

PLANS SUB-COMMITTEE NO. 1

Minutes of the meeting held at 7.00 pm on 19 March 2015

Present:

Councillor Alexa Michael (Chairman)
Councillor Charles Joel (Vice-Chairman)
Councillors Douglas Auld, Teresa Ball, Nicholas Bennett J.P.,
Katy Boughey, Lydia Buttinger, Alan Collins, Ian Dunn and
Terence Nathan

Also Present:

Councillors Ruth Bennett, Will Harmer, William Huntington-
Thresher, Russell Mellor, Neil Reddin FCCA,
Michael Rutherford and Stephen Wells

26 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Ellie Harmer and Councillor Nicholas Bennett JP. attended as her substitute.

27 DECLARATIONS OF INTEREST

Councillor Nicholas Bennett JP. declared a personal interest in Item 4.11 as he was acquainted with the objector.

28 CONFIRMATION OF MINUTES OF MEETING HELD ON 22 JANUARY 2015

RESOLVED that the Minutes of the meeting held on 22 January 2015 be confirmed.

29 PLANNING APPLICATIONS

SECTION 1

(Applications submitted by the London Borough of Bromley)

29.1 KELSEY AND EDEN PARK

**(14/04882/FULL1) - Unicorn Primary School,
Creswell Drive, Beckenham.**

Description of application – Construction of single storey extension and first floor extension to south elevation of school building to provide a meeting hall and 2 additional classroom spaces. Landscaping of car park to include 22 extra spaces and canopy

waiting area.

Oral representations in support of the application were received at the meeting. It was reported that a letter of support from the Executive Director, Education, Care and Health Services, Terry Parkin, had been received and circulated to Members. In addition, the development taking into account all relevant matters including the information submitted and the scale of the proposed development on the site, the development is not considered to be EIA development with the meaning of the regulations.

Members having considered the report and representations, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the conditions and informatives set out in the report of the Chief Planner.

SECTION 2

(Applications meriting special consideration)

29.2 HAYES AND CONEY HALL

(13/03743/FULL3) - All Saints Catholic School, Layhams Road, West Wickham.

Description of application – Demolition of all school buildings, with the exception of the Reception building, and part demolition of the North Stable block, and erection of 48 dwellings comprising 24x4 bed houses, 16x1 bed flats and 8x 2 bed flats and conversion of the stable block into 2x2 bed residential units, together with 108 car parking spaces. Associated landscaping, hardstanding areas, cycle stores and bin stores.

Conversion of existing Reception building to 799sqm of office floorspace (Class b1A) together with 8 dedicated car parking spaces and the construction of 2 tennis courts, designated car park. Erection of pavilion and amenity area for community use.

Oral representations in support of the application were received. Oral representations from Ward Member, Councillor Neil Reddin, were received at the meeting. The Chief Planner's Representative reported that a letter in objection to the application had been received from Wickham Court School and that the planning appeal for non-determination of the application was set for early April.

Members having considered the report, objections and representations, **RESOLVED to CONTEST THE APPEAL**, as recommended on the grounds set out in

the report of the Chief Planner.

**29.3
CHISLEHURST
CONSERVATION AREA**

(14/03754/VAR) - Darul Uloom, Foxbury Avenue, Chislehurst.

Description of application – Variation of condition 5 of permission reference 03/02501 to increase the number of pupils from 155 to 225.

Oral representations in support of the application were received at the meeting. It was reported that a number of emails in support of the application had been received together with a letter from Jo Johnson MP and a statement from Darul Uloom School had been circulated to Members. It was also reported that Highways Division had no objection to the application.

Ward Member, Councillor Katy Boughey, had visited the site and referred to its history and in her view an increase in pupil numbers and hence an increase in the use of the School playing field would impact on the rear gardens of the local residents who backed onto the school playing field. The additional support staff required by the proposed increase in school numbers would have an impact on traffic and parking on the surrounding roads. Councillor Auld referred to photographs showing the current impact of parking near to the School for Friday Prayers and in his view the parking had a detrimental impact on the green belt and in a conservation area.

Another Member had visited the site and in his opinion there was some distance between the residential properties and the School. He said that the Borough should be proud to have the only Islamic School in London and that the vast majority of boarders came from London and the South East.

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

1. The proposed increase in pupil numbers and boarders will give rise to additional noise and disturbance by reason of increased activity associated with the use, detrimental to the amenities of neighbouring residential properties, and contrary to Policy BE1 of the Unitary Development Plan.
2. The proposal would result in an undesirable intensification of activity within the site (which in itself does not constitute an appropriate use within the

Green Belt) resulting in additional activity within the site and surroundings, and is injurious to the open and rural character of the wider Green Belt, thereby contrary to Policy G1 of the Unitary Development Plan and Section 9 of the National Planning Policy Framework – Protecting Green Belt Land.

3. The proposal would intensify the use of the site and vehicular activity within surrounding roads, which would be likely to lead to conditions prejudicial to the free flow and general safety of traffic along these roads, contrary to Policy T18 of the Unitary Development Plan.

(THE CHAIRMAN USED HER CASTING VOTE)

29.4 BROMLEY TOWN

(14/04199/FULL1) - 165 Masons Hill, Bromley.

Description of application - Demolition of existing buildings at 165-169 Masons Hill and 1-3 Homesdale Road and erection of part 3/4/5 storey mixed-use development comprising 328sqm ground floor Class A1 (retail) unit, 29 flats (20x2 bed and 9x1 bed) with car park for 24 cars (19 residential and 5 retail), cycle and refuse storage and associated landscaping.

The Chief Planner's Representative referred paragraph 5 on page 47 of the Chief Planner's report. If this application were to be permitted then a condition would be applied, and not by way of a legal agreement, to restrict the eligibility of future occupiers of the units to apply to the Council for a Residents Parking Permit.

Members having considered the report and objections, **RESOLVED** that **PERMISSION BE GRANTED, SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT**, to secure affordable housing and a contribution for education and health infrastructure as recommended, and subject to the conditions and informatives set out in the report of the Chief Planner with a further condition to read:-

"21. Before the development hereby permitted is occupied arrangements shall be agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the vicinity of the site at any time.

REASON: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.”

**29.5
KELSEY AND EDEN PARK**

(14/04503/FULL1) - 33 Upper Elmers End Road, Beckenham.

Description of application – Change of use of land to the rear of Nos. 39 - 57 Upper Elmers End Road from public car park (Sui Generis) to car parking in association with the use of the car showroom at No. 33 Upper Elmers End Road.

It was reported that further objections to the application had been received and that the ordnance survey plan on page 59 of the Chief Planner’s report was incorrect and a correct plan had been circulated to Members.

Members having considered the report and objections, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with an amendment to Condition 2 to read:-
“2. The land shall be used solely for the parking of vehicles in connection with Nos. 33 Upper Elmers End Road and no car sales or valeting, or repair works shall take place on the land at any time.

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

**29.6
DARWIN CONSERVATION
AREA**

(14/04878/FULL1) - Trowmers, Luxted Road, Downe.

Description of application – Detached two storey 4 bedroom dwelling with attached double garage and vehicular access from Luxted Road on Land Adjacent to Trowmers.

Members having considered the report and objections, **RESOLVED to CONTEST THE APPEAL**, as recommended on the grounds set out in the report of the Chief Planner.

29.7
DARWIN

(14/04955/FULL6) - Uplands, Single Street, Berrys Green, Westerham.

Description of application - First floor side extension and front and rear dormers.

Oral representations in support of the application were received at the meeting. Photographs from the Applicant had been received and circulated to Members.

Members having considered the report and representations, **RESOLVED that PERMISSION be GRANTED** 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. Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the development hereby permitted shall as far as is practicable match those of the existing building.

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.

3. 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: To enable the Council to consider future development of the site in the interests of the openness and visual amenity of the Green Belt, and to accord with Policies G1 and G4 of the Unitary Development Plan, and Section 9 of the National Planning Policy Framework – Protecting Green Belt Lane

**29.8
BROMLEY TOWN**

(14/05019/FULL1) - 74 Madeira Avenue, Bromley.

Description of application – Demolition of existing bungalow and replacement building comprising 5 x 2 bedroom apartment and off road car parking.

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Michael Rutherford, in objection to the application were received at the meeting. It was reported that further objections to the application had been received. Objections to the application from the three Ward Members for Bromley Town Ward had been received and circulated to Members together with a statement from the Ravensbourne Valley Preservation Society.

Ward Member, Councillor Michael Rutherford, said he had been contacted by many members of the public and the Ravensbourne Valley Preservation Society who objected to the application. He was concerned that the density, mass and bulk of the proposed development would have an adverse impact on the residential amenity and street scene.

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

1. The proposal would, by reason of its scale, height, massing, density, site cover and type of housing proposed, constitute an overdominant and incongruous form of development, out of character with neighbouring development, and harmful to neighbouring amenity by reason of overlooking and loss of privacy; and, if permitted, would be likely to set a pattern for similar undesirable development along this part of Madeira Avenue which is made up of individual family houses, contrary to Policies BE1 and H9 of the Unitary Development Plan.

**29.9
COPERS COPE**

(15/00200/PLUD) - 89D Albemarle Road, Beckenham.

Description of application – Single storey rear extension for which prior approval was determined under ref: 14/04529/HHPA
CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT.

Oral representations from Ward Member, Councillor

Russell Mellor, in support of the application were received at the meeting.

Members having considered the report, **RESOLVED** that **A CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT BE GRANTED** as recommended, for the reason set out in the report of the Chief Planner.

SECTION 3

(Applications recommended for permission, approval or consent)

29.10 CHISLEHURST

(14/04436/FULL1) - Pavilion, Chislehurst Recreation Ground, Empress Drive, Chislehurst.

Description of application – Demolition of existing clubhouse and construction of new sports pavilion/changing rooms, cafe and spectator toilets.

Oral representations in support of the application were received at the meeting. It was reported that further objections to the application had been received.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the conditions and informative set out in the report of the Chief Planner with three further conditions to read:-
“10. Details of a scheme of landscaping for the area to the rear of the building hereby permitted, and along the length of the boundary of the site with properties in Willow Vale, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development. The approved scheme shall be implemented in the first planning season following the first occupation of the building or the substantial completion of the development: whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species to those originally planted.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

11. The building hereby permitted shall be used only by FC Elmstead and associated users of the park, and shall not be rented/hired out or made available to any other groups/individuals.

REASON: In the interest of the amenities of neighbouring residents and fellow park users, and to

accord with Policy BE1 of the Unitary Development Plan.

12. The building hereby permitted shall not be used before 08:00 hours or after one hour past sunset on any day.

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

**29.11
COPERS COPE**

**(14/04658/FULL1) - 10 Copers Cope Road,
Beckenham.**

Description of application – Erection of single storey building to rear with basement and external lightwell.

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Russell Mellor, were received at the meeting. It was reported that photographs from a neighbour had been received and circulated to Members.

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 an amendment to Condition 10 and two further conditions to read:-

“10. The external lightwell area to the rear of the building shall not be used at any time.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and to protect the amenities of the neighbouring residents and to comply with the application.

13. No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the northern and eastern elevation(s) of the building hereby permitted, without the prior approval in writing of the Local Planning Authority.

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

14. No washing or drying machines within the permitted building shall be used before 08:00 hours or after 12 noon on any day.

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

**29.12
CHISLEHURST
CONSERVATION AREA**

(14/04688/FULL6) - 2 Green Lane, Chislehurst.

Description of application – Part one/two storey rear extension.

Members having considered the report and objections, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner

**29.13
ORPINGTON**

(15/00023/FULL2) - Berwick House, 8-10 Knoll Rise, Orpington.

Description of application – Change of use from of Block A from physiotherapist (Use Class D1) to residential (Class C3) use comprising of four residential flats.

Oral representations from Ward Member, Councillor William Huntington-Thresher, in support of the application were received at the meeting.

Members having considered the report and representations, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner.

SECTION 4

(Applications recommended for refusal or disapproval of details)

**29.14
CRAY VALLEY EAST**

(14/02868/FULL2) - Waldens Farm, Crockenhill Road, Swanley.

Description of application – Continuation of use of land as an animal rescue centre RETROSPECTIVE APPLICATION

Oral representations in support of the application were received at the meeting. It was reported that further objections to the application had been received. It was also reported that the ordnance survey map on page 118 of the Chief Planner's report was incorrect and a correct plan had been circulated to Members. A statement from Kevington Residents' Association in objection to the application had been received and also circulated to Members.

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 an informative to read:-

“INFORMATIVE: You are advised that enforcement action has been authorised in respect of some or all of the development subject of this planning decision and you should contact the Planning Investigation Team on 020 8461 7730 or by email to planningappeals@bromley.gov.uk to discuss what you need to do to avoid formal action by the Council.”
It was **FURTHER RESOLVED** that **ENFORCEMENT ACTION BE AUTHORISED** to seek the discontinuance of the use of the site with a six month compliance period.

30 TREE PRESERVATION ORDERS

30.1 KELSEY AND EDEN PARK

(DRR/15/031) - Confirmation of Tree Preservation Order No. 2601 at Land Adjacent to 131 Merlin Grove, Beckenham.

Members having considered the report, **RESOLVED** that **Tree Preservation Order Number 2601** relating to on oak tree **BE CONFIRMED WITHOUT MODIFICATION**, as recommended, in the report of the Chief Planner.

The Meeting ended at 9.14 pm

Chairman