

## **PLANS SUB-COMMITTEE NO. 2**

Minutes of the meeting held at 7.00 pm on 14 October 2021

### **Present:**

Councillor Kieran Terry (Chairman)  
Councillor Michael Turner (Vice-Chairman)  
Councillors Mark Brock, Peter Dean, Nicky Dykes, Colin Hitchins,  
Will Rowlands, Richard Scoates and Ryan Thomson

### **Also Present:**

Councillor Michael Tickner

## **19 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

There were no apologies for absence; all Members were present.

## **20 DECLARATIONS OF INTEREST**

Councillor Dykes declared a non-pecuniary interest in Item 4.6 as she was acquainted with the applicant's partner.

## **21 CONFIRMATION OF MINUTES OF MEETING HELD ON 19 AUGUST 2021**

**RESOLVED** that the Minutes of the meeting held on 19 August 2021 be confirmed and signed as a correct record.

## **22 PLANNING APPLICATIONS**

### **22.1 KELSEY AND EDEN PARK (21/00548/FULL1) 26 Manor Road, Beckenham BR3 5LE**

Description of application - Elevational alterations and second/third floor upward extension to existing building incorporating mansard roof and front and rear dormers, excavation of basement and lightwells and construction of four storey rear extension. Conversion of resultant building into 5 no. residential flats (3 no. two bedroom and 2 no. 1 bedroom) with balconies/terraces at first, second and third floor. Formation of surface car parking spaces at rear, provision of rear cycle and refuse storage and 2 no. electric car charging points at front.

The Development Management Team Leader – Major Developments reported late objections had been

received and circulated to Members. These late objections raised no further concerns.

Councillor Dean considered the applicant had overcome Members' previous reasons for refusal and moved that permission be granted.

Councillor Scoates moved to refuse the application based on the fact that the development was still too bulky. He would prefer to see a two storey development with dormer window. There was also insufficient parking provision.

The Development Management Team Leader – Major Developments advised that due to time constraints, it was recommended that Members' reach a decision at this meeting.

Members having considered the report and objections **RESOLVED that PERMISSION BE GRANTED** subject to the following conditions and informatives:-

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: To comply with Section 91 of the Town and Country Planning Act 1990

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interests of visual and residential amenity.

3(a) Prior to commencement of the development hereby approved (excluding any ground clearance or demolition) a scheme for the provision of surface water drainage shall be submitted and approved in writing by the local planning authority.

(b) Before the details required to satisfy Part (a) are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage

hierarchy contained within the London Plan Policy SI13 and the advice contained within the National SuDS Standards.

(c) Where a sustainable drainage scheme is to be provided, the submitted details shall:

i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site as close to greenfield runoff rates (8l/s/ha) as reasonably practicable and the measures taken to prevent pollution of the receiving groundwater and/or surface water

(d) The drainage scheme approved under Parts a, b and c shall be implemented in full prior to first occupation of the development hereby approved

Reason: Details are required prior to the commencement of any new operational development in order to ensure that a satisfactory means of surface water drainage, to reduce the risk of flooding can be achieved before development intensifies on site and to comply with the Policy SI13 of the London Plan and Policies 115, 116 and 117 of the Bromley Local Plan.

4. No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. As a minimum the plan shall cover:

(a) Dust mitigation and management measures.

(b) The location and operation of plant and wheel washing facilities

(c) Measure to reduce demolition and construction noise

(d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-

(i) Rationalise travel and traffic routes to and from the site as well as within the site.

(ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.

(iii) Measures to deal with safe pedestrian movement.

(iv) Full contact details of the site and project manager responsible for day-to-day management of the works

(v) Parking for operatives during construction period

(vi) A swept path drawings for any tight manoeuvres on vehicle routes to and from the site including proposed access and egress arrangements at the site boundary.

(e) Hours of operation

(f) Other site specific Highways and Environmental Protection issues as requested on a case by case basis

(g) The development shall be undertaken in full accordance with the details approved under Parts a-f

Reason: Required prior to commencement of development to ensure sufficient measures can be secured throughout the whole build programme in the interests of pedestrian and vehicular safety and the amenities of the area. In order to comply with Policies 30, 31, 32 and 119 of the Bromley Local Plan and in the interest of the amenities of the adjacent properties.

5. Prior to commencement of development (excluding demolition) 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 . The development shall be completed strictly in accordance with the approved levels.

Reason: Required prior to commencement in order to ensure that a satisfactory form of development can be undertaken on the site in the interest of visual amenity and to comply with Policy 37 of the Bromley Local Plan.

6(a) Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority prior to construction of any above ground works

(b) The arrangements as approved under part (a) shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

7(a) Details of arrangements for bicycle parking (including covered storage facilities where appropriate) shall be submitted to and approved in writing by the Local Planning Authority prior to construction of any above ground works

(b) The arrangements as approved under part (a) shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: In order to comply with Policy T5 of the London Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

8(a) Details of a scheme to light the access drive and car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works.

(b) The approved scheme shall be self-certified to accord with BS 5489 - 1:2003

(c) The lighting scheme as shall be implemented in full accordance with details submitted under Part (a) before the development is first occupied and the lighting shall be permanently retained thereafter.

Reason: In order to comply with Policies 30 and 37 of the Bromley Plan in the interest of visual amenity and the safety of occupiers of and visitors to the development.

9. Details of the means of privacy screening for all balconies shall be submitted to and approved in writing by the Local Planning Authority before any above ground construction is commenced. The development shall be carried out in accordance with the approved details prior to the balcony being brought into use and permanently retained as such.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area.

10(i) Prior to commencement of above ground works details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

1. A scaled plan showing all existing vegetation to be retained and trees and plants to be planted which shall include use of a minimum of 30% native plant species of home grown stock (where possible) and no invasive species
2. Proposed hardstanding and boundary treatment
3. A schedule detailing sizes and numbers of all proposed trees/plants
4. Sufficient specification to endure successful establishment and survival of new planting.

(ii) There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.

(iii) Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees)

which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details

Reason: In order to comply with Policies 37, 73 and 74 of the Bromley Local Plan to secure a visually satisfactory setting for the development and to protect neighbouring amenity.

11(a) Prior to commencement of above ground works, details (including samples) of the materials to be used for the external surfaces of the building which shall include roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate shall be submitted to and approved in writing by the Local Planning Authority.

(b) The development shall be carried out in accordance with the approved details.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area

12. Before commencement of the use of the land or building hereby permitted parking spaces (including electric car charging points as shown on the submitted drawings) and turning space shall be completed in accordance with the details as set out in this planning permission and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

Reason: In order to comply with Policy 30 of the Bromley Local 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.

13. Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the Local Planning Authority shall be erected in such positions along the boundaries of the site(s) as shall be approved and shall be permanently retained thereafter.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of visual amenity and the amenities of adjacent properties.

14. The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area.

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

REASON: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the amenities of the adjacent properties.

#### INFORMATIVES

CIL  
Street naming and numbering

#### 22.2 BROMLEY TOWN

#### **(21/01294/FULL1) - Billingsford, Elstree Hill, Bromley BR1 4JE**

Description of application - Demolition of existing dwelling and erection of 3 no. three bedroom dwellings with 6 car parking spaces, cycle and refuse storage and associated landscaping. REVISED PLANS RECEIVED 12/7/21 - REDUCING FROM 4 TO 3 HOUSES.

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



The Development Management Team Leader – Major Developments reported that a letter from Ravensbourne Valley Residents had been received and circulated to Members.

Committee Member and Ward Member Councillor Dykes requested more softscaping greenery.

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 and subject to any other planning condition(s) considered necessary by the Assistant Director, Planning.

The following two conditions were added:-

23(a) Prior to commencement of above ground works, details (including samples) of the materials to be used for the external surfaces of the building which shall include roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate shall be submitted to and approved in writing by the Local Planning Authority.

(b) The development shall be carried out in accordance with the approved details.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area

24(i) Prior to commencement of above ground works details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

1. A scaled plan showing all existing vegetation to be retained and trees and plants to be planted which shall include use of a minimum of 30% native plant species of home grown stock (where possible) and no invasive species

2. Proposed hardstanding and boundary treatment.

3. A schedule detailing sizes and numbers of all proposed trees/plants

4. Sufficient specification to endure successful establishment and survival of new planting.

(ii) There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.

(iii) Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details

Reason: In order to comply with Policies 37, 73 and 74 of the Bromley Local Plan to secure a visually satisfactory setting for the development and to protect neighbouring amenity.

**22.3**  
**PETTS WOOD AND KNOLL**

**(21/02457/FULL6) - 37 Wood Ride, Petts Wood, Orpington BR5 1QA**

Description of application - Part one/part two storey wraparound extension, enclosure of existing open porch, loft extension including gabled dormers to side elevations and rooflights. (Amended drawings and description).

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

The Chairman requested removal of Permitted Development Rights Classes A, B and C.

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 and subject to any other planning condition(s) considered necessary by the Assistant Director, Planning.

The following condition was added:-

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no building, structure, extension, enlargement or alteration permitted by Class A, B and C of Part 1 of Schedule 2 of the 2015 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 protecting the character of the area and residential amenity of neighbouring properties in accordance with Policy 37 of the Bromley Local Plan.

**22.4  
COPERS COPE  
CONSERVATION AREA**

**(21/02578/FULL6) - Telephone Kiosk Fronting  
75 High Street, Beckenham**

Description of application - Removal of existing BT phone box and installation of a proposed replacement BT street hub and associated display of advertisement on both sides of the unit.

This application was considered jointly with Item 4.5.

Oral representations from Ward Member Councillor Michael Tickner in objection to the application were received at the meeting. Councillor Tickner considered that the telephone hub was unnecessary and amounted to street clutter; it was only included in order to gain free advertising. By permitting this application, the Council would be giving the applicant leeway to earn money free of charge.

The Head of Development Management gave the following update which had been circulated to Members prior to the meeting:-

Paragraph 3.1 on page 89 of the report (second sentence) was amended as follows: "The new structure would measure 1.2m wide, 3m high and 0.35m deep."

The following paragraph was added to page 94 of the report:-

'7.2.7 The development would therefore fail to preserve or enhance the character and appearance of the Conservation area. It is considered that the proposed BT Street Hub would result in less than substantial harm to this designated heritage asset, and whilst it is acknowledged that the proposal would result in public benefit in the form of 5G enablement, free phone calls and access to emergency services etc. this would not outweigh the harm identified in this case.'

Paragraph 8.1 on page 94 of the report was replaced as follows:-

8.1 Having regard to the above, the development would fail to preserve or enhance the character and appearance of the Conservation Area and would result in less than substantial harm to the designated heritage asset. The proposal would incorporate additional communications infrastructure including wi-fi connectivity and expanded network coverage with 5G mobile enablement. These would constitute public benefits which should be afforded significant weight in the overall planning balance, however in this instance it is not considered that the benefits would outweigh the harm that has been identified.

The recommendation remained as set out in the report.

Members having considered the report, **RESOLVED that the application be REFUSED** as recommended, for the reason set out in the report of the Assistant Director, Planning.

**22.5  
COPERS COPE  
CONSERVATION AREA**

**(21/02651/ADV) - Telephone Kiosk Fronting  
75 High Street, Beckenham**

Description of application – Two digital 75 inch LCD display screens, one on each site of the proposed BT Hub unit.

This application was considered jointly with item 4.4.

Oral representations from Ward Member Councillor Michael Tickner in objection to the application were received at the meeting. Councillor Tickner considered that the telephone hub was unnecessary and amounted to street clutter; it was only included in

order to gain free advertising. By permitting this application, the Council would be giving the applicant leeway to earn money free of charge.

The Head of Development Management gave the following update which had been circulated to Members prior to the meeting:-

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The recommendation remained as set out in the report.

Members having considered the report, **RESOLVED that the application be REFUSED** as recommended, for the reason set out in the report of the Assistant Director, Planning.

**22.6  
FARNBOROUGH AND  
CROFTON CONSERVATION  
AREA**

**(21/02692/FULL6) - Marchurst, Hazel Grove,  
Orpington BR6 8LU**

Description of application – Part one/two storey side and rear extension and elevational alterations.

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.

**22.7  
CRYSTAL PALACE  
CONSERVATION AREA**

**(21/03684/PLUD) - Light Trail, Crystal Palace Park,  
Thicket Road, Anerley SE20 8DT**

Description of application – Temporary light installation trail/exhibition within Crystal Palace Park between November 2021 and January 2022.

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

Members having considered the report **RESOLVED that a CERTIFICATE OF LAWFUL DEVELOPMENT be GRANTED** as recommended, for the reason set out in the report of the Assistant Director, Planning.

**22.8  
KELSEY AND EDEN PARK**

**20/04446/ELUD - Land at Junction with South  
Eden Park Road and Bucknall Way, Beckenham**

Description of application – Use of the land circled in red on drawing 15124 S101B for the storage of cars or for the parking of cars or as a car park in association with car dealerships (LAWFUL DEVELOPMENT CERTIFICATE – EXISTING).

The Head of Development Management reported that this was identical to a previous application determined in February 2020 but for the inclusion of legal advice obtained by the applicant which argued that the Council did not properly apply the law to the facts on that application. The Council did grant the previous Lawful Development Certificate with modifications which meant the Council did not agree that all of the land that the applicant had sought the Certificate for could be certified, so a smaller area of the site was granted. The applicant was now asking the Council to reconsider its previous decision and argued that the Certificate should be granted for the entire site as

submitted. The application is now the subject of an appeal against non-determination and having considered the application and taken legal advice, the officer view is that the previous assessment remained sound and were the Council able to determine the application, the recommendation would again be to grant the Certificate with modification for a reduced portion of the site. However, as there was an appeal, the officer recommendation was that Members resolve to contest on the basis that the use was not considered to have taken place across the entirety of the site.

Committee Member and Ward Member Councillor Dean, advised that cars had been parking on the grassed area for more than 10 years and enforcement action had never been taken. As a result, the Council would probably lose if the appeal was contested. The applicant already had permission to build over 140 properties on the site and although work had started, the development had been held up due to negotiations on one of the conditions. The Council had lost every appeal submitted by this particular developer at huge cost to the Authority. It was likely that the Council would lose this appeal and the site would be fully developed in the future. Councillor Dean moved not to contest the appeal.

The Head of Development Management confirmed that Counsel opinion had been sought on the previous decision and how to approach this particular scenario. That advice was reflected in the report.

The Legal Officer reported that advice from a QC had also been sought. The QC had seen the report in its draft stage and had supported the conclusion.

The Chairman moved to contest the appeal.  
Councillor Dykes seconded the motion.

Members having considered the report and objections, **RESOLVED TO CONTEST THE APPEAL** as recommended, for the reason set out in the report of the Assistant Director, Planning.

## 24 TREE PRESERVATION ORDERS

### 24.1 BROMLEY COMMON AND KESTON

#### **Confirmation of TPO 2718, 101 Gravel Road, Bromley BR2 8PW**

Oral representations in objection to and in support of confirmation of the TPO were received at the meeting.

Members agreed that the criteria for a TPO had been met.

The Principal Tree Officer advised that a third party could apply for works to be carried out on the tree. If granted, that third party would be able to prune the tree back to the boundary line.

Members having considered the report, objections and representations,  
**RESOLVED that TPO 2718 relating to one Oak tree be CONFIRMED WITHOUT MODIFICATION** as recommended in the report of the Assistant Director of Planning.

### 24.2 FARNBOROUGH AND CROFTON

#### **Confirmation of TPO 2720, 21 and 25 Poplar Avenue, Orpington BR6 8LA**

Oral representations in objection to and in support of confirmation of the TPO were received at the meeting.

The Principal Tree Officer advised that a statement from loss adjusters relating to subsidence issues of a neighbouring property had been received and circulated to Members. If it was proved that the tree caused subsidence, the owners of the neighbouring property could submit an application for removal.

Following a motion for deferral, the Principal Tree Officer advised that due to time restraints, a decision should be made at this meeting.

Members agreed that the criteria for a TPO had been met.

Members having considered the report, objections and representations, **RESOLVED that TPO 2720 relating to two Oak trees be CONFIRMED WITHOUT MODIFICATION** as recommended in the report of the Assistant Director of Planning.



**24.3  
PETTS WOOD AND KNOLL**

**Confirmation of TPO 2721 Dale Wood Road,  
Orpington**

Oral representations against confirmation of the TPO were received at the meeting.

Members having considered the report, objections and representations, **RESOLVED that TPO 2721 relating to various trees be CONFIRMED WITHOUT MODIFICATION** as recommended in the report of the Assistant Director of Planning.

**24.4  
PLAISTOW AND  
SUNDRIDGE**

**Confirmation of TPO 2722, Land adjacent to  
58 London Road, Bromley BR1 3QZ**

The Principal Tree Officer advised that the planning history on the site adjacent to the Old Hop and Rye (formerly known as the Beech Tree Pub), had recently received planning permission for a Class C3 and E use for 8 residency units on the upper levels with a mini-market on the lower level and car parking to the front. While this was a significant consideration as to why the TPO was made, it had been omitted from the officers report.

Committee Member and Ward Member Councillor Turner stated that although the tree did not form part of any green space and was not dominant in the area, it should be retained.

Members agreed that criteria for a TPO had been met.

Members having considered the report and objections, **RESOLVED that TPO 2722 relating to several trees be CONFIRMED WITHOUT MODIFICATION** as recommended in the report of the Assistant Director of Planning.

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Any Other Business

Councillor Scoates reported that this was the final meeting to be clerked by the Democratic Services Officer, Mrs Lisa Thornley before her retirement. He expressed his gratitude to Lisa for her long service to the Council. The Chairman and Members echoed Councillor Scoates' words of appreciation.

The meeting ended at 8.10 pm

Chairman