

PLANS SUB-COMMITTEE NO. 3

Minutes of the meeting held at 6.00 pm on 4 March 2021

Present:

Councillor Katy Boughey (Chairman)
Councillor Tony Owen (Vice-Chairman)
Councillors Kevin Brooks, Samaris Huntington-Thresher,
Charles Joel, Alexa Michael, Keith Onslow, Angela Page
and Kieran Terry

Also Present:

Councillors Simon Fawthrop and Russell Mellor

22 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

There were no apologies for absence.

23 DECLARATIONS OF INTEREST

No declarations of interest were received.

24 CONFIRMATION OF MINUTES OF MEETING HELD ON 7 JANUARY 2021

RESOLVED that the Minutes of the meeting held on 7 January 2021 be confirmed and signed as a correct record.

25 PLANNING APPLICATIONS

25.1 COPERS COPE

**(20/01663/FULL1) - 9 St Clare Court, Foxgrove
Avenue, Beckenham BR3 5BG**

Description of application – Conversion of lower ground floor storage into two bedroom apartment. New steps leading to flat entrance and existing steps extended to communal garden. New lightwell to front and rear of property.

Oral representations from visiting Ward Member Councillor Russell Mellor were received at the meeting. Councillor Mellor objected to the application for the following reasons:-

- the site was unsuitable for human habitation;
- ingress and egress was located to the rear of the property and there was insufficient room for cars to pass through; and

- the proposals would result in a cramped and over-intensive development

On the grounds that there were no highways objections and there was little difference between this application and a previous application granted at appeal, Councillor Terry moved that permission be granted. The Chairman seconded the motion.

Councillor Onslow considered the current application proposed a larger development than the studio flat previously allowed at appeal. The deletion of windows would darken the unit and converting to a two bedroom dwelling would increase occupation. The development would result in low standard accommodation. For the reasons highlighted above, Councillor Onslow moved that the application be refused on the grounds of over-development and over-occupation. Councillor Michael seconded the motion.

The Development Management Area Team Leader (West) reported that the current proposal covered the same floor space as the previously proposed studio flat.

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

1. The proposal would result in an over intensive use and an overdevelopment of the site leading to harm to the amenities and character of the area and living conditions of the future occupants contrary to Policy 37 of the Bromley Local Plan 2019.

Members resolved to refuse this application contrary to the Assistant Director of Planning's recommendation on the grounds that the development was excessive in size and scale; overdeveloped the site, was out of keeping with the character of the area and would result in harmful living conditions for future occupants.

25.2
PETTS WOOD AND KNOLL

(20/03040/PLUD) - 10 Elm Grove, Orpington
BR6 0AB

Description of application – Loft conversion with roof lights Lawful Development Certificate proposed.

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

In the event that Members granted a Certificate of Lawfulness, the Development Management Area Team Leader (West) suggested that an informative be added to indicate that permission would be subject to compliance with provisions of Permitted Development rights. In regard to the objection received from a neighbouring property concerning roof volume measurements, Members were informed that this should not be considered as the application applied solely to the roof lights.

Members having considered the report, objections and representations, **RESOLVED that A CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT BE GRANTED** as recommended, for the reason set out in the report of the Assistant Director, Planning with the addition of an informative to read:-

1. The applicant is advised that in order for the development to be considered lawful, the works must comply with provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

**25.3
PETTS WOOD AND KNOLL**

(20/03819/FULL6) - 11 Kennedy Close, Petts Wood, Orpington BR5 1HP

Description of application – Retrospective conversion of garage to habitable room to include alterations to the roof and erection of replacement single storey side and rear extension.

Oral representations from visiting Ward Member Councillor Simon Fawthrop in objection to the application were received at the meeting. Councillor Fawthrop urged Members to refuse the application for the following reasons:-

- Over-development of the site not in keeping with the surrounding area.
- Impact upon the nature and character of the row of houses.
- Impact upon the residential amenity of no. 12 Kennedy Close; and
- The impact upon the on-street parking conditions.

A full copy of Councillor Fawthrop's representations can be viewed as Annex A to these Minutes.

The Development Management Area Team Leader (West) confirmed that the photographs submitted by Councillor Fawthrop had been circulated to Members.

Having visited the site, the Chairman considered there was no problem with parking and could see nothing wrong with the development. There would be no impact to the neighbouring property, the rear extension was modest in size and Highways had no objections to the application. The Chairman moved that permission be granted.

Councillor Onslow moved that the application be refused on the grounds of parking issues and change to the nature of the site in that the development resulted in creating a terracing effect. Councillor Owen seconded the motion.

Councillor Joel seconded the motion for permission on the basis that the garage was a single storey structure whereas the adjoining property had built a two storey extension and a four-width single storey. In comparison, this application was acceptable.

Councillor Terry supported refusal on the grounds of impact on the streetscene, loss of amenity to the neighbouring property and overbearing development.

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

1. The proposal would overdevelop the site, detract from its character and would cause harmful noise disturbance to neighbouring amenities together with insufficient on-site parking harmful to highway safety and free flow of traffic contrary to Policies 30, 31, 32 37 of the Bromley Local Plan 2019.

Members resolved to refuse this application contrary to the Assistant Director of Planning's recommendation on the grounds that the development would be excessive in nature; overdevelop the site, be out of keeping with the character of the area, result in harmful living conditions for neighbouring occupants and cause harmful on street parking.

**25.4
BROMLEY COMMON AND
KESTON**

**(20/03869/ADV) - McDonalds, 113 Hastings Road,
Bromley BR2 8NH**

Description of application – The installation of 3 No. internally illuminated new digital freestanding signs and 1 No. internally illuminated 15” digital booth screen.

The Head of Development Management reported that the second sentence of paragraph 7.1.5. (page 59 of the report) had been amended to read: ‘There are 6 existing free standing rotating signs and the proposal would replace these signs with 3 digital screens.’

Members having considered the report and objections **RESOLVED that ADVERTISEMENT CONSENT BE GRANTED** as recommended, subject to the conditions set out in the report of the Assistant Director, Planning and Building Control.

**25.5
PETTS WOOD AND KNOLL**

**(20/04103/TPO) - 48 Prescott Avenue, Petts Wood,
Orpington, BR5 1AF**

Description of application – T1 English Oak tree – 70% by vol canopy prune and consent to re prune to 2019 dimensions in 2021 and 2023. SUBJECT TO TPO 382 (12.12.1986).

The Principal Tree Officer reported that a 70% reduction of the tree would leave one growth point on each limb which would send the tree into a deep decline and result in the tree dying. Refusal of the application could lead to a compensation claim against the Council which would be defended by Legal representatives. Roots had been found in the borehole and were already under the dwelling however, there was no evidence that damage had been caused to the property.

Members having considered the report, **RESOLVED that the application to reduce one English Oak tree be REFUSED** as recommended, for the reason and informatives set out in the report of the Assistant Director, Planning and Building Control.

**25.6
SHORTLANDS**

**(20/04458/TPO) - 188 Wickham Way, Beckenham
BR3 3AS**

Description of application – T1 Swedish Whitebeam in front garden – Fell.

The Chairman reported comments received from Councillors Mary Cooke and Aisha Cuthbert who had no objections to the tree being felled.

Members having considered the report and objections, **RESOLVED that consent to fell one Swedish Whitebeam tree be GRANTED** as recommended, subject to the conditions and informatives set out in the report of the Assistant Director, Planning and Building Control.

**25.7
PETTS WOOD AND KNOLL**

**(20/04607/FULL6) - 150 Kingsway, Petts Wood,
Orpington, BR5 1PU**

Description of application – Demolition of existing conservatory and replacement with a two storey front/side extension and single storey side/rear extension and elevational alterations.

Oral representations in objection to the application were received. Oral representations were received from visiting Ward Member Councillor Simon Fawthrop who urged Members to defer the application for revised plans to be submitted. A full copy of Councillor Fawthrop's representations can be viewed as Annex B to these Minutes.

The Head of Development Management reported that further objections and photographs had been received and circulated to Members. In reference to the objections, the Committee were informed that the comments in paragraph 3.2 (page 86) of the report, were those of the applicant, not planning officers.

Paragraph 7.2.4 of the report was amended to read: 'As mentioned, the current proposal would retain the overall form and proportions of the existing building; effectively elongating or extruding its current form and shape towards Towncourt Crescent, bringing the western side elevation parallel with the Towncourt Crescent frontage. Although the building has been enlarged the cumulative effect with the current proposal would not be excessive and it would not lead to an overdevelopment of the plot in relation to the

remaining land within it. As mentioned, the dwelling lies closest to the northern boundary and notwithstanding a modest single storey element measuring a minimum of 0.7m from the northern boundary (when scaled from the submitted block plan) the two-storey element, i.e. the main body of the extension, would continue the line of the existing two storey rear/north elevation and would not project closer to the northern boundary with No. 16, providing a minimum separation of 1.2m to the boundary. Although the extension would project closer to Towncourt Crescent it would not encroach upon or significantly diminish the sense of space between No. 150 and No. 16 and would not result in a cramped appearance or a terracing effect between the dwellings that might otherwise have a harmful effect on the character and appearance and spatial standards of the street scene in this part of the local area and the ASRC. The proposed design would complement the mock Tudor style and design of the existing property and the external materials could be managed by planning condition if planning permission is granted. The proposal would not lead to the direct loss of trees or other vegetation that is significantly important to the site or its setting within this part of the street and wider area.

Members having considered the report, objections and representations, **RESOLVED that the application be DEFERRED** without prejudice to any future consideration, to seek amendments for a single storey extension only; on grounds of design and neighbour amenity.

**25.8
FARNBOROUGH AND
CROFTON**

**(20/04636/PLUD) - 17 Drayton Avenue, Orpington
BR6 8JN**

Description of application – Erection of a garden room
Lawful Development Certificate (Proposed).

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 Assistant Director, Planning.

**25.9
FARNBOROUGH AND
CROFTON**

**(20/04638/FULL6) - 17 Drayton Avenue, Orpington
BR6 8JN**

Description of application – Demolish conservatory and erect single storey rear extension.

Members having considered the report, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Assistant Director, Planning and Building Control.

**25.10
PETTS WOOD AND KNOLL**

**(20/04821/FULL6) - 10 Elm Grove, Orpington
BR6 0AB**

Description of application – Construction of rear pitched roof dormer, 3 rooflights in the flank roof slopes and insertion of rooflight in main crown roof.

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

The Development Management Area Team Leader (West) advised that should Members be minded to grant permission, a further condition should be added to ensure that obscure glazing is used for the skylight.

Councillor Owen referred to an e-mail he had circulated to Members. He considered the proposal to be an over-development of the site and the dormer window was out of keeping with the surrounding area. He moved that the application be refused. Councillor Onslow seconded the motion.

Members agreed that the proposal would turn the property into a three storey house resulting in over-development. As the site was situated in an elevated position and quite visible, this would impact on the character of the neighbourhood.

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

1. The proposal by reason of its size and scale and elevated position would result in an overdevelopment of the site and detract from the character and appearance of the area, contrary to Policy 37 of the Bromley Local Plan 2019.

**It was FURTHER RESOLVED that ENFORCEMENT
ACTION BE AUTHORISED**

Members resolved to refuse this application and to authorise enforcement action contrary to the Assistant Director of Planning's recommendation on the grounds that the development would be excessive in nature, overdevelop the site and be out of keeping with the character of the area.

The meeting ended at 7.25 pm

Chairman

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**COMMENTS RECEIVED FROM VISITING WARD MEMBER COUNCILLOR
SIMON FAWTHROP IN REGARD TO ITEM 4.3 - (20/03819/FULL6)
11 KENNEDY CLOSE, PETTS WOOD, ORPINGTON**

Madam Chairman,

This application would appear on the face of it very innocuous, after all what could be wrong with converting a garage to a habitable room.

The problem is that the context and setting is what makes this application different. The application site is a corner plot on what are very small plots for the area, in Kennedy Close there are just 4 linked detached houses and all were until this retrospective application of that status.

Just to set the scene the objector who lives next door at no. 12 has lived at the property on and off since the 1960s where he lived as a child, and then more recently over the last 20 years has lived at the property after inheriting it from when his father died. The objector Mr Smart is a quiet man, he has a right to the peaceful enjoyment of his property. I will return to this theme later.

The property was built as a linked detached house, and the clue there is in the name, it is in practice a detached house linked only by a garage. The consequence of this application on this property is to change it from the current status to that of being a de-facto semi-detached house. Whilst most of us do not mind an application changing their property, when the application has an impact upon the neighbouring property changing its designation, then the scope of the application must have exceeded the limits of what is an acceptable application.

So if as in the case of number 12 your sitting room sofa is almost against the wall which currently backs onto the linked detached garage, turning this from an empty space with the occasional car movement to one where it is an adjoining habitable room and the noise can be heard in your sitting room when you sit on your sofa, then clearly the neighbour can no longer have the quiet and peaceful enjoyment of their existing dwellinghouse.

The secondary issue is one of loss of off street car parking space, and whilst the traffic engineers probably never even visited the site, from the few photographs I have sent it is clear that there has been an increase in on street car parking, which impacts upon the access to the bulk of Kennedy Close, I have seen video footage showing dust carts bumping up the kerb to get past the parked cars, however sometimes the applicant also parks a car opposite where the cars can be seen in the photographs, this creates a bottleneck making it difficult for emergency services to access the close.

On every single aspect this application just screams wrong.

Therefore Madam Chairman and members of the committee, I would urge you to refuse this application on following grounds:-

- 1) An over development of the site not in keeping with the surrounding area.
Policy 6a) The scale, form and materials of construction should respect or complement those of the host dwelling and be compatible with development in the surrounding area.
- 2) Impact upon the nature and character of this row of house, by changing the neighbouring house from a linked detached house against his wishes. Also based on policy 6.
- 3) The impact upon the residential amenity of no. 12 Kennedy Close and the right of the occupiers to peaceful enjoyment of their dwellinghouse.
- 4) Using local knowledge the impact upon the on street parking conditions, based on policy 32 Road Safety.

COMMENTS RECEIVED FROM VISITING WARD MEMBER COUNCILLOR SIMON FAWTHROP IN REGARD TO ITEM 4.7 – 150 KINGSWAY, PETTS WOOD, ORPINGTON

Madam Chairman,

Having read the report for the application at 150 Kingsway which falls within the Petts Wood Area of Special Residential Character, it is clear from the recommendation that on balance this would be an acceptable development of the site.

The reason for the application, is that more space is required to enable family members to work from home and for children and grandchildren to have a place to stay.

The site is a corner plot which adjoins 16 Towncourt Crescent, there are some concerns from neighbours that this is an over-development of the plot and impacts upon their property reducing day light.

Having visited the site and corresponded with the applicant, he has indicated that he is willing to submit altered plans which remove the 0.6m protrusion which extends towards no. 16 Towncourt Crescent. Instead the plans would follow the existing boundary wall.

Whilst noting that this is already recommended for approval, the applicant is of the view that altered plans are a reasonable step to accommodate his neighbour's concerns.

The applicant has agreed that if the application were to be deferred tonight to allow amended plans to be submitted, there is no reason why this could not be approved under delegated authority by the Council's Planning Officers, where suitable conditions could be attached, as recommended by this Committee.

These would include to ensure that matching materials used to reflect the gardens suburb Tudor design prominent in the area, these would include tiles and bricks and fascia materials. Additionally the Committee may wish to consider the removal of permitted development rights, including HMO and garden PD rights.

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