

Medway Council
Planning Committee
Wednesday, 23 September 2026
6.31pm to 8.56pm

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, Etheridge, Field, Gilbourne, Gulvin, Hamilton (agenda items 6-8), Nestorov, Peake, Pearce and Vye
Substitutes:	Councillor: Nestorova (Substitute for Myton)
In Attendance:	Councillor Finch (agenda item 6) Councillor McDonald (agenda item 5) Councillor Murray (agenda item 6) Vanessa Etheridge, Democratic Services Officer Dave Harris, Chief Planning Officer Wayne Hemingway, Head of Democratic Services Peter Hockney, Service Manager - Development Management Jo Horne, Lawyer Arron Nicholls, Senior Planner Tom Stubbs, Senior Planner Stephie Theedom, Senior Planner Steven Ward, Highways Consultant

319 Apologies for absence

An apology of absence was received from Councillor Myton.

320 Record of meeting

The record of the meeting held on 26 August 2026 was agreed by the Committee and signed by the Chairperson as correct, subject to an amendment at Minute 275 with the addition of 'and a parking management plan,' in the reasons for deferral.

321 Urgent matters by reason of special circumstances

There were none.

322 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.

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

Discussion:

Members were reminded that this planning application had been deferred from the previous meeting for more information about the Waste Management arrangements and Plan and Parking Management Plan.

The Senior Planner outlined the application in detail for a 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 proposed amendments to conditions 4, 5 and 6, had an update to the Appraisal section in the agenda and included a land use assessment map. He informed Members that the Waste Management Storage plan and Parking Management Plan had been submitted by the applicant.

The Senior Planner further explained that the density map identified the breakdown of uses found through both a search of the planning history, liaison with Private Sector Housing colleagues and from a walking survey. In terms of non C3 uses there were no care homes or hostels identified, however, 3 houses of multiple occupation (HMOs) were identified. There were a number of flats in the area, as set out in the supplementary agenda, however, they were within a C3 residential use and, therefore, the same use class as all the other dwellings. The percentage of non C3 residential uses within Copenhagen Road was 2.91% and was not considered to be an overconcentration.

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

- His objections were not against HMOs in principle but the concentration and cumulative impact and loss of family homes in the road. Immediately next door had been approved as a 5-bedroom HMO the previous month and approval of this application would result in two adjacent HMOs. He therefore did not agree that this would not constitute clustering or overconcentration.
- Out of 7 houses, if this were approved, two would be HMOs, two were converted to flats and that would leave only three out of seven properties as conventional family homes. This would have an impact on the community and change the balance and character of the residential street.
- He advised that Policy H7, required consideration of character and impact on residential amenity and whether it was appropriate for conversion. He did not believe that approving an HMO next door could be justification for approving this one.
- He advised that Policy T8 stated that the application should not adversely affect or contribute to overprovision particularly in areas of HMO concentration.
- The area was subject to Article 4 Direction, which removed permitted development rights and the purpose must include prevention. He acknowledged that this was a retrospective application and was already an HMO, and he wished no ill will to those occupants but this was about the long term use of the property and cumulative impact.

The Committee discussed the planning application noting the concerns outlined and the points raised by the Ward Councillor.

The Committee discussed the application and the need for HMOs, clustering, the impact on the character of the street scene, parking implications and the need for family homes.

The Chief Planning Officer clarified that this was a retrospective application because a Lawful Development Certificate had been applied for before the introduction of the Article 4 Direction, but was caught by the Article 4 Direction coming in before the property was due to be occupied. All applicants of Lawful Development Certificates had been written to on 22 January 2026 advising them of the need to apply for planning permission. There had been no intention behind it being retrospective.

In relation to the planning balance, the Chief Planning Officer advised that regarding Policies H7 and T8, the relevant criteria had been identified and assessed within the officer's report, including matters such as clustering and the character of the area. These were legitimate considerations that should be weighted in the overall planning balance. He further advised that officers were currently working on supplementary guidance alongside the Local Plan to provide greater clarity on the interpretation of terms such as "clustering". With

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regard to over proliferation, the threshold of 10% had not been reached in this case.

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

Councillor Gulvin requested that his vote in support of approving the application be recorded, in accordance with Council Rule 12.6.

Members then discussed refusing the application on the grounds that the proposal would result in an overconcentration of HMOs in the area, harming the balance and cohesion of the local area through the loss of a family dwelling, and a change that appeared uncharacteristic of the locality. Increased activity, and, the fact that the protected parking zone did not apply to Canterbury Street, and would push parking onto that street, and cumulative impact. It was agreed that the wording for the refusal would be drawn up by the Chief Planning Officer and agreed with the Chairperson, Vice Chairperson and opposition spokespersons.

Decision:

REFUSED for the reasons 1 to 3 as set out below:

- 1 The proposed change of use would result in the loss of a single-family dwellinghouse and its conversion to a House in Multiple Occupation (HMO) within an area where there is already a significant concentration of non-family dwellings in the immediate vicinity. The proposal would therefore contribute to an overconcentration of such uses, resulting in an overprovision of HMOs and an unacceptable imbalance in the local housing stock through the loss of family accommodation and change in the character of the immediate area. The proposal is therefore contrary to Policy T8 of the Submitted (Regulation 22) Medway Local Plan 2041 (December 2025).
- 2 The change of use from a three bedroom 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).
- 3 The proposed use as a 5 person House in Multiple Occupation would generate a greater level of parking demand than the existing three bedroom dwelling and in the absence of any parking provision would result in increased parking pressure and indiscriminate parking in an area of parking stress in an area of parking restrictions and in the adjacent Canterbury Street, which is outside the controlled parking zone but suffers from parking stress and would therefore be contrary to policies H7 of the Medway Local Plan (2003) and T8 of the Submitted (Regulation 22) Medway Local Plan 2041 (December 2025).

324 Planning application - MC/26/1348 9 Clive Road, Rochester, Medway ME1 3BZ

Discussion:

The Senior Planner outlined the application in detail for the change of use of existing dwellinghouse (Class C3) to children's home (Class C2).

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

- She supported the recommendation for refusal. The previous unauthorised children's home had not been commissioned by the Council and had experienced significant issues.
- This was fundamentally a family home and not suitable for the proposed use. It lacked the amenities and facilities for young people with complex needs. The site was also not close to amenities that young people could benefit from.
- The internal and external space was inadequate. A home requiring 24-hour supervision should provide sufficient living space for both residents and staff, including practical arrangements for supervision without difficulties such as the lack of parking and the nature of it being a cul-de-sac which would struggle with the additional vehicle movements.
- The Council had a responsibility to think carefully about the young people who would live here and about the use of public money.
- She reminded the Committee of the Council's wider social responsibility and duty of care towards children in the care of the state, which whilst not strictly a planning matter, were relevant considerations.
- She stated that Ward Councillors, along with Clive Road residents, had made diligent and thoughtful representations. Their objections were not based on opposition to caring for young people, but were informed by previous experience, when poor management had led to antisocial behaviour and significant concerns within the community.
- The property had already been extended and altered, yet it remained constrained. The garden was very small and many of the facilities and opportunities that young people need were simply not available on this site. If there was a recognised need for this type of accommodation, it was important that appropriate standards were met.

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

- Councillor Finch agreed with the officer's recommendation to refuse. This was not only about the need for children's homes or supporting children in care, but about the suitability of this particular property in this street.
- The scale of disruption experienced during the previous operation of the home should be given significant weight, particularly given the constraints as a cul-de-sac with no suitable turning facility.

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- This proposal was not comparable to a typical family dwelling.
- The level and pattern of movements associated with the use were materially different from those of a normal family home.
- At 112m², the property fell below the size referenced in the applicant's justification, which concluded that the property would be a viable family home.
- Whilst there was a need for children's homes, not every property was suitable for such a use.
- Local concerns were not theoretical, but based on previous lived experience. Where residents had experienced issues including rubbish, noise, taxis arriving at unsociable hours, and threatening behaviour.
- He advised that he and Councillor Murray had visited the site and the intensity of the proposed use would be inappropriate in this location and would harm the residential amenity and quality of life of existing residents.

The Chief Planning Officer advised that there was an error in the reasons for refusal. The reason referred to 'T8' of the emerging Plan, and should read 'T4'. It was also noted that the report erroneously referenced Gillingham.

The Committee discussed the planning application noting the reasoning within the report and the points raised by the Ward Councillors.

Decision:

REFUSED for the reason as set out in the report subject to reference to 'T8' being amended to read 'T4'.

325 Planning application - MC/26/0561 St John Fisher School, 79 Maidstone Road, Chatham, Medway ME4 6DP

Discussion:

The Senior Planner outlined the application in detail for the conversion of the existing building to accommodate up to 11 residential units, (demolition of existing extensions), and the construction of an apartment block to the rear accommodating up to 12 units with associated works for access, parking and infrastructure.

With the agreement of the Committee the Chief Planning Officer read out the points raised in the email by Councillor Campbell, Ward Councillor, who had not been able to attend:

- The application would be a gross overdevelopment of this busy area.
- The traffic assessment was not credible, as there would be far more coming and going into Maidstone Road than the assessment suggested.
- There were several car parks, multiple road junctions, a pedestrian crossing and a bus stop all within a short stretch of road, which was hazardous.
- Concerns about the impact of any emergency roadworks on accessibility or emergency vehicle access, given the congested nature of this stretch.

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The Committee discussed the planning application noting the points raised by the Ward Councillor. Members discussed the unusual and attractive existing building and were surprised it had not been listed, the traffic concerns and parking.

The Highways Consultant advised that he was not aware of any traffic surveys relating to this development. However, the applicants had undertaken a trip generation assessment, which demonstrated that vehicle movements would be lower than those associated with the site's former use as a school. They had been unable to make a one-way entry and exit arrangement work within the constraints of the site. The proposal included lowering sections of the existing walls and installing fencing, which would improve visibility. The applicants had demonstrated that replacing part of the front wall with railings would enhance visibility from outside to inside the site and provide a safer arrangement.

The Senior Planner clarified the location of the bin storage and confirmed that the gardens of residents worried about overlooking in their back gardens, the gardens were on a lower level 6.5m away from the boundary. It was also clarified that it met daylight standards. It was also confirmed that the housing block opposite the site was not subject to a controlled parking zone. It was suggested that an informative could suggest the Applicant discuss possible use of the Aldi car park by their residents, outside of normal store opening hours.

Clarification was sought concerning the windows facing north with some potential overlooking and agreed that Condition 9 could be amended to request details of glazing types and openings in order to have obscure glazed panels.

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:

- £7,985.37 towards sports facilities (£347.19 x 23 dwellings) – Medway Park sports hall equipment for club and community use;
- £5,675.71 for waste and recycling (£246.77 x 23 dwellings);
- £5,416.50 for libraries (£235.50 x 23 dwellings) – to improve equipment and facilities at Chatham Community Hub and/or Walderslade Hook Meadow and/or libraries in the vicinity;
- £83,682.05 towards open space and outdoor formal sport (£3,638.35 x 23 dwellings) with:
 - o £79,497.95 to enhance open space facilities within the vicinity of the development; and
 - o £4,184.10 towards Medway's Metropolitan Park - Great Lines Heritage Park
- £2,568.64 towards youth provision (£111.68 x 23 dwellings);
- £6,009.67 towards community facilities (£261.29 x 23 dwellings);

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- £8,053.68 for bird disturbance mitigation in the North Kent SPA/Ramsar sites (£350.16 x 23 dwellings);
- £43,443.80 for education with:
 - o £7,507.96 towards mainstream nursery education within a 2 mile radius from the development site, and/or SEND education within Medway;
 - o £7,078.93 towards mainstream primary education within a 2 mile radius from the development site, and/or SEND education within Medway;
 - o £21,641.10 towards mainstream or SEND secondary education within Medway;
 - o £7,215.82 towards mainstream sixth form education within Medway;
- £19,112 for health (23 dwellings) – towards refurbishment, reconfiguration and or extension to healthcare facilities, including general practices and Healthy Living Centres, within a 3-mile radius of the development site or towards new healthcare facility to be provided in the community in line with the healthcare infrastructure strategy for the area.

- B. Conditions 1 to 8 and 10 to 29 as set out in the report for the reasons stated in the report.
- C. Condition 9 being amended as follows:

Amended Condition

- 9 No development above ground floor slab level shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:

- Window frames and cills
- Glazing types and openings for windows, including obscure glazing to secondary north facing windows to bedrooms at first and second floor
- Doors and door frames
- Fascias, capping, junctions of materials, soffits and rainwater goods
- Balcony design (including screening).

The development shall be implemented in accordance with the approved details and retained as such thereafter. No windows or similar openings other than those herein approved shall be added to the building without the prior written approval of the Local Planning Authority.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual and residential amenity, in accordance with Policies BNE1, BNE2, BNE12 and BNE14 of the Medway Local Plan 2003.

326 National Scheme of Delegation for Planning Applications

Discussion:

The Chief Planning Officer presented the report which set out proposed changes to the Council's Constitution linked to the new national scheme of delegation following introduction of planning regulations which would come into effect on 31 October 2026. The Committee was being asked to comment on proposed recommendations being submitted to full Council on 15 October 2026.

Members discussed the proposals which were generally supported from a governance perspective, noting that the changes provided an opportunity to focus on creating a more sustainable future. It was stressed that if more decisions were delegated, it was vital that the Planning Policy Framework remained up to date and sufficiently ambitious. The importance of sustainability within the planning process was highlighted, particularly in relation to major developments and biodiversity. Members supported the recommendations but encouraged the Council to accelerate and continue its work on: Climate action; Biodiversity; Sustainable transport; and High-quality placemaking, emphasising that this would help secure the best long-term outcomes for Medway communities.

Alternative views expressed were that it was minimising local democracy, pointing out the significant impact smaller developments could have on local residents, and raising concerns about not having any influence regarding reserved matters applications and Section 106 agreements. It was suggested that difficulties faced by developers were linked to high interest rates and it was questioned whether there were alternative ways to stimulate economic growth rather than reducing committee involvement.

The Chief Planning Officer assured Members that the early engagement presentations currently provided would continue, allowing Members to express views at an early stage of the planning process, and that there would still be opportunities to engage with applications before decisions were made. The Chief Planning Officer also explained that Article 4 applications would still require planning permission and would continue to fall within Schedule 2 requirements.

In response to questions, the Chief Planning Officer confirmed that when decisions were taken whether or not any Schedule 2 application be referred to the Planning Committee for determination, this would be formally recorded and reported to the Planning Committee for information on a regular basis as well as publishing the outcomes on the Council's website. If agreement was not reached between the Chief Planning Officer and Chairperson, then the legislation was clear that it would be determined under delegated powers. This was why it was being proposed that his deputy, Service Manager - Development Management and the Vice Chairperson also be involved in the decisions.

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It was confirmed that the October meeting of the Committee would be the last with 15 Members as it was before the legislation came into effect on 31 October 2026. After that the Committee membership would be reduced to 13. This had been raised and discussed with group whips.

Decision:

The Committee noted the proposed recommendations being submitted to full Council on 15 October 2026 and referred to their comments above.

Chairperson

Date:

Vanessa Etheridge, Democratic Services Officer

Telephone: 01634 332115

Email: democratic.services@medway.gov.uk