

Medway Council
Planning Committee
Wednesday, 19 November 2025
6.30pm to 9.28pm

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), Bowen, Etheridge, Field, Filmer, Gilbourne, Hamilton, Myton, Peake, Pearce and Vye
- Substitutes:** Councillors:
Campbell (Substitute for Hamandishe)
Fearn (Substitute for Gulvin)
- In Attendance:** Councillor Vince Maple (agenda item 7)
Gabrielle Bussley, Senior Flood, Drainage and Special Projects Officer
Julie Francis-Beard, Democratic Services Officer
Hannah Gunner, Principal Planner
Dave Harris, Chief Planning Officer
Peter Hockney, DM Manager
Joanna Horne, Lawyer
Mary Smith, Senior Planner
Steven Ward, Highways Consultant
Margaret Wright, Tree Specialist Consultant

442 Apologies for absence

Apologies for absence were received from Councillors Anang, Gulvin and Hamandishe.

443 Record of meeting

The record of the meeting held on 22 October 2025 was agreed by the Committee and signed by the Chairperson as correct.

444 Urgent matters by reason of special circumstances

There were none.

445 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 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 Campbell referred to planning application MC/25/0753 Former St John Fisher School site, 79 Maidstone Road, Chatham Medway and informed the Committee that as she wished to address the Committee as Ward Councillor on this planning application, she would take no part in the determination of the application.

446 Technical Guidance of SuDs Applications and Discharging Drainage Conditions (Strategy Adoption)

Discussion:

The Senior Flood, Drainage and Specialist Projects Officer gave Members a summary of this technical guidance which outlined the requirements and best practices for Sustainable Urban Drainage Systems (SuDS) in planning applications and condition discharge submissions within Medway, ensuring alignment with national policy and local flood risk strategies. The report provided detailed expectations for SuDS design, implementation, verification and maintenance across various development types, supporting improved surface water management and flood resilience.

The Senior Flood, Drainage and Specialist Projects Officer informed Members that Cabinet had approved to adopt the technical guidance on 18 November 2025.

The Senior Flood, Drainage and Specialist Projects Officer advised that as the Lead Local Flood Authority and a statutory consultee, this technical guidance would be referenced against all future planning applications as a material planning consideration in the determination of those applications. Hence the presentation to members in advance of their consideration of the Planning applications on the Committee agenda.

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The Senior Flood, Drainage and Specialist Projects Officer explained that she reviewed the weekly planning applications list and corresponded with the relevant Planning Officer if further flood risk information was required.

Decision:

The Committee noted the report.

447 TPA/24/2254 157 Long Catlis Road, Parkwood

Discussion:

The Tree Specialist Consultant outlined the application in detail for T1 - Oak - fell to ground and treat the stem to stop regrowth.

The Committee considered the application noting that if the Planning Committee refused to fell the oak tree, the Council could be liable for costs.

The Tree Specialist Consultant confirmed that while the applicant had submitted what was required to determine the application, the evidence provided to support the application was not comprehensive. It was normal, in an Arboricultural Report, to have various soil readings submitted at different depths, this only had one reading at one depth. The moisture content showed the soil was very dry, however, there was no evidence that this was due to the tree, it could have been from other factors. Compared to London clay standards, the soil was very dry but as only one reading was submitted, that could be due to other factors including gravel underneath. She confirmed that the applicant, as a non-tree expert, may not have been aware of the requirement to provide multiple samples. The basic level information was likely provided by a loss adjuster. Often insurers recommend the removal of a tree as they considered that was the only way to protect the property. She explained that only at the point that the planning application was refused, would the Council be responsible for costs.

The Tree Specialist Consultant confirmed that the oak tree was approximately 150 years old, which was not even halfway through its life cycle.

Members acknowledged that the oak tree could draw out the moisture in the soil, however, this year had been a very dry summer, and this may have been the reason for this result.

The Tree Specialist Consultant advised that once Members determined this application and if they decided to refuse the planning application, the applicant may not be able to sell their property and would struggle to re-mortgage if underpinning was required and while the works were taking place, they would have to move out. Although it may be that underpinning would not be required.

Members stated that the oak tree was a valuable feature within the skyline and was part of the character of the area.

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The Chief Planning Officer clarified that if the application was refused and the applicant claimed against the decision, the Council would require more information as part of any insurance claim as only the basic information was provided.

The Tree Specialist Consultant confirmed that if the applicant had submitted their planning application on the planning portal, the Planning Team would not have been able to change the planning application. Members asked whether advice could be added to the Medway website which could inform applicants on what evidence would be necessary to substantiate an application to fell due to subsidence caused by surrounding trees.

Following a question as to whether a replacement tree would need to be sought if the tree was felled, the Tree Specialist Consultant confirmed that as this oak tree was ranked as high due to the amount of water it absorbed, the applicant would not be able to provide the same carbon footprint to replace the existing tree. If the applicant could secure planting elsewhere, you could mitigate the loss, however, there was nothing referenced in the planning application. The Chief Planning Officer confirmed that if another tree was planted, it would take a long period of time for the tree to grow to the size of the existing oak tree and thereby provide the same level of environmental benefits.

Evidence had not been provided that fully substantiated the relationship of the oak tree had caused the reported damage. The level monitoring data was within a normal seasonal range of 2mm, which did not support the severe foundation movement and the removal of a prominent tree.

Decision:

REFUSE the application on the following grounds:

Lack of Substantiated Evidence: The application fails to demonstrate a relationship between the oak tree (as a primary agent) and the reported damage. No progressive drying profile or multi-depth desiccation evidence has been provided.

Insufficient Monitoring: The level monitoring data spans a limited period and indicates movement within a normal seasonal range (maximum 2 mm). This does not support severe foundation movement attributable to tree roots or justify removal of a prominent protected tree.

BRE Classification and Damage Thresholds: According to BRE Digest 251, the observed damage is Category 2 (slight), and tree removal is not typically justified at this threshold.

Heave Risk Unaddressed: The oak predates the house, yet no assessment of potential heave risk has been submitted, contrary to good arboricultural and engineering practice.

Amenity and Environmental Loss: The tree makes a positive contribution to the local character and streetscape. Its removal would result in the unnecessary loss of an important tree, contrary to Local Plan and Tree Management policies.

448 Planning application - MC/25/0753 Former St John Fisher School site, 79 Maidstone Road, Chatham Medway

Councillor Campbell withdrew from the meeting to speak as a Ward Councillor.

Discussion:

The Senior Planner outlined the application in detail for the demolition of existing buildings and structures and construction of a new food retail store (Use Class E(a)), with access, car and cycle parking, landscaping and associated works.

The Senior Planner brought Member's attention to the supplementary agenda advice sheet which amended Recommendation B by adding another S106 contribution, additional representations and amendments to the Planning Appraisal in the report.

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

- Although there was a need for supermarkets, there was no need for a supermarket at this location. The local corner shops currently served the residents of the local area. The Aldi at Horsted Retail Park was only a few minutes' drive away.
- Concerns regarding the amount of heritage in the area and the fact that the store would be close to the cemetery, which was used by local residents. There would be a lot of noise during the construction process which would disturb the peace and solace you would find in the cemetery.
- Disagreed with the assessment of the traffic, there was only one lane of traffic in each direction and this was a common place for accidents or roadworks. Adding construction vehicles would not be practicable and having three or four roads leading into one, would create a congested junction.
- The entrance onto Maidstone Road would not be safe due to the trees blocking visibility. Would they use other local roads to avoid any congestion?
- The traffic at the Aldi at Horsted Retail Park regularly gets backed up as there were not enough parking spaces, would this be the same on this site, would this result in customers parking in the neighbouring streets?

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

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- This was a balanced application with residents for and against this development, however, he understood how difficult the impact to local residents could be.
- He supported the job opportunities which would be 40 long term jobs within the Aldi store and from the construction process.
- Access to local supermarkets for residents without a car, and having this close by, would be important.
- This could alleviate the traffic at the other Aldi Store.
- Two additional conditions to be added: within the construction plan to have the potential to have regular meetings with the developers for residents to raise any concerns and an agreement for a quarterly meeting with Aldi, once opened, for residents to speak to staff and raise any issues or concerns.

Members agreed to the additional two conditions that the Ward Councillor suggested.

The Committee discussed the planning application noting the points raised by the Ward Councillors and suggested within condition 11, could swift bricks be included.

The Senior Planner confirmed that under condition 17, relating to sustainable transport and which required further details to be submitted, the number of EV chargers would be stipulated, and the Local Planning Authority could require them to be fast chargers. The condition also required further details on the promotion of cycle parking and local bus stops.

A Member suggested as this would be a brand new building, could an area be set aside for a local banking area. The Senior Planner suggested an informative could be added.

Some Members were concerned with the potential for increased traffic. The Highways Consultant clarified that analysis of the number of trips had been undertaken within the local network and confirmed that there would be very few new trips. Trips taken were likely to be ones that were diverted from elsewhere, vehicles that would have been going past the store that were already on the network and linked to other sites. A snapshot showed that queues dissipated and reduced within a single cycle. A peak period assessment had been undertaken and during the morning period, 12 vehicles were travelling which equated to 1 in every 5 minutes and during the evening period it equated to 1 vehicle every 2 minutes. For customers visiting this site, it could reduce the number of trips, local residents were making going to the Horsted Retail Park.

The Service Manager - Development Management confirmed that Asda and Tesco had made legitimate planning reasons in their representations and their full objections were in the supplementary agenda advice sheet.

The Service Manager - Development Management stated it would be difficult to construct a condition that met the relevant requirements that would satisfy the

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Ward Councillor for regular meetings between residents and the Aldi Store. He explained that something could be added within the Construction Management Plan and officers would discuss this with the applicant.

Following a request from Members, the Service Manager - Development Management confirmed that the applicant recruited locally for staff members in all of their stores and a direction could be added within the S106 which stated best endeavours to secure apprenticeships during the construction phase and final employment.

The Senior Planner confirmed that the green space on the site was private land and was no longer publicly be used as the school had closed.

The Senior Planner explained that they had worked closely with Kent County Council Biodiversity regarding bats with the removal of the trees, however, the specialists were content with the information provided. Condition 4, the Construction Environmental Management Plan (CEMP) Ecology would deal with the ecology of the site including solar panels, bug and bird bricks and new native tree planting. The scheme had to provide 10% Biodiversity Net Gain (BNG), however, it did not need to exceed that.

The Senior Planner confirmed that a dedicated right hand turn had been considered, however, Maidstone Road was not wide enough. Condition 24 proposed double yellow line be added opposite the site entrance to stop parked cars reducing the width of the road.

The Service Manager - Development Management explained that the peak hour traffic would be less for a supermarket than for the previous use as a school, which was very busy during weekday peak hours. Supermarkets created different patterns of traffic, although it was acknowledged that Saturdays could be busy.

The Chief Planning Officer clarified that at the Aldi planning presentation, they said their existing store at Horsted Retail Park was overperforming. A number of those movements could be from residents living closer to the proposed store and, therefore, the proposal could reduce the vehicles travelling and could help relieve to a degree the problems at the Horsted Retail Park roundabout.

The Chief Planning Officer explained that the Football Foundation had agreed to cover 75% of the costs for creation of a Play Zone at Maidstone Sports Ground and the applicant had agreed to fund the remaining 25%.

The Chief Planning Officer confirmed that if approved, referral to the Secretary of State would be required as there was an objection from Sport England.

Decision:

Approved subject to:

- A Referral to the Secretary of State (required due to the objection from Sport England).
- B The applicant entering into a Section 106 agreement to secure:
 - 1 A contribution of £79,702 towards a Play Zone at Maidstone Road Sports Ground.
 - 2 A contribution of £30,000 towards the renewal of two bus stops/shelters on Maidstone Road, to include real time information.
 - 3 A contribution of £20,000 towards walking and cycling improvements along Maidstone Road, which could include drop kerbs and tactile paving to improve accessibility.

With additional S106 clauses, as set out in the supplementary agenda advice sheet and added during the decision making:

- 4 A contribution of £15,000 towards improvements to the public realm in Chatham town centre.
 - 5 To use best endeavours to secure apprenticeships during the construction phase and final employment.
- C Conditions 1 to 36 as set out in the report for the reasons stated in the report with amendment to condition 11 to include reference to swift bricks. The Chief Planning Officer to liaise with the applicant regarding the regular meetings with local residents to be added to the Construction Environment Management Plan, and the possibility of quarterly meetings with residents after opening and an informative to be added regarding local banking services.

Councillor Campbell returned to the meeting.

449 Planning application - MC/25/1363 Land rear of Garage Site, Cordelia Crescent, Borstal Rochester

Discussion:

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

Decision:

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

450 Planning application - MC25/1784 MCL Ltd, Grove Road, Upper Halling, Rochester

Discussion:

The Service Manager - Development Management outlined the application in detail for the variation of condition 2 (approved plans) to allow for a minor material amendment to planning permission MC/22/2915 for the addition of loft floors to all units except unit 6 and the provision of an entrance gate.

Following a query from a Member, the Service Manager – Development Management confirmed that the reason this planning application had come to the Planning Committee was because there had been 5 or more representations contrary to the officer's recommendation.

Decision:

Approved with conditions 1 to 9 as set out in the report for the reasons stated in the report.

451 Planning application - MC/25/0811 Land at East Hill, Chatham, Kent

Discussion:

The Principal Planner gave one presentation for agenda items 10, 11 and 12, however, discussions and the decision were made individually for each planning application.

The Principal Planner outlined the Reserved Matters application for Phase 2 (for the construction of 36 residential units together with associated access, parking, landscaping, open space, infrastructure and earthworks) pursuant to Outline application MC/19/0765 (APP/A2280/W/21/3280915) - Outline application (with all matters reserved except access) for the erection of up to 800 dwellings with a primary school, supporting retail space of up to 150sqm and a community or nursery facility with an associated road link between North Dane Way and Pear Tree Lane and other road infrastructure, open space and landscaping.

The Principal Planner explained that discussions were ongoing regarding the school site, once handed over to the Local Authority, a planning application would be submitted.

Decision:

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

452 Planning application - MC/25/0830 Land at East Hill, Chatham, Kent

Discussion:

The Principal Planner outlined the Reserved Matters application for Phase 3 (For the construction of 263 dwellings including houses, apartments, convenience store together with associated access, parking, landscaping, open space, infrastructure and earthworks) pursuant to Outline application MC/19/0765 (APP/A2280/W/21/3280915) - Outline application (with all matters reserved except access) for the erection of up to 800 dwellings with a primary school, supporting retail space of up to 150sqm and a community or nursery facility with an associated road link between North Dane Way and Pear Tree Lane and other road infrastructure, open space and landscaping.

The Committee discussed the application in detail, and a Member drew attention to the new Spine Road in the development and whether it would be wide enough to accommodate more traffic which would include large refuse lorries going to the local household waste and recycling centre which was located on Shawstead Road. The Highways Consultant confirmed that he had reviewed the tracking of larger refuse vehicles, and they would fit within the designated road network. The Principal Planner informed Members that in relation to the current Shawstead Road which was very narrow, a much wider road would be provided. Traffic models were being looked at with regards to traffic accessing the household waste and recycling centre and numbers associated with the new school.

The Principal Planner confirmed that this was a challenging site due to the topography. Most of the houses within this phase would be 2 - 2 ½ storeys high with pitched roofs. There would be a few flat blocks which would be 3 storey with a flat roof to reduce their prominence, while the commercial block with residential above would be 4 storey with a ridged roof but this was considered acceptable due to its location and to highlight its public use.

Decision:

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

453 Planning application - MC/25/0812 Land at East Hill, Chatham, Kent

Discussion:

The Principal Planner outlined the Reserved Matters application for Phase 4 (for the construction of 198 residential units including affordable housing together with associated access, parking, landscaping, open space, infrastructure and earthworks) pursuant to Outline application MC/19/0765 (APP/A2280/W/21/3280915) - Outline application (with all matters reserved except access) for the erection of up to 800 dwellings with a primary school, supporting retail space of up to 150sqm and a community or nursery facility

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with an associated road link between North Dane Way and Pear Tree Lane and other road infrastructure, open space and landscaping.

Decision:

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

454 Performance Report 1 July to 30 September 2025

Discussion:

The Committee received a report setting out performance for the period 1 July to 30 September 2025.

The Chief Planning Officer drew Members' attention to the number of compliments which had been received and were set out on pages 231 to 232 of the report.

Members extended their thanks to the Chief Planning Officer and his team for all their hard work and acknowledged the amount of work that went into producing the results shown in the report.

The Chief Planning Officer brought Member's attention to the planning application fees on page 219 of the report and explained the figures for August 2025 were inaccurate and the approximate amount would be £80,000.

The Chief Planning Officer explained that the number of units under construction (appendix E) showed a reduction compared to recent years. He believed this was due to the economy, the building safety requirements and the delay to secure approvals for developments with 6 storeys or above, which was delaying construction.

The Chief Planning Officer confirmed that a new Tree Officer had been appointed and would be starting soon which would see a reduction in the number of tree applications that the Tree Consultant dealt with.

The Chief Planning Officer was asked whether he could include, in the next Performance Report, how many developments that had been approved that were more than 2 years old and had not yet been started. He explained that planning permission normally required commencement within 3 years though for some larger scale developments that may be amended to 18 months to 2 years. He confirmed he would investigate whether it was possible to report on permissions that had not commenced within the required time period and had therefore lapsed.

Decision:

The Committee noted the report and requested that the Chief Planning Officer express the Committee's appreciation for the levels of achievement to staff

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within the Planning Service.

455 Appeal Decisions 1 July to 30 September 2025

Discussion:

The Chief Planning Officer gave a summary of the appeal decisions referred to in appendix A to the report.

Decision:

The Committee noted the report.

456 Section 106 Agreements 1 July to 30 September 2025

Discussion:

The Chief Planning Officer gave a summary of the appeal decisions referred to in appendix 1, 2 and 3 to the report.

Decision:

The Committee noted the report.

457 Exclusion of the press and public

Decision:

The Committee agreed to exclude the press and public from the meeting during consideration of agenda item 17 (Derelict Buildings: 1 April 2025 – 30 September 2025) because consideration of these matters in public would disclose information falling within paragraph 6 of Schedule 12A to the Local Government Act 1972 as specified in agenda item 12 (Exclusion of Press and Public) and, in all the circumstances of the case, the Committee considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

458 Derelict Buildings: 1 April 2025 - 30 September 2025

Discussion:

The Chief Planning Officer gave a summary of the Derelict Buildings: 1 April 2025 – 30 September 2025 referred to in Appendix A and B to the report.

Decision:

The Committee noted the report.

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Chairperson

Date:

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