

**Medway Council**  
**Virtual Meeting of Planning Committee**  
**Wednesday, 27 May 2020**  
**6.30pm to 7.30pm**

**Record of the meeting**

**Subject to approval as an accurate record at the next meeting of this committee**

**Present:** Councillors: Bhutia, Bowler, Mrs Diane Chambers (Chairman),  
Curry, Etheridge, McDonald and Tranter (Vice-Chairman)

**In Attendance:** Laura Caiels, Principal Lawyer - Place Team  
Councillor Rodney Chambers, OBE  
Dave Harris, Head of Planning  
Robert Neave, Principal Transport Planner  
Councillor Martin Potter  
Ellen Wright, Democratic Services Officer

**1 Election of Chairman**

**Decision:**

Councillor Mrs Diane Chambers was appointed Chairman for the 2020/21 Municipal Year.

**2 Election of Vice Chairman**

**Decision:**

Councillor Tranter was appointed Vice Chairman for the 2020/21 Municipal Year.

**3 Apologies for absence**

Apologies for absence were received from Councillors Adeoye, Barrett, Buckwell, Sylvia Griffin, Hubbard, Potter, Chrissy Stamp and Thorne.

**4 Record of meeting**

The record of the meeting held on 29 April 2020 was agreed and signed by the Chairman as correct.

## Planning Committee, 27 May 2020

### 5 Urgent matters by reason of special circumstances

There were none.

### 6 Chairman's announcement

The Chairman informed the Committee that planning application MC/19/2361 – Patmans Wharf, Upnor Road, Upnor Rochester had been deferred from consideration at this meeting at the request of the applicant.

### 7 Declarations of Disclosable Pecuniary Interests and Other Significant Interests

#### Disclosable pecuniary interests

There were none.

#### Other significant interests (OSIs)

The Chairman, Councillor Mrs Diane Chambers informed the Committee that she would not take part in the consideration and determination of planning application MC/20/0696 – Land adjacent to 11 Honeysuckle Close, Hempstead, Gillingham and she left the meeting for this planning application. In the absence of the Chairman, the Vice Chairman chaired the meeting.

#### Other interests

There were none.

### 8 Planning application - MC/19/2361 - Patmans Wharf, Upnor Road, Upnor, Rochester

#### **Decision:**

The Committee noted that this application had been deferred from consideration at this meeting at the request of the applicant.

### 9 Planning application - MC/20/0753 - Plots 69 And 70 Bakersfield Land At Station Road, Rainham, Gillingham

#### **Discussion:**

The Head of Planning outlined the planning application in detail and drew attention to the supplementary agenda advice sheet appended to which were 8 letters of representation. Although these were summarised within the committee report, they had been appended to the supplementary agenda advice sheet at the request of the Ward Councillors.

The Head of Planning reminded the Committee that this was a retrospective planning application for the retention of alterations carried out to the internal

## Planning Committee, 27 May 2020

layout, roof design and elevations of a pair of semi-detached houses on plots 69 and 70 which had been the subject of planning approval under planning application MC/17/1820.

The Head of Planning, using plans displayed at the meeting, outlined the changes, details of which were set out on page 36 of the agenda.

He advised that the principle of construction of a pair of semi-detached two-storey houses on this corner of the Bakersfield site has already been established by virtue of the outline planning permission allowed on appeal and the reserved matters application previously approved by this Committee. Therefore, the key issues for the Committee to consider were:

- The change to the roof design and its impact on the character of the wider Bakersfield development housing scheme.
- Impact of the proposed butterfly roof design on the street scene, outlook and amenities of the surrounding residents.
- Impact of the changes proposed to the internal floor layout, corresponding changes to the external appearance of the houses and associated fenestration on the amenities of the future occupiers and the occupiers of surrounding residential properties.

Whilst sympathetic to the concerns of the residents at 21 Finwell Road, the Head of Planning informed the Committee that the principle of housing development at the Bakersfield site had been established following an appeal. He advised the Committee that the height of the two houses and the distance that they were located from no. 21 Finwell Road remained unchanged from the previously approved development. He further advised that having considered the amendments made to the development and their impact on the residential dwelling at 21 Finwell Road, the impact was no greater than that already approved and, in his opinion, provided an improvement.

With the agreement of the Committee, Councillor Potter addressed the Committee and raised the following concerns from both himself and Councillor Carr as the other Ward Councillor for Rainham North:

- The local residents have not had a good experience with this development and as a result have a poor relationship with the developer and there is concern that the development is not being built in accordance with agreed plans.
- The development does not comply with the 20m distance guidance.
- The development creates overlooking into the property at 21 Finwell Road and does not take account of the perspective when viewed from the plans shown as part of the presentation as the windows from the new houses look into the residential property at 21 Finwell Road.

The Committee discussed the application and noted that the principle of the development had already been established following an appeal decision and therefore the only matter to be determined by the Committee was the alterations to the development.

## Planning Committee, 27 May 2020

In response to questions, the Head of Planning reiterated that despite the alterations that had taken place at the development, the two buildings were being built to the same height as the original approved development and the same distance from 21 Finwell Road.

He informed the Committee that should the Committee be minded to refuse the application, the developers could revert to building the originally approved development in exactly the same position but with a greater impact on the adjoining property at 21 Finwell Road than that currently being built.

In response to concerns as to the development being 15m distance from 21 Finwell Road as opposed to the guidance of 20m, the Head of Planning advised that when considering the reserved matters planning application, 15m distance was considered acceptable by officers and subsequently the Committee due to the siting of the windows, the difference in land levels and the fact that there is a canopy over the bedroom and door at 21 Finwell Road and therefore it would not be possible to see into windows from the new development.

The Committee expressed disappointment that this was a retrospective application and acknowledged that this had caused the adjoining residents at 21 Finwell Road distress and upset. However, in the knowledge that the revised development did not increase the height of the development or reduce the distance between the new houses and no. 21 Finwell Road, the Committee considered that the application was acceptable.

### **Decision:**

Approved with conditions 1 – 5 as set out in the report for the reasons stated in the report.

## **10 Planning application - MC/20/0696 - Land Adjacent To 11 Honeysuckle Close, Hempstead, Gillingham**

### **Discussion:**

In the absence of the Chairman, the Vice Chairman chaired the meeting for this planning application.

The Head of Planning outlined the planning application in detail and suggested that if the Committee was minded to approve the application, the wording of proposed condition 3 be amended, details of which were set out on the supplementary agenda advice sheet.

With the agreement of the Committee, Councillor Rodney Chambers OBE addressed the Committee as Ward Councillor and raised the following concerns:

## Planning Committee, 27 May 2020

- Whilst the application states that it is adjacent to 11 Honeysuckle Close, this is misleading as it has no frontage onto Honeysuckle Close and will be a property in Claridge Court.
- Residents in Claridge Court are opposed to this planning application for the reasons set out on page 48 of the agenda and are concerned as to the impact that this development will have upon their quality of life, particularly in respect of overdevelopment and access and the possible precedent that this could create if approved.
- If the application is approved, the revised wording of proposed condition 3 is welcomed.

The Committee discussed the application and sought further information as to the concerns from residents of overshadowing.

In response, the Head of Planning advised that when assessing an application, officers were required to have regard to BSE Guidelines relating to overshadowing. He confirmed that an assessment of overshadowing for this development indicated that overshadowing at No. 5 Claridge Court would only affect the front garden but not at a level that would render it unusable and there would be no impact on the rear garden of this property. Overshadowing at nos 296 and 298 Hempstead Road would be in the afternoon but not at a level to justify refusal.

### **Decision:**

Approved with conditions 1 – 2 and 4 - 11 as set out in the report for the reasons stated in the report and condition 3 amended as follows:

- 3 No development shall take place until a Construction Environmental Management Plan (CEMP) that describes measures to control, amongst other matters, hours of working, noise, dust, access for construction traffic into the site and lighting arising from the construction phase of the development has been submitted to and approved in writing by the Local Planning Authority. The construction works shall be undertaken in accordance with this approved plan.

Reason: Required before commencement of development in order to minimise the impact of the construction period on the amenities of local residents with regard to Policy BNE2 of the Medway Local Plan 2003.

**Chairman**

**Date:**

**Planning Committee, 27 May 2020**

**Ellen Wright, Democratic Services Officer**

Telephone: 01634 332012

Email: [democratic.services@medway.gov.uk](mailto:democratic.services@medway.gov.uk)