity net gain and open space on the site as part of the approved development. He suggested encouraging the applicant to complete the development as soon as possible and start the reinstatement of the area as quickly as practicable possible.

The Chief Planning Officer acknowledged that Members wanted a shorter amount of time for the temporary access point, however, the development may take longer than one year to complete but would be completed within 2 years. This access point would accelerate the construction work causing less impact and upheaval on existing residents. He confirmed that he would have regular meetings with the Parish Council and the Developer to discuss any issues.

The Chief Planning Officer explained that a safety report in relation to speeding had been undertaken by the Council. In terms of another arm to the roundabout, this land was not available, and it was important to try and separate the access road for construction and the residents.

Although Members suggested a deferral, the Chief Planning Officer advised that the fall back was to continue to use the existing main access. The proposed temporary access would enable construction to take place quicker and safer and as it was a temporary construction access point, then once completed it would be closed and reverted to open space in accordance with the approved plans.

The Service Manager - Development Management confirmed the reason this planning application had taken 5 months to get to Committee was because it was a very considered decision. Colleagues in highways had insisted on a full road safety audit which was unusual at this stage prior to consent being granted, it was usually completed as stage one. The applicant had undertaken the road safety audit and our highways colleagues had assessed and agreed with the report.

The Highways Consultant confirmed that the road safety audit had been done independently, not by Medway Council and as part of the process they undertook an automatic speed test and 85% of the traffic were travelling under 25mph.

The Service Manager - Development Management advised that the proposed junction design, combined with the S278 works were proposed as part of the original consent and would ensure that this access would be safe to use.

Decision:

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

312 Planning application - MC/25/1034 Land to the rear of The Old Vicarage, High Street, Isle of Grain, Rochester

Discussion:

The Senior Planner outlined the application in detail for a hybrid planning application seeking outline permission for construction of two self-build dwellings and full permission for construction of a single self-build dwelling with associated access.

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

- The applicant had no legal right of access and could not provide the five parking spaces as the site was land locked and not accessible as claimed in the planning application.
- There was nothing in the report regarding the Kent Fire and Rescue Service. The Government's minimum road width requirement for a fire engine was no less than 3.7 metres. The access of this road at its widest point was 3 metres and the narrowest was 2.4 metres. A cul-de-sac more than 20 metres in length must have a turning head, this access road did not.
- St James C of E Primary School was very close to the access road and there was only one pavement outside the school as the other side of the road was scrubland. The area immediately around the school would be unsafe during the construction of the development. The location of this school would make it impossible to be included in the School Street Scheme.
- There was no information from the North Kent Drainage Board.
- Natural England wanted further information regarding the ecology of the site, however, this information was not provided.

The Committee discussed the planning application noting the points raised by the Ward Councillor and the Senior Planner confirmed that condition 22 dealt with sustainable drainage, although a new condition for foul drainage would be added.

The Service Manager - Development Management explained that the impact for nesting birds would be dealt with under the strategic access mitigation and monitoring strategy (SAMMS) payment and as consent had already been granted for two dwellings, two payments had already been made. The additional payment for the third dwelling would be made prior to issuing the permission.

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The Service Manager - Development Management clarified that the construction environmental management plan would be key to this development. It would not only deal with the safety aspect of the site but would minimise disruption. He envisaged construction delivery times would not coincide with school drop off and pick up times.

Decision:

Approved subject to:

- A. The applicant entering into agreement under Section 106 of the Town and Country Planning Act to secure:
 - i. The dwelling to be delivered and occupied as a self build development.
- B. Conditions 1 to 23 as set out in the report for the reasons stated in the report with an additional condition regarding foul drainage. Final wording to be agreed in consultation with the Chief Planning Officer, Chairperson, Vice Chairperson and Opposition Spokespersons.

313 Planning application - MC/24/0484 Land adjacent of "Kingsnorth" Sharnal Street, High Halstow, Rochester

Discussion:

The Senior Planner discussed the outline application with some matters reserved (appearance, landscaping, layout) for the construction of two, 2 storey dwellings with off road parking.

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

- The planning application overlooked the sustainable development and the protection of our rural landscape.
- This development would be very close to an outbuilding at Sharnal Street Farm where barn owls were roosting.
- This development lacked sustainable transport infrastructure as there were no suitable cycle paths or footpaths. With the village about 1 mile away, residents of this development would be car dependent and there would be an increase in traffic on the rural roads.
- Windfall sites that fall outside the village were not close to services or amenities.
- This development would harm the character, appearance and rural identity of Sharnal Street.

Decision:

Approved subject to:

- A. The applicant entering into agreement under Section 106 of the Town and Country Planning Act to secure:
 - i. The dwelling to be delivered and occupied as a self build development.
- B. Conditions 1 to 17 as set out in the report for the reasons stated in the report.

314 Planning application - MC/25/1084 Hempstead Library, Hempstead Road, Hempstead, Gillingham ME7 3QG

Councillor Gilbourne left the meeting for this item.

Discussion:

The Senior Planner outlined the application in detail for a change of use of part of building from Class F(1) learning and non residential institutions to Class E (f) Creche, day nursery or day centre.

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

- Hempstead Library was a much loved community asset, however, it lacked investment and the potential for rental income. There was no mention in the report of the Library Hall being used by the Primary School, dance groups and other community groups.
- The two Ward Councillors held a public meeting, where 20 residents attended, objecting to this planning application. There was a need for community space. The Library Service went to see the applicant to see if they could lease the space themselves, however, it was rejected.
- There were inaccuracies in the report, it showed changes to the outside of the library buildings, however the rear door was now blocked up, new double doors had been installed replacing an existing window and the internal plans would need to be amended due to OFSTED requirements.
- Money had been spent from the Village Hall Management Committee and the Church to improve things including off street parking enabling parents to drop their children to school.
- Parking for the nursery was not welcomed outside residents' houses.

The Committee discussed the planning application noting the points raised by the Ward Councillor and confirmed this was a community asset and there was a need to preserve it.

Some Members asked for a deferral, it was moved, seconded and voted on, however, the majority vote was against a deferral.

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The Service Manager - Development Management explained that the Hempstead Library would continue to be used by the community. The Nursery would have permanent use of the space, where all their equipment could be easily accessible which was not possible now. Another room in the Library would be available for hire for other community groups.

Decision:

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

Councillor Gilbourne returned to the meeting.

315 Planning application - MC/25/1251 Land to the west of 88 Waterside Lane, Gillingham, Medway ME7 2ST

Discussion:

The Senior Planner outlined the application in detail for a change of use of amenity land to the west of no.88 Waterside Lane to create two parking spaces and the installation of an electric vehicle charging point.

Decision:

Approved with conditions 1 to 6 as set out in the report for the reasons stated in the report.

316 Planning application - MC/25/0966 22A Walters Road, Rochester, Medway

Councillor Pearce left the meeting for this item to speak as Ward Councillor.

Discussion:

The Senior Planner outlined the application in detail for an extension to existing outbuilding to rear for conversion to an annexe for supported living accommodation.

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

- This was not a new development, it was an extension to an outbuilding for the supported living of a family member who was disabled and being looked after elsewhere, and this would support them all living together.
- Services and access for the annexe would be through the main house.
- There was no mention in the report of the Neighbourhood Plan.
- Although it was discussed that the footings, that had been approved in 2018, had been dug in the wrong position for the outbuilding, Building Control and Officers had attended the site and were satisfied.
- The proposed annexe could be controlled by conditions.

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The Committee discussed the planning application noting the points raised by the Ward Councillor and sympathised with the family.

The Chief Planning Officer wanted to support the application and understood their needs and wanted to find a planning solution, however, he explained that permission for an annexe could not be granted for this planning application as there was not a dwelling for the annexe to be an ancillary to.

The Service Manager - Development Management clarified that the footings, from the previous application, were closer to the boundary than what was approved. If the dwelling continued to be constructed it would not comply with the permission granted in 2018. Combined with other factors, and that the annexe was on a piece of land in the garden of 22 Walters Road not the permitted garden area of 22A Walters Road, indicate that the proposal does not comply with the original permission, due to the inconsistencies the annexe could not be conditioned to the previously permitted development.

There was a solution, a variation of the original consent or a new planning application could be submitted which would require consultation with neighbouring residents. The Service Manager - Development Management explained that officers had been engaging with the applicant to try and secure a further meeting with the applicant and agent to discuss the steps they needed to go through. Although officers had tried to secure a meeting before coming to Committee, the applicant had wanted this planning application to come to this Planning Committee.

The Chief Planning Officer confirmed that if a revised planning application was submitted and there were less than five representatives, there would be no requirement to come back to the Planning Committee.

Decision:

REFUSED for the reason set out in the report.

Chairperson

Date:

Julie Francis-Beard, Democratic Services Officer

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