

Medway Council
Planning Committee
Wednesday, 26 August 2026
6.30pm to 11.09pm

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, Bowen, Field, Gilbourne, Hamilton, Myton, Nestorov, Peake and Vye

Substitutes: Councillors:
Crozer (Substitute for Pearce)
Fearn (Substitute for Gulvin)
Joy (Substitute for Etheridge)

In Attendance: Councillor Campbell (agenda item 11)
Councillor McDonald (agenda item 8)
Councillor Nestorova (agenda item 6)
Councillor Louwella Prenter (agenda items 9 and 10)
Councillor Mrs Turpin (agenda item 5)
Councillor Williams (agenda item 13)

Martin Carpenter, Planning Director, EnPlan
Julie Francis-Beard, Democratic Services Officer
Hannah Gunner, Principal Planner
Peter Hockney, Service Manager, Development Management
Joanna Horne, Lawyer
Paul Joyce, Principal Planner, EnPlan
Madeline Mead, Principal Planner
Arron Nicholls, Senior Planner
Jacky Olsen, Senior Planner
Amy Shardlow, Senior Planner
Steven Ward, Highways Consultant

265 Apologies for absence

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

266 Record of meeting

The record of the meeting held on 29 July 2026 was agreed by the Committee and signed by the Chairperson as correct subject to the following amendments as set out in the supplementary agenda advice sheet.

Minute No. 161: Planning application - MC/26/0549 101 Balmoral Road, Gillingham, Medway ME7 4QG

Delete the following paragraph (2nd paragraph after Councillor McDonald).

“The Senior Planner confirmed that a survey had been undertaken within a 220-metre radius of the site and had identified 49 HMOs within 88 properties. He confirmed that only properties within Gillingham South Ward had been included, drawing on a range of information which included public records, licensing information, online sources and council tax records.”

Replace with:

“The Senior Planner confirmed that in addition to the 500m radius survey already referred to, a detailed survey of a 200m stretch of Balmoral Road had been undertaken, which had identified that of the 88 properties surveyed there were 9 flats and 7 HMOs. This showed that HMOs represented only 7.9% of the properties in this stretch which was not considered to be an over concentration and was acceptable.”

Minute no. 162: Planning application – MC/26/0767 49 Priestfield Road, Gillingham, Medway ME7 4RE

Delete the following paragraph:

“A further representation received from a Member of Parliament had also been included within the supplementary agenda. This was accompanied by a map and supporting figure which identified the surrounding land uses along an approximate 200-metre stretch of Priestfield Road.”

Replace with

“A further representation received from a Member of Parliament and a statement and a rebuttal to the Case Officer’s report received from the Applicant had also been included within the supplementary agenda. The supplementary agenda also included a map and supporting figure which identified the surrounding land uses along an approximate 200-metre stretch of Priestfield Road.”

267 Urgent matters by reason of special circumstances

There were none.

268 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 Crozer declared an interest at the beginning of agenda item 7, MC/26/1032 4 Barnsole Road, Gillingham, Medway ME7 4DJ, as he had an interest in the property opposite 4 Barnsole Road. He, therefore, withdrew from the meeting and took no part in the consideration or determination of the application.

269 Supplementary Agenda Advice Sheet

The Service Manager - Development Management advised Members that the supplementary agenda advice sheet, published prior to the meeting referred, in particular, to the new National Planning Policy Framework (NPPF) which had been published by the Government on 17 August 2026, i.e. after the publication of the agenda for this committee meeting.

He explained that the supplementary agenda advice sheet set out the new policies within the 2026 NPPF and identified the corresponding policies they replaced from the 2024 NPPF. Members were advised to consider the relevant paragraphs and policies contained within the 2026 NPPF when determining the applications before them.

270 Planning application - MC/26/0194 Land at Buckland Road and Higham Road, Cliffe, Rochester Kent

Discussion:

The Principal Planner from Consultants, EnPlan, discussed the outline planning application with some matters reserved (appearance, landscaping, layout and scale) for the construction of up to 100 residential dwellings including affordable housing with provision of vehicular, pedestrian and cycle access from Higham Road, public open spaces, sustainable urban drainage systems, landscaping, infrastructure and earthworks.

Members noted that a supplementary agenda advice sheet had been published following publication of the updated NPPF on 17 August 2026. The reasons for refusal had been amended to reflect the updated NPPF and an additional reason for refusal (Reason 6) had been included.

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Further representations had been received from the Independent Group. These were set out in the supplementary agenda advice sheet.

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

- Speaking on behalf of local residents and the other Ward Councillor, Councillor Williams, she objected to the application and urged Members to support the officer's recommendation of refusal.
- The site was located outside the developed area of Cliffe, resulting in the loss of agricultural land and an orchard, which was contrary to the adopted Local Plan policies and the direction of the emerging Local Plan. She expressed concern that the loss of agricultural land would reduce opportunities for local food production at a time when increased emphasis was being placed on addressing the climate emergency.
- The proposal would lead to increased traffic on the already congested B2000 and local road network, which was subject to significant HGV movements.
- The limited availability of footpaths and infrequent public transport would make future residents heavily reliant on private vehicles.
- Existing approved housing developments in the area have yet to be constructed and would place further pressure on local highways and infrastructure.
- Concerns were raised regarding the capacity of local services, including GP surgeries, primary schools and access to secondary education.
- The adequacy of the existing drainage and sewerage infrastructure was questioned, given previous issues experienced in the area.
- The development would harm the rural character and landscape of the area and could adversely affect nearby environmentally sensitive areas and wildlife habitat.

In discussing the application, Members noted concern regarding the availability of school places. It was stated that 67 applications had been received for 30 available spaces at the local primary school, and that oversubscription could result in children having to travel further to school, increasing pressure on local roads and transport infrastructure.

Decision:

Refused for the reasons 1 to 5 as set out in the report and amended in the supplementary agenda advice sheet, and for the following additional reason for refusal (Reason 6):

Amended Reasons

- 1 The proposed development would be contrary to the spatial strategy of the adopted Development Plan. The development of an unallocated, greenfield site outside of settlement boundaries for a use which does not require a countryside location is contrary to Policies S1, S2, BNE25 and

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H11 of the Medway Local Plan 2003. It would also be contrary to the Spatial Development Strategy of the emerging Medway Local Plan 2041, which, through the allocation of sites, promotes urban regeneration, as well the planned expansion of identified suburban neighbourhoods and rural villages which includes Cliffe but not this site. The proposed development is also contrary to National Planning Policy Framework (2026) Policy S5.1 (h), (i) and (j) and S5.4.

- 2 The proposed footpaths at Higham Road and displacement of parking to the on-site car park would result in a negative impact on the residential amenity of existing residents and would adversely impact the rural nature of the street. This is contrary to policies BNE1 and BNE2 of the Medway Local Plan 2003; and National Planning Policy Framework (2026) policies TR4.1 (c) and DP3.2 (a) and (f).
- 3 The proposed development would result in unacceptable landscape and visual impacts through the loss of the agricultural surrounds of Cliffe, detachment of village from its rural setting and urbanisation of the settlement edge. It would give rise to a wide range of significant adverse landscape and visual effects that would not maintain the character, amenity of functioning of the countryside contrary to policies BNE25 and S4 of the Medway Local Plan 2003; policies S2 and S4 of the emerging Medway Local Plan 2041; Policy SUSDEV4 of the Neighbourhood Plan and National Planning Policy Framework (2026) policies DP3.1 and N2.1 (a).
- 4 The proposed development would result in the loss of 5.18ha of Grade 3a Best and Most Versatile (BMV) agricultural land, in circumstances where there is not an overriding need to develop the site, and it has not been demonstrated that the development has been proposed on poorer quality land contrary to National Planning Policy Framework (2026) Policy N2.1 (b).
- 5 In the absence of a completed Section 106 Agreement, the development will not provide the necessary affordable housing or infrastructure contributions contrary to policies S6, H3, L4, T3, T4, T6, CF2, CF4 and CF6 of the Medway Local Plan 2003, Policy S24 of the emerging Local Plan and National Planning Policy Framework (2026) Policy DM6.

Additional Reason:

- 6 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 Medway Local

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Plan 2003 and National Planning Policy Framework (2026) policies N2.2 and N6.

271 Planning application - MC/26/0717 311 Canterbury Street, Gillingham, Medway ME7 5XN

Discussion:

The Senior Planner outlined the application in detail for the change of use from Class C3 to Class C4 as a small house of multiple occupation HMO for up to 6 occupants, with minor internal alterations cycle store to rear and bin stores to front.

The Senior Planner brought Members' attention to the supplementary agenda advice sheet which included a land use assessment map.

Also, within the supplementary agenda, there was a correction to page 73 of the agenda which incorrectly referred to Watling Ward and should instead refer to Gillingham South Ward.

The Senior Planner further explained that the density map identified HMOs within a 500-metre radius of the application site and that the land use assessment demonstrated that there were five HMOs within a 200-metre stretch of road, which represented 6.3% of all properties in that area. This was not considered to constitute an overconcentration of HMOs.

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

- Whilst recognising the important role HMOs played in meeting housing needs, concern was expressed about the continued loss of family homes in Gillingham, particularly as the property was currently a three-bedroom house that would be difficult to return to family use once converted.
- Reference was made to the Article 4 Direction, which was introduced to provide greater planning control over HMO development and to ensure that the cumulative impacts of such conversions were properly considered.
- Concerns were raised regarding parking pressures, as the property would not provide any off-street parking and the surrounding area already experienced high levels of parking demand.
- It was argued that occupation by six unrelated adults could generate different travel and parking patterns from those of a single household, placing additional pressure on local roads and amenities.
- The assessment of HMO concentration in the area was questioned, with concern expressed that the number of registered HMOs may not fully reflect the extent of HMO accommodation locally.
- It was considered that the gradual conversion of family homes into HMOs could have a cumulative impact on the character of the area, local amenity and the balance of housing stock.

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- Whilst acknowledging the need for HMO accommodation, she urged Members to consider whether the conversion of this family home into a six-person HMO was not appropriate in this location and to refuse planning permission.

The Committee considered the planning application and noted the points raised by the Ward Councillor. Members expressed concern regarding the loss of another family home, the potential for increased noise and disturbance, and the comings and goings of six unrelated adult occupants, including the possibility of activity occurring at unsocial hours.

Members noted that policy sought to retain properties under 120 square metres as family homes and observed that this property measured 115 square metres.

The Senior Planner confirmed that all proposed bedrooms would exceed the minimum sizes set out in the Nationally Described Space Standards. It was also confirmed that waste storage would be located at the front of the property.

In response to concerns regarding parking, the Senior Planner confirmed that a Parking Management Plan would be secured to mitigate parking pressures through restrictions on the number of parking permits issued to the property. The Highways Consultant advised that, during the evening, parking was available outside the single yellow line restrictions and that the side of the road of the property was not within the Controlled Parking Zone.

The Service Manager - Development Management explained that the Article 4 Direction had been approved by Cabinet in January 2026 for seven wards within Medway, including Gillingham South Ward, and reiterated that each planning application must be determined on its own merits.

Members questioned the accuracy of the information provided regarding the number of properties converted to flats, HMOs or supported living accommodation, suggesting that not all such properties were formalised through the need for planning permission and were not part of the records.

Members further noted that there were currently 747 families on Medway's housing waiting list and expressed concern that the loss of a family home would not assist in addressing this local housing need.

The Committee voted on the officers' recommendation to approve the planning application, which was lost.

Members then considered reasons for refusal. Concern was expressed that the change of use from a family dwelling comprising one double and one single bedroom to a six-person HMO occupied by unrelated individuals would result in increased noise and disturbance, to the detriment of the amenities of neighbouring residents. Members also raised concern regarding parking, noting that parking provision in the surrounding area was already under pressure.

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In response to a question, the Highways Consultant and Service Manager - Development Management advised that should parking pressures form part of a reasons for refusal, supporting evidence would be required, including an independent parking survey demonstrating existing parking stress and potential impact of additional parking demand on the free flow of traffic. There was not this evidence and, therefore, the Service Manager - Development Management advised this would not be a reason for refusal that could be justified.

The Service Manager - Development Management reminded Members that, at a previous Planning Committee, it had been agreed that the 500-metre radius would be used to demonstrate the concentration of HMOs in the surrounding area. It was noted, that in some subsequent planning applications, information had also been provided using a 200-metre stretch of road.

Members noted that Gillingham South Ward had the highest concentration of HMOs within Medway and expressed concern that the continued loss of family homes reduced opportunities for first time buyers to enter the housing market.

The Service Manager - Development Management advised that waste management arrangements for refuse storage and collection would be addressed under the recommended Waste Management Plan condition and advised that it would not be a justified reason for refusal.

Decision:

Refused for the following reasons:

- 1 The application property measured less than 120 square metres internally and, therefore, does not meet the threshold for subdivision resulting in the loss of a dwelling that would be suitable as a single-family dwelling and was located in Gillingham South Ward, which was noted as already containing multiple HMOs, is, therefore, contrary to Policy H7 of the Medway Local Plan (2003) and Policy T8 of the Submitted (Regulation 22) Medway Local Plan 2041 (December 2025). As such, the principle of converting the existing property into a 5-bedroom, 6-person HMO would not be considered acceptable.
- 2 The change of use from a two bedroom dwelling to a 6-person HMO by reason of the scale and intensity of the proposed use would result in increased noise, disturbance, comings and goings and general activity that would erode the existing conditions of adjoining residential amenity and nearby occupiers. As such, the proposal would be contrary to Policies BNE2 and H7 of the Medway Local Plan (2003), Policy T8 of the Submitted (Regulation 22) Medway Local Plan 2041 (December 2025), and Policy P3 of the National Planning Policy Framework (2026).

272 Planning application - MC/26/1032 4 Barnsole Road, Gillingham, Medway ME7 4DJ

Having declared an interest in this item, Councillor Crozer withdrew from the meeting.

Discussion:

The Senior Planner outlined the application in detail for the change of use from a dwellinghouse (Class C3) to a Class (C4) six-bedroom house in multiple occupation (HMO), and the construction of an L shaped dormer.

Members noted that a supplementary agenda advice sheet had been published following the publication of the updated NPPF on 17 August 2026. The reasons for refusal had been amended accordingly to reflect the updated NPPF. The supplementary agenda advice sheet also included a land use assessment map which showed the surrounding uses along approximately 200-metre stretch of Barnsole Road.

The Senior Planner explained that the density map identified HMOs within a 500-metre radius of the application site in Gillingham South Ward. Given the number and concentration of HMOs within that area, it was considered to constitute that the proposal would contribute to an overconcentration of HMOs.

Decision:

Refused for the reasons 1 to 4 as set out in the report and the supplementary agenda advice sheet with reason 2, 3 and 4 being amended:

Amended Reasons:

- 2 The proposed dimensions for bedrooms 2, 3 and 4 within the application property do not meet the minimum size requirements of the Nationally Described Space Standard for either bedroom size or width and the living area has a poor degree of outlook and light provision that would not provide suitable living accommodation for the future occupants of the property contrary to the provisions for future occupier amenity and for reducing health inequalities and supporting health and wellbeing in Policies BNE2 and H7 of the Medway Local Plan 2003, Policies T1 and T8 of the Draft Local Plan 2025 and Policies DP3 and P3 of the National Planning Policy Framework (2026).
- 3 The proposed dormer does not provide a suitable inset from the eaves of the original roof and is not set in from either of the side boundaries which fails to appear as an extension within the existing roof resulting in the appearance of an additional storey. This causes harm to the appearance of the host property and street scene contrary to Policy BNE1 of the Local Plan and Policies DP3 and P3 of the National Planning Policy Framework (2026).

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- 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 Medway Local Plan 2003 and National Planning Policy Framework (2026) policies N2.2 and N6.

Councillor Crozer returned to the meeting.

273 Planning application - MC/26/1149 53 Shakespeare Road, Gillingham, Medway ME7 5QL

Discussion:

The Senior Planner outlined the application in detail for the change of use from dwellinghouse (Class C3) to 5-bedroom HMO (Class C4) with alterations to boundary wall and front elevation roof light.

Members noted that the supplementary agenda advice sheet included a correction to the approved plans condition to ensure it referred to the recently submitted plans. The supplementary agenda advice sheet also included a map and supporting figures which identified the surrounding land uses along approximately 200-metre stretch of Shakespeare Road.

The Senior Planner explained that the density map identified HMOs within a 500-metre radius of the application site. Although there were high number of HMOs in the wider area, very few were located in the immediate vicinity of the application site. The land use assessment demonstrated that no HMO's had been identified along a 200-metre stretch of road. While one HMO was identified, it had not been registered on the desktop study. Consequently, the Senior Planner concluded that there were no HMOs clustering in the area.

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

- He recommended refusal of the application, stressing that he was not opposed to HMOs in principle, however, considered this proposal unacceptable.
- Concern was expressed that Gillingham South already had the highest concentration of HMOs in Medway and that the proposal would contribute to an over proliferation of such uses.
- He questioned the HMO evidence presented, noting discrepancies between the original assessment, the supplementary agenda advice sheet and the Article 4 checks.
- Objection was raised to the loss of a family home, highlighting that the property measured 121sqm and, therefore, exceeded the Council's

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120sqm threshold for retention of family housing. This was just one square metre above the Council's threshold.

- Reference was made to the number of families and children in temporary accommodation across Medway and that the loss of another family home was inappropriate.
- Concerns were raised regarding parking, as the property had no off-street parking, and it was considered that a Parking Management Plan and car-free tenancy agreements would not prevent residents, visitors or delivery drivers from generating parking demand.
- He also expressed concern that the proposed amenity space fell below the Council's standards, with the garden depth significantly less than normally required.
- In summary, the Member highlighted that there were 22 HMOs within 500 metres, four on Shakespeare Road, no off-street parking provision, insufficient amenity space and the loss of a viable family home and considered that the cumulative impact of these factors justified refusal of the application.

The Committee discussed the planning application noting the concerns raised by the Ward Councillor, particularly regarding the loss of another family home.

The Senior Planner confirmed that the loft bedroom met the minimum size requirements for a single bedroom as set out in the Nationally Described Space Standards. A Member acknowledged that the applicant had amended the proposal in order to improve the living conditions for future residents.

Members discussed the pressures arising from homelessness across Medway and noted that HMOs could provide accommodation for people who might otherwise struggle to access housing, this would also include providing accommodation for individuals with mental health needs, learning difficulties and other supported needs.

The Service Manager - Development Management advised that the size of the garden, which was below the normal standard, would be unchanged regardless of whether the property was occupied as a family dwelling or as a HMO, and that gardens within Shakespeare Road were generally modest in size. He confirmed that the extension had been constructed under permitted development rights and was, therefore, not assessed with reference to planning policy.

A Member sought clarification on the methodology used by officers in assessing HMO concentrations, including the use of both a 500-metre radius or a 200-metre stretch of road.

The Committee voted on the officers' recommendation to approve the planning application, which was lost. Members then discussed potential reasons for refusal, including the loss of a family dwelling and the impact of intensified occupation on the character of the area.

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Concern was expressed that the proposed HMO would result in increased noise, disturbance, comings and goings and general activity to the detriment of neighbouring residents.

The Service Manager - Development Management acknowledged there was a high concentration of HMOs within Gillingham South Ward, however, he advised that there was no clustering of HMOs within the immediate vicinity of the application site. He also confirmed that the applicant had paid the SAMMS bird mitigation payment.

Following concerns raised regarding parking pressures, the Service Manager – Development Management advised that parking would be difficult to justify as a reason for refusal and noted that a condition requiring the submission and implementation of a Parking Management Plan was proposed as part of the recommendation.

Decision:

Refused for the following reasons:

- 1 The application property was not considered too large to reasonably expect its occupation by a single family and, therefore, the loss of a dwelling that would be suitable as a single-family dwelling and was located in Gillingham South Ward, which was noted as already containing multiple HMOs, was, therefore, contrary to Policy H7 of the Medway Local Plan (2003) and Policy T8 of the Submitted (Regulation 22) Medway Local Plan 2041 (December 2025). As such, the principle of converting the existing property into a 5-bedroom, 5-person HMO would not be considered acceptable.
- 2 The change of use from a modest family dwelling to a 5-person HMO by reason of the scale and intensity of the proposed use would result in increased noise, disturbance, comings and goings and general activity that would erode the existing conditions of adjoining residential amenity and nearby occupiers. As such, the proposal would be contrary to Policies BNE2 and H7 of the Medway Local Plan (2003), Policy T8 of the Submitted (Regulation 22) Medway Local Plan 2041 (December 2025), and Policy P3 of the National Planning Policy Framework (2026).

274 Planning application - MC/26/1271 63 Copenhagen Road, Gillingham, Medway ME7 4RU

Discussion:

The Senior Planner outlined the application in detail for the change of use from residential dwelling (Class C3) to a 5-bedroom 5-person house in multiple occupation (HMO) (Class C4) with alteration to roof lights.

A supplementary agenda advice sheet was published prior to the meeting which included a map and figures which identified the surrounding land uses along the length of Copenhagen Road.

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The Senior Planner explained that the density map identified 86 HMOs within a 500-metre radius of the application site. However, only three HMOs were identified within Copenhagen Road itself, indicating that that HMO concentration were dispersed across the wider area rather than clustered within the street. The land use map had been provided to assist Members in understanding the character of the area and the distribution of HMOs and other residential uses in the vicinity of the application site.

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

- She spoke against the application, stating that whilst HMOs were needed, they should be located within appropriate properties and in suitable locations.
- Concern was expressed that the proposal would add to the high concentration of HMOs in Gillingham South Ward, with 86 HMOs identified within a 500-metre radius of the site, contrary to the aims of the Article 4 Direction.
- She referred to the mix of family homes, converted properties and flats within Copenhagen Road and highlighted concerns regarding a number of existing and recently established HMOs in close proximity to the application site which could alter the established residential character of the road.
- She highlighted issues relating to waste management and fly-tipping, suggesting that any condition relating to refuse storage and collection should be strengthened.
- Objection was also raised on parking grounds, noting the limited availability of on-street parking, and the restricted opportunities for overspill parking in nearby streets. She considered strengthening the need to remove the ability to obtain parking permits and only having the same number of permits issued as any other household.
- Concern was expressed regarding the loss of a family home, with reference made to the demand for family-sized accommodation in Medway and the objectives of the emerging Local Plan.
- She considered that occupation by multiple unrelated individuals would generate greater levels of activity, comings and goings than a family dwelling.
- In conclusion, she considered that the proposal would result in the loss of a family home, contribute to an overconcentration of HMOs and harm the character of the area, and, therefore, should be refused.

The Committee discussed the planning application particularly regarding the size of some of the proposed bedrooms, which some Members considered unsuitable for occupation.

The Senior Planner confirmed that access to the bathroom would be gained through a bedroom and not via the kitchen.

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The Service Manager - Development Management explained that the Article 4 Direction had been introduced regarding concerns about the number of HMOs in Medway and the quality of accommodation being delivered through permitted development rights, giving the Local Planning Authority greater control over HMO numbers and standards.

In response to a question regarding HMO data, the Service Manager - Development Management outlined the methods used by officers to identify HMOs, including site visits, checks of Private Sector Housing records, observation of property characteristics and references to Lawful Development Certificates. Members were advised that the mapping information was taken from the evidence based prepared to support the Article 4 Direction and included data gathered by specialist consultants. The Service Manager – Development Management confirmed that certain sources of information, such as financial records, could not be used by the Planning Authority to identify HMOs.

Members referred to other HMO applications submitted for nearby properties, including 71 and 73 Copenhagen Road. The Service Manager – Development Management reminded the Committee that each planning application must be determined on its own planning merits and that undetermined applications could not be taken into account as established HMOs.

Decision:

Approved with conditions 1 to 7 as set out in the report for the reasons stated in the report.

275 Planning application - MC/26/1272 65 Copenhagen Road, Gillingham, Medway ME7 4RU

Discussion:

The Service Manager – Development Management advised that, although the applicant named on the report was the planning agent, any planning permission granted would run with the land and had no bearing on the planning considerations.

The Senior Planner outlined the application in detail for retrospective change of use from residential dwelling (Class C3) to a 5-bedroom 5-person house in multiple occupation (HMO) (Class C4).

The Senior Planner brought Members' attention to the supplementary agenda advice sheet which contained a land use assessment map.

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

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- She spoke against the application and recommended refusal, citing concerns about the cumulative impact of HMOs within the area despite neighbouring approvals and further applications being submitted nearby.
- She argued that the cumulative impact of HMOs should be given significant weight, as a remaining family home would be surrounded by multiple unrelated households, to the detriment of residential amenity.
- Concerns were raised regarding waste management and fly-tipping and any condition relating to refuse storage and collection be strengthened and place clear responsibility on the property owner.
- Objection was also raised on parking grounds, suggesting that the proposed management measures would not adequately address parking demand generated by residents and visitors.
- Reference was made to the emerging Local Plan and the need to protect family housing stock, with concern expressed over the continued loss of family homes to HMO use.
- In conclusion, she considered that the proposal would result in an overconcentration of HMOs, harm residential amenity and reduce the supply of family housing and, therefore, should be refused.

The Committee discussed the planning application noting the concerns raised by the Ward Councillor, particularly regarding the continuing loss of family dwellings to HMOs and the potential impact on parking provisions in the area.

The Senior Planner and Service Manager – Development Management advised that a Lawful Development Certificate for a six-bedroom, six-person HMO had been granted in September 2025, prior to the introduction of the Article 4 Direction. Members were informed that works had commenced to implement the Lawful Development Certificate, however, as the development had not been completed before the Article 4 Direction came into force, retrospective planning permission was required. The Senior Planner confirmed that the proposals had been amended from a six-bedroom, six-person HMO to a five-bedroom, five-person HMO, with an enlarged communal living area as part of the revised scheme.

The Service Manager – Development Management and the Legal Advisor reminded Members that each planning application must be determined on its own planning merits and that neither recently approved neighbouring scheme nor undetermined application could be treated as established HMOs when assessing the proposal.

In response to questions regarding care facilities, the Service Manager – Development Management advised that Class C2 care homes would require planning permission and registration with Ofsted, where applicable, although some forms of supported accommodation would not necessarily be registered with Ofsted or fall within the C2 care use.

The Committee voted on the officers' recommendation to approve the planning application, which was lost. Members discussed possible reasons for refusal, including the loss of a family dwelling and concerns that the HMO would result in increased comings and goings.

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The Service Manager – Development Management advised that this was a retrospective planning application, that the property was already occupied as a HMO and that no complaints had been received regarding its operation.

The Senior Planner explained that, following the introduction of the Article 4 Direction, the applicant had sought pre-application advice and subsequently amended the scheme by removing one bedroom to provide a larger communal room.

Members were advised that refuse and parking matters would be managed through a proposed Waste Management Plan and the Parking Management Plan.

Members discussed whether additional information relating to the Waste Management Plan was required up front rather than leaving to a condition submission and explored potential further reasons for refusal. Consideration was also given to deferring the application to allow further information to be provided before a decision was made.

Decision:

Deferred for additional information on the Waste Management arrangements and Plan and exploration of further reasons for refusal.

276 Planning application - MC/26/0639 1 Blenheim Avenue, Chatham, Medway ME4 6UU

Discussion:

The Principal Planner outlined the application in detail for the change of use from a dwelling house (use class C3) to a 6-bed 6-person HMO (use class C4).

The Principal Planner brought Members' attention to the supplementary agenda advice sheet which included updates to the report following publication of the revised National Planning Policy Framework (NPPF) on 17 August 2026. The recommended condition 7 had been amended in the supplementary agenda advice sheet to ensure consistency with the updated NPPF policies and paragraphs.

The Principal Planner explained that officers had undertaken a planning history review, site survey and checks of council tax records to assess the concentration of HMOs in the area. The assessment identified no HMOs along the full length of Blenheim Avenue or within approximately 150-metre stretch of Grosvenor Avenue surrounding the application site, given the site's corner plot. Officers advised that the evidence demonstrated there was no overconcentration of HMOs in the vicinity of the application site.

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

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- She spoke against the application, expressing concern that previous alterations to the property appeared to have been undertaken to prepare it for use as an HMO before planning permission had been granted.
- Concern was raised regarding the concentration of HMOs in the wider area, she stated that the interconnected nature of surrounding streets should be considered when assessing over proliferation.
- She considered that approving the proposal would set an undesirable precedent and increase the risk of further HMO development within the neighbourhood.
- Reference was made to ongoing issues of fly-tipping and poor waste management in the locality, with concerns that additional HMO accommodation could exacerbate these problems.
- Objection was raised on the grounds that a six-bedroom HMO would be out of character with Blenheim Avenue, which was described as a predominantly family-orientated street.
- She considered that the proposal would result in increased noise, disturbance, comings and goings, and other activity levels that could adversely affect neighbouring residents.
- Concerns were also expressed regarding parking and highway impacts, with the potential for additional residents, visitors and deliveries to place further pressure on local parking provision.
- In conclusion, the Member urged the Committee to consider the wider cumulative impact of the proposal on the character of the area, residential amenity and the concentration of HMOs, and recommended refusal of the application.

The Committee discussed the planning application noting concerns regarding the number of HMOs already present in the area and the suitability of the proposed bedroom sizes. The Principal Planner confirmed that all proposed bedrooms, including the sixth bedroom within the roof space, complied with the minimum sizes set out in the Nationally Described Space Standards.

A Member requested that, where possible, future committee photographs be date and time stamped to assist Members in assessing parking demand and parking pressure at application sites.

The Service Manager – Development Management advised that the proposal included two off-street parking spaces at the front of the property and that a Parking Management Plan would be secured by Condition 8 to mitigate parking impacts.

Members raised concern regarding the practical enforceability of parking restrictions through tenancy agreements and the effectiveness of the proposed Parking Management Plan.

The Principal Planner confirmed that separate consent from Highways would be required for the construction of a dropped curb. A Member requested that any permission granted should include a condition requiring permeable surfacing or suitable drainage measures for the driveway to prevent surface

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water runoff onto the public highways. It was also requested that an informative be added to advise the applicant of the need to obtain the necessary highway approvals for the dropped curb.

Decision:

Approved with conditions 1 to 8 as set out in the report for the reasons stated in the report with condition 7 being amended in the supplementary agenda advice sheet with an additional condition requiring permeable surfacing or suitable drainage measures for the driveway to prevent surface water runoff onto the public highway and an informative to advise regarding the dropped kerb process

Amended condition 7:

- 7 Prior to first occupation as a six-bedroom Use Class C4 HMO herein approved details of the provision of 1 electric vehicle charging point shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the location, charging type (power output and charging speed), associated infrastructure and timetable for installation. The development shall be implemented in accordance with the approved details and shall thereafter be maintained.

Reason: In the interests of sustainability in accordance with Policy TR2 of National Planning Policy Framework (2026).

Additional Condition 9:

Prior to the first occupation of the of the property as a six-bedroom HMO, the front parking area shall be finished with a permeable surface or with drainage installed to ensure surface water is contained within the site.

Reason: To ensure satisfactory surface water management in accordance with Policy F7 of National Planning Policy Framework (2026).

Additional Informative:

You are advised to contact the Highways Department on (01634) 331039 with regards to obtaining the necessary permissions for the construction of the proposed vehicle crossing and any other works affecting the public highway.

277 Planning application - MC/22/0486 Land at Longhill Avenue, Gillingham, Chatham, Medway ME5 7AT

Discussion:

The Principal Planner outlined the application in detail for the construction of 16 dwellings, new parking, landscaping, amenity space, sustainable urban drainage system (SuDS), and associated works.

The Principal Planner brought Members' attention to the supplementary agenda advice sheet which included updates to the report following publication of the revised National Planning Policy Framework (NPPF) on 17 August 2026. The recommended conditions 4, 10, 11, 14, 17, 19, 23 had been amended to align with the updated NPPF, and that an additional condition (Condition 26) had been proposed.

Members were informed of corrections within the supplementary agenda advice sheet, including an amendment to the Climate Change and Energy Efficiency section of the report to reference paragraph 164 rather than paragraph 154, and the replacement of the word "refusal" with "approval" within the Recommendation section.

During the debate, Members raised concerns regarding the level of parking provision proposed within the development. In response, the Service Manager – Development Management advised that service bays had been incorporated into the scheme to accommodate deliveries and servicing requirements.

Decision:

Approved subject to:

- A. Subject to 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. £58,213.60 towards green space contribution towards improvements to the local area.
 - ii. £101,664.68 towards education broken down to:
 - a) £31,462.04 for Nursery,
 - b) £4,412.81 towards the provision of primary education within a radius of 2 miles from the development site and/or SEND Education within Medway,
 - c) £61,187.89 towards the provision of mainstream or SEND secondary within Medway and
 - d) £4,601.94 for sixth form provision within Medway.
 - iii. £4,180.64 towards community facilities within the vicinity.

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- iv. £3,768 towards libraries within the vicinity.
 - v. £3,920 towards public realm to Chatham Centre.
 - vi. £3,948.16 towards waste improvements.
 - vii. £5,555.04 towards sports provision in the vicinity.
 - viii. £5,602.56 towards strategic measures in respect of the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites.
 - ix. Meeting the Council's costs.
- B. Conditions 1 to 25 as set out in the report for the reasons stated in the report with conditions 4, 10, 11, 14, 17,19 and 23 being amended in the supplementary agenda advice sheet and an additional condition (26) being added.

Amended Conditions

- 4 No development shall take place until an Air Quality Emissions Mitigation Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall include full details of the following standard air quality mitigation measures:

- All gas fired boilers to meet a minimum standard of <40mgNOx/kWh;
- The provision of one electric vehicle charging point per dwelling.

The development shall be implemented, and thereafter maintained, entirely in accordance with the measures set out in the approved Mitigation Statement.

Reason: To ensure appropriate air quality mitigation in accordance with Policy BNE24 of the Medway Local Plan 2003 and Policy P3 of the National Planning Policy Framework 2026.

- 10 No development shall take place until a scheme based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.

The scheme shall include (where applicable):

- i. Details of the design of the scheme (in conjunction with the landscaping plan where applicable);
- ii. A timetable for its implementation (including phased implementation);
- iii. Operational maintenance and management plan including access requirements for each sustainable drainage component;

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- iv. Proposed arrangements for future adoption by any public body, statutory undertaker or management company;

The development shall be undertaken in accordance with the agreed scheme.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Policy F8 of the National Planning Policy Framework 2026.

- 11 No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority in consultation with the LLFA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

The approved CSWMP and shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:

- i. Temporary drainage systems;
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses;
- iii. Measures for managing any on or offsite flood risk.

The development shall be undertaken in accordance with the agreed details

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Policy F8 of the National Planning Policy Framework 2026.

- 14 No development shall take place above ground floor slab level until details of the provision of 1 electric vehicle charging point per dwelling has been submitted to and approved in writing by the Local Planning Authority. Details shall include the location, charging type (power output and charging speed), associated infrastructure and timetable for installation. The development shall be implemented in accordance with the approved details and shall thereafter be maintained in working order.

Reason: In the interests of sustainability in accordance with Policy TR4 of the National Planning Policy Framework 2026.

- 17 Prior to the first occupation of any dwelling herein approved, details of the detailed locations, specifications and long-term management proposals of the ecological enhancement measures, including but not limited to swift and bat bricks, shall be submitted to and approved in writing by the Local Planning Authority. The approved details will be

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implemented and thereafter retained in accordance with the agreed management strategy.

Reason: To provide ecological enhancement with regards to Policy N2 of the National Planning Policy Framework 2026.

- 19 The development herein approved shall incorporate the measures to address energy efficiency and climate change as set out within the Environmental Statement. The development shall not be occupied until a verification report prepared by a suitably qualified professional has been 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 Policy CC2 of the National Planning Policy Framework 2026.

- 23 Prior to occupation (or within an agreed implementation schedule) a signed verification report carried out by a qualified drainage engineer (or equivalent) shall be submitted to and approved in writing by the Local Planning Authority to confirm that the agreed surface water system has been constructed as per the agreed 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.

Reason: This condition is sought in accordance with Policy F8 of the National Planning Policy Framework 2026 to ensure that suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk onsite or elsewhere.

Additional Condition

- 26 No development including any site clearance or excavation works shall take place until updated tree details have been submitted to and approved in writing by the Local Planning Authority.
- a) A plan showing the location of all existing trees on site with a reference number for each tree and shall identify which trees are to be retained and the crown spread of each retained tree;
 - b) Any proposed alterations in existing ground levels and the position of any proposed excavation within the crown spread of any retained tree or of any tree on land adjacent to the site where the alterations and/or excavations, or any tree on land adjacent to the site, equivalent to half the height of that tree;
 - c) The specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.

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In this Condition "retained tree" means an existing tree which is to be retained in accordance with paragraph a) above.

Reason: Required prior to development to ensure protected trees are retained to enhance the appearance and character of the site and locality, in accordance with Policies BNE1 and BNE43 of the Medway Local Plan 2003.

278 Planning application - MC/24/2535 Arethusa Venture Centre, Upnor Road, Upnor, Rochester

Discussion:

The Principal Planner outlined the application in detail for demolition of existing buildings and construction of two new buildings to provide 31 apartments (Use Class C3) including landscaping, parking, access and associated infrastructure.

The Principal Planner brought Members' attention to the supplementary agenda advice sheet which included updates to the report following publication of the revised National Planning Policy Framework (NPPF) on 17 August 2026. The recommended conditions 8, 10, 15, 18, 21 and 24 had been amended to ensure consistency with the updated NPPF paragraphs and policies.

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

- He was speaking on behalf of local residents and his fellow Ward Councillor, Councillor Mrs Turpin, and although he supported the principle of developing the brownfield site he objected to the proposed scheme in its current form.
- Concern was expressed that the development represented an overdevelopment and was out of keeping with the character of Upnor due to its scale, density, height and impact on local infrastructure.
- He considered that the design failed to reflect the established architectural character of the village and was not sympathetic to its surroundings.
- Concerns were raised regarding the use of Section 106 contributions, with a request that funding be directed towards projects within Upnor for the benefit of local residents. Specific projects suggested by Frindsbury Extra Parish Council included improvements to the Upnor car park with the installation of additional lighting and measures to address anti-social behaviour.
- Reference was made to highway safety concerns, including speeding and traffic management issues, with a request that contributions be used to support traffic-calming measures in the area.
- While supporting brownfield regeneration in principle, he urged the Committee to refuse the application in its current form and encourage the submission of a revised scheme that would better respect the character of Upnor.

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Members considered the viability assessment, which identified a scheme for the provision of on-site affordable housing would not be viable but one with no on-site affordable housing and £265,000 would be viable.

The Service Manager – Development Management advised that the independent viability assessor had not recommended a clawback clause, indicating that due to the number of units there was unlikely to be sufficient uplift in future development values to alter the viability position. It was also noted due to the homes being contained in two block a late stage clawback could affect the applicant's ability to secure funding for the development.

In response to a question regarding the SAMMS contribution, the Service Manager – Development Management confirmed that Natural England had raised no objection to the proposal, subject to the completion of an appropriate assessment and the securing of the required bird mitigation contribution.

Following questions regarding the height of the development, the Service Manager – Development Management advised that the Council's Conservation Officer reviewed the proposal and was satisfied that the building design and approach were appropriate in the context of the site and surrounding area with regard to the numerous nearby Heritage Assets.

Decision:

Approved subject to:

- A. The applicants entering into a Section 106 to secure the following:
- i) £10,762.89 towards the development of a gender-neutral changing area including improved shower facilities with increased accessibility for families, schools and disability users which will enable the help and supervision of carers. Plus an additional well-being studio for classes such as yoga, pilates, meditation at Hoo Sports Centre.
 - ii) £7,649.56 towards the provision, improvement and promotion of waste and recycling services to cover the impact of the development.
 - iii) £58,462.66 towards Mainstream nursery/primary education within a radius of 2 miles from the development site, and/or SEND education within Medway and Mainstream or SEND secondary education within Medway.
 - a. £10,189.36 towards the provision of nursery education within a radius of 2 miles from the development site and/or SEND Education within Medway

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- b. £25,327.89 towards the provision of primary education within a radius of 2 miles from the development site and/or SEND Education within Medway
 - c. £22,945.41 towards the provision of mainstream or SEND secondary within Medway
 - iv) £11,894.39 towards the development of improved civic space and gateways to Strood town centre or Hoo centre (greening projects, bollards and signage).
 - v) £12,584.76 towards interpretation at Upnor Castle.
 - vi) £7,300.50 towards improvement of equipment and facilities at Hoo Library and/or Strood Library and/or libraries in the vicinity.
 - vii) £27,953.32 towards the creation of additional capacity in Health Care premises required as a result of the increase in housing and resulting patient registrations.
 - viii) £106,024.86 towards enhancing open space facilities within the vicinity of the development, including Deangate Country Park.
 - ix) £8,099.99 towards a community facility to benefit residents of the development and the local community.
 - x) £2,412.11 towards the improvements of RS127 including but not limited to signage, lighting, furniture and accessibility enhancements.
 - xi) £1,000 towards enhancing the National Trail between Cockham Fort and the foreshore at Upchat Road/ Tower Hill.
 - xii) £10,854.96 towards mitigation measures to protect wintering birds habitat areas from the additional footfall/visitors that would result from the development.
- B. Conditions 1 to 29 as set out in the report for the reasons stated in the report with conditions 8, 10, 15, 18, 21, 24 amended as stated in the supplementary agenda.

Amended Conditions

- 8 No development shall take place until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority (LLFA). The CSWMP shall be implemented and

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thereafter managed and maintained in accordance with the approved plan for the duration of construction.

The approved CSWMP and shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:

- i. Temporary drainage systems;
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses;
- iii. Measures for managing any on or offsite flood risk.

The development shall be undertaken in accordance with the approved details.

Reason: Required prior to commencement of development to manage surface water during construction and for the lifetime of the development as outlined at Policy F7 National Planning Policy Framework 2026.

- 10 No development shall take place until a scheme based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.

The scheme shall include (where applicable):

- i. Details of the design of the scheme (in conjunction with the landscaping plan where applicable);
- ii. A timetable for its implementation (including phased implementation);
- iii. Operational maintenance and management plan including access requirements for each sustainable drainage component;
- iv. Proposed arrangements for future adoption by any public body, statutory undertaker or management company.

The development shall be undertaken in accordance with the agreed scheme.

Reason: Required prior to commencement of the development to manage surface water post construction and for the lifetime of the development as outlined at Policy F7 of National Planning Policy Framework 2026.

- 15 Prior to first occupation of the development, a lighting design plan(s) for biodiversity shall be submitted to and approved in writing by the local planning authority. The plan(s) shall include the following:

- The identification of areas/features on-site where disturbance could occur to biodiversity features such as invertebrates, hazel dormice and bat roosting sites and/or foraging/commuting routes;

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- The provision of appropriate, scaled plan(s) to show how and where external lighting shall be installed;
- The provision of technical specifications for the external lighting;
- The provision of lighting contour plans to show expected lux levels on both the horizontal and vertical planes (as appropriate), so that it can be clearly demonstrated that areas to be lit shall not disturb the activity of relevant ecological receptors.

All external lighting shall be installed prior to first occupation of the development in accordance with the specifications and locations set out in the plan(s), and these shall be maintained thereafter in accordance with the plan(s).

Reason: Required prior to occupation of the development to limit the impact of light pollution from artificial light in accordance with Policy P3 of the National Planning Policy Framework 2026. With consideration for bats and other nocturnal wildlife in accordance with Policy N2 of the National Planning Policy Framework 2026.

- 18 Prior to first occupation of the development, a drawing showing the location and details of the flood defence barrier shall be submitted to and approved by the Local Planning Authority. The approved flood defence barrier shall be installed prior to first occupation and retained in good working order for the life of the development.

Reason: In order to protect the future occupants of the building from flooding in accordance with paragraph F7 of the National Planning Policy Framework 2026.

- 21 No flat herein approved shall be occupied until (or within an implementation schedule agreed by the Local Planning Authority) a signed verification report carried out by a qualified drainage engineer (or equivalent) must be submitted to and approved by the Local Planning Authority to confirm that the agreed surface water system has been constructed as per the agreed 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.

Reason: This condition is sought in accordance with Policy F7 of the National Planning Policy Framework 2026 to ensure that suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk on site or elsewhere.

- 24 The development herein approved shall incorporate the measures to address energy efficiency and climate change as set out within the energy statement by NRG Consulting, dated September 2024 (report reference: PP2438/FA/ES/202409-RT). The development shall not be occupied until a verification report prepared by a suitably qualified

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professional has been 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 Policy CC3 of the National Planning Policy Framework 2026.

Chairperson

Date:

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