

PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held at 7.00 pm on 8 December 2011

Present:

Councillor Simon Fawthrop (Vice-Chairman)
Councillors Nicholas Bennett J.P., Peter Dean, Peter Fookes,
Alexa Michael, Gordon Norrie, Richard Scoates and Michael Turner

Also Present:

Councillors John Canvin, Julian Grainger and Tim Stevens

18 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS

Apologies for absence were received from Councillors Russell Jackson and Russell Mellor; Councillors Richard Scoates and Nicholas Bennett J.P. acted as alternates respectively. An apology for absence was also received from Councillor Reg Adams.

19 DECLARATIONS OF INTEREST

Councillor Alexa Michael declared a personal interest in Item 4.1. Councillor Michael left the Council Chamber and did not take part in the discussion or vote.

20 CONFIRMATION OF MINUTES OF MEETING HELD ON 13 OCTOBER 2011

RESOLVED that the Minutes of the meeting held on 13 October 2011 be confirmed and signed as a correct record.

21 PLANNING APPLICATIONS

SECTION 2

(Applications meriting special consideration)

21.1 PLAISTOW AND SUNDRIDGE

(11/01174/VAR) - 84 London Lane, Bromley.

Description of application - Continued use as a doctors surgery with variation of condition 8 of appeal decision 98/01709 (restricting use to a single handed doctors practice of no more than one doctor and for no other purpose) to allow 3 doctors to practice from Sundridge Medical Centre.

Oral representations in objection to and in support of the application were received at the meeting. Comments from Ward Members Councillor Peter Morgan and Councillor Ellie Harmer requesting referral of the application were reported at the meeting.

Comments from Highways Engineers in respect of a traffic surveys undertaken were reported. Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED** without prejudice to any future consideration for:-

- 1) advice to be sought from the PCT with regard to patient numbers;
- 2) Highways to consider the appeal decision with regard to the impact on road safety; and
- 3) Ward Councillors to consider the impact of the Highways surveys.

**21.2
BIGGIN HILL**

(11/02137/TPO) - 35 Valley View, Biggin Hill.

Description of application - Fell 1 oak tree in back garden. Subject to TPO 301.

Oral representations in support of the application were received at the meeting.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended for the reason set out in the report of the Chief Planner with the addition of an informative to read:-

'INFORMATIVE

It would be desirable to seek consent for 20% reduction to the crown of the tree.'

**21.3
CHISLEHURST
CONSERVATION AREA**

(11/02967/FULL6) - Craigvarren, Yester Park, Chislehurst.

Description of application - Two storey front/side/rear extension, front porch, additional vehicular access and hard standing.

Members having considered the report and objections, **RESOLVED that PERMISSION BE REFUSED** for the following reason:-

- 1 The proposed two storey extension would, by reason of its proximity to the flank boundary, constitute a cramped form of development resulting in harm to the visual amenities of the street scene and the retrograde lowering of the spatial standards of the area, failing to preserve or enhance the character and appearance of the Conservation Area, thereby contrary to Policies BE1, BE11, H8 and H9 of the Unitary Development Plan.

**21.4
KELSEY AND EDEN PARK**

(11/03103/FULL1) - Meadowbrook, 12 Kemerton Road, Beckenham.

Description of application - Three storey block with accommodation in roof comprising 12 two bedroom and 2 three bedroom flats including basement for 16 car parking spaces/bicycle parking (retention of building with revised siting from that permitted under refs. 09/01141 and 09/02956, including revised external materials, ramp and balcony balustrades and provision of entrance gates.

Oral representations in support of the application were received at the meeting.

It was reported that the application had been amended by documents received on 1 December 2011 and 2 December 2011.

Contrary to that stated in the report (page 34, penultimate line of paragraph 4), Members noted that the side wall of No. 10 Kemerton Road did not contain a bedroom window.

Planning Officer comments with regard to the colour and treatment of roof tiles were reported.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with the deletion of condition 1 and the amendment of conditions 2 and 8 as follows:-

'2 The close boarded fence shown to be removed on drawing No. A-004K shall be removed and the 1.8m high close boarded fence shown on the boundary with No. 10 shall be erected on or before 29 February 2012. The fence along the boundary with No. 10 shall be retained thereafter.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of visual amenity and the amenities of adjacent properties.

8 The 'mellowing' treatment shall be carried out in accordance with the approved details on or before 29 February 2012.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interests of the visual amenities of the area.'

21.5
FARNBOROUGH AND
CROFTON

(11/03134/FULL6) - 22 Grasmere Gardens,
Orpington.

Description of application - Two storey side extension.

Oral representations in support of the application were received at the meeting.

Members having considered the report and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended for the reason set out in the report of the Chief Planner.

SECTION 3

(Applications recommended for permission, approval or consent)

21.6
CHISLEHURST
CONSERVATION AREA

(11/01535/FULL6) - 3 Islehurst Close, Chislehurst.

Description amended to read:- 'Two storey side extension.'

Oral representations in objection to the application were received at the meeting.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the following conditions:-

1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.

REASON: Section 91, Town and Country Planning Act 1990.

2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) no building, structure or alteration permitted by Class A, B, C, or E of Part 1 of Schedule 2 of the 1995 Order (as amended), shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

REASON: In the interests of the character and appearance of the Conservation Area, to comply with Policies BE1 and BE11 of the Unitary Development Plan.

3 Details of the materials to be used for the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details.

REASON: In order to comply with Policy BE1 of the

Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

**21.7
DARWIN
CONSERVATION AREA**

**(11/02727/FULL1) - Angas Convalescent Home,
Church Approach, Cudham, Sevenoaks.**

Description of application - Demolition of two storey part of Angas House, erection of single storey extension, elevational alterations and conversion to nine bedroom house. First floor extension, elevational alterations and conversion of Coach House to three bedroom and four bedroom houses. Demolition of single storey part of Rose Cottage, erection of part one/two storey extension and conversion to four bedroom house. Detached double and triple garages. Removal of hardstandings, laying out of new driveways and hardstandings.

Oral representations in support of the application were received at the meeting.

It was reported that the Environment Agency had withdrawn its objections to the application subject to the addition of further conditions and informatives. Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions and informatives set out in the report of the Chief Planner with the deletion of condition 7 and condition 16 replaced with the following:-

'16 The development shall not begin until a scheme for the provision of affordable housing has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include:

- i) the numbers, type and location on the site of the affordable housing provision to be made;
- ii) the timing of the construction of the affordable housing;
- iii) the arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and
- iv) the occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy criteria shall be enforced

REASON: In order to ensure suitable housing provision on site and to accord with Policies H2 and

H3 of the Unitary Development Plan.’

The following conditions and informatives were also added:-

’17 Prior to the commencement of the development hereby permitted (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Authority:

1. A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicated sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an option appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works are set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the Authority. The scheme shall be implemented as approved.

REASON: To protect vulnerable groundwater resources and ensure compliance with Planning Policy Statement 23 “Planning and Pollution Control.

18 There shall be no infiltration of surface water drainage into the ground other than with the prior written approval of the Local Planning Authority, which may be granted if it can be demonstrated that there will be no risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON: To protect vulnerable groundwater resources and comply with Policy 5.22 of the London Plan.

19 Development shall not begin until a surface and foul water drainage system for the site, based on sustainable drainage principles and as assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first occupied.

The scheme shall include:

- Soakaway design calculations in accordance with BRE365
- Design calculations demonstrating the performance of the system during the critical duration 1 in 100 year storm (with climate change) event
- Non-mains drainage assessment

REASON: To prevent the increased risk of flooding and improve and protect water quality, to comply with Policies 5.12, 5.13 and 5.22 of the London Plan.'

INFORMATIVES

4 Where it is proposed to store more than 200 litres (45 gallon drum = 205 litres) of any type of oil on site it must be stored in accordance with the Control of Pollution (Oil Storage) (England) Regulations 2001. Drums and barrels can be kept in drip trays if the drip tray is capable of retaining 25% of the total capacity of all oil stored.

5 Care should be taken during and after construction to ensure that all fuels, oils and any other potentially contaminating materials are stored (for example in bunded areas secured from public access) so as to prevent accidental/unauthorised discharge to ground. The areas for storage should not drain to any surface water system.

**21.8
CHELSFIELD AND PRATTS
BOTTOM**

**(11/02773/FULL1) - 23 Oxenden Wood Road,
Orpington.**

Description of application - Replacement part one/two storey 5 bedroom detached dwelling with accommodation in roofspace and integral double garage, swimming pool and outbuilding to rear and associated landscaping.

Oral representations in support of the application were received. Oral representations from Ward Member Councillor Julian Grainger were received at the meeting.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions and informatives set out in the report of the Chief Planner with the addition of a further condition to read:-

'17 Details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences and the development shall be completed strictly in accordance with the approved levels.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

**21.9
KELSEY AND EDEN PARK**

**(11/03147/FULL1) - 121 Kenwood Drive,
Beckenham.**

Description of application - Demolition of existing dwelling and erection of 2 four bedroom detached dwellings with integral garages, 4 car parking spaces and vehicular access via Kenwood Drive.

Oral representations in objection to and in support of the application were received at the meeting. Planning Officer comments were reported and Members were informed that further objections to the application had been received.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** for the following reasons:-

- 1 The proposal would be a cramped overdevelopment of the site on land which is not previously developed resulting in a loss of garden land, out of character with the locality thereby detrimental to its visual amenities, character and spatial standards to which the area is currently developed, contrary to Policies BE1 and H7 of the Unitary Development Plan, Policy 3.5 of the London Plan and PPS 3 "Housing".
- 2 The footprint and rearward projection of the proposed development would give rise to an unacceptable loss of light and outlook to the occupiers of adjacent properties thus contrary to Policy BE1 of the Unitary Development Plan.

SECTION 4

(Applications recommended for refusal or disapproval of details)

**21.10
CHELSFIELD AND PRATTS
BOTTOM**

(11/02841/FULL1) - 62 Windsor Drive, Orpington.

Description amended to read:- ' Two modular buildings with attached walkway to provide 2 additional consulting rooms, office and WC at rear of doctors surgery (RETROSPECTIVE APPLICATION).

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member Councillor Julian Grainger in objection to the application were received at the meeting.

Comments from Ward Member Councillor Russell Jackson requesting deferral of the application were reported.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** for the following reasons:-

- 1 By reason of its excessive depth and close proximity to residential properties, the development results in a severe impact on the privacy and outlook of neighbouring properties, contrary to Policy BE1 of the Unitary Development Plan.
- 2 By reason of its overall size and visibility from the public realm, the development is out of character with the residential character of the area and is detrimental to the amenities of surrounding residential properties and the street scene in general, contrary to Policies BE1 and C4 of the Unitary Development Plan.
- 3 The concrete-surfacing laid out to provide car parking as part of the works to provide the modular buildings is unacceptable by reason of its visual impact and lack of information regarding disposal of surface water, contrary to Policy BE1 of the Unitary Development Plan and Policy 5.13 of the London Plan.

IT WAS FURTHER RESOLVED that ENFORCEMENT ACTION BE AUTHORISED TO SECURE THE REMOVAL OF THE TWO MODULAR BUILDINGS, WALKWAY AND CONCRETE AREA.

21.11
**CHELSEFIELD AND PRATTS
BOTTOM
CONSERVATION AREA**

**(11/03108/FULL1) - Lilly's Farm, Chelsfield Lane,
Orpington.**

Demolition of existing commercial buildings and erection of 4 x four bed, 1 x five bed and 1 x six bed detached residential dwellings with associated vehicular access and parking and formation of community car parking area and village pond.

Oral representations in support of the application were received. Oral representations from Ward Member Councillor Julian Grainger were received at the meeting.

Comments from Ward Member Councillor Russell Jackson in objection to the application were reported. It was reported that objections to the application had been received from the Advisory Panel for Conservation Areas.

A further letter of support from a local resident had been received.

Comments from the Chairman of the Chelsfield Village Association in support of the application were reported at the meeting.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended for the reasons set out in the report of the Chief Planner with reason 3 amended to read:-

'3 The proposed development would, by reason of its density, size and siting, fail to preserve or enhance the character and appearance of the Chelsfield Village Conservation Area, contrary to Policies BE1, BE3 and BE11 of the Unitary Development Plan and the Chelsfield Village Conservation Area Supplementary Planning Guidance.'

22 CONTRAVENTIONS AND OTHER ISSUES

22.1
BICKLEY

**(DRR/11/145) - Former Widmore Public House,
Bickley Road, Bickley.**

Members having considered the report **RESOLVED that ENFORCEMENT ACTION BE TAKEN TO CEASE THE USE OF THE CAR PARK OF THE FORMER PUBLIC HOUSE FOR PARKING AND STORAGE OF VEHICLES RELATED TO ADJOINING GARAGE PREMISES.**

REASON: The development results in an undesirable intensification of a commercial use which would be

detrimental to the residential amenities of neighbouring properties and is hazardous to road safety, contrary to Policies BE1 and T18 of the Unitary Development Plan.

22.2
ORPINGTON

(DRR/11/143) - Unauthorised Telecommunications Installation at Spur Road, Orpington.

Oral representations in support of enforcement action being taken were received at the meeting.

A letter from the applicant's solicitor had been circulated and the Chairman allowed sufficient time for Members to peruse the document.

The Legal Representative informed Members that prior approval of the application had clearly not been granted however, works had continued which had not been completed in accordance with the application.

Members were informed at the meeting that works were in progress to bring the development in line with the details in the application. The matter for Members to consider at this stage was whether it was expedient to authorise enforcement action.

Comments from Ward Member Councillor William Huntington-Thresher in support of enforcement action being authorised were reported at the meeting.

Members having considered the report and representations, **RESOLVED that ENFORCEMENT ACTION BE AUTHORISED TO REMOVE THE TELECOMMUNICATIONS INSTALLATION.**

REASON: The development is considered to be detrimental to the visual amenities of the area, contrary to Policies BE1 and BE22 of the Unitary Development Plan.

23 TREE PRESERVATION ORDERS

23.1
CRYSTAL PALACE

(TPO 2421) - Objections to Tree Preservation Order 2421 at 79 Belvedere Road, Anerley.

Oral representations in objection to the making of an Order were received.

Oral representations from Ward Member Councillor John Canvin in objection to the making of an Order were received at the meeting.

Comments from the Chartered Structural and Corporate Building Engineer were reported at the meeting and a Statement was circulated to Members. Members having considered the report, objections

and representations, **RESOLVED that Tree Preservation Order No. 2421 relating to one holly tree NOT BE CONFIRMED.**

**23.2
CHISLEHURST**

(TPO 2427) - Objections to Tree Preservation Order 2427 at 32 Holbrook Lane, Chislehurst.

Oral representations in objection to the making of an Order were received at the meeting.

Members having considered the report, objections and representations, **RESOLVED that Tree Preservation Order No. 2427 relating to one cypress tree NOT BE CONFIRMED** subject to the following condition:-

1 A replacement tree or trees of sizes and species to be agreed in writing by the Local Planning Authority shall be planted in such positions as shall be agreed by the Authority within 12 months of the removal of the tree(s). Any replacement tree which dies, is removed or becomes seriously damaged or diseased within 5 years of the date of this consent shall be replaced in the next planting season with another of similar size and species to that originally planted. **REASON:** In order to comply with Policy NE8 of the Unitary Development Plan and in the interest of the visual amenities of the area.

**23.3
PENGE AND CATOR**

(TPO 2428) - Objections to Tree Preservation Order 2428 at 163 Venner Road, London SE26

Members having considered the report and objections, **RESOLVED that Tree Preservation Order No. 2428 relating to one bay tree BE CONFIRMED** as recommended in the report of the Chief Planner.

**23.4
BROMLEY TOWN**

(TPO 2433) - Objections to Tree Preservation Order 2433 at Bromley and Sheppards College, London Road, Bromley.

Oral representations in objection to the making of an Order were received at the meeting.

Comments received from the Principal Tree Officer were reported at the meeting.

Members having considered the report, objections and representations, **RESOLVED that Tree Preservation Order No. 2433 relating to one oak tree BE CONFIRMED** as recommended in the report of the Chief Planner.

**23.5
FARNBOROUGH AND
CROFTON**

**(TPO 2437) - Objections to Tree Preservation
Order 2437 at 2 Pondfield Road, Orpington.**

Members having considered the report and objections
**RESOLVED that Tree Preservation Order No. 2437
relating to one larch and one maple tree NOT BE
CONFIRMED.**

The Meeting ended at 10.30 pm

Chairman