

## **PLANS SUB-COMMITTEE NO. 3**

Minutes of the meeting held at 7.00 pm on 18 April 2024

### **Present:**

Councillor Jonathan Andrews (Chairman)  
Councillor Tony Owen (Vice-Chairman)  
Councillors Graeme Casey, Dr Sunil Gupta FRCP FRCPATH,  
Christine Harris, Alisa Igoe, Alexa Michael, Shaun Slator and  
Mark Smith

### **Also Present:**

Councillors Chris Price and Rebecca Wiffen

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

Apologies were received from Councillor Ireland, and Councillor Casey attended as Substitute.

### **32 DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

### **33 CONFIRMATION OF MINUTES OF MEETING HELD ON 22ND FEBRUARY 2024**

The Minutes of the meeting held on 22<sup>nd</sup> February 2024 were confirmed and signed as a correct record.

### **34 PLANNING APPLICATIONS**

#### **34.1 ST PAUL'S CRAY**

**(23/03825/FULL2) - 32A Clarendon Way,  
Chislehurst, BR7 6RF**

Change of use of a single dwelling house (C3a) to residential care home (C2) as a children's care home.

In response to Members' questions the Planning Officer advised that:

- Two overnight staff would be on duty 24/7, with

- an additional manager on site between 9am and 5pm Monday to Friday.
- Childrens' Services were in support as Bromley does need residential care providers/facilities, but the application was still subject to Ofsted approval.
- It would be up to the Ofsted inspection, report etc whether it was felt additional bathroom facilities were required.
- The Borough could limit the current number of cared-for children to three, but the Applicants could apply to increase the number in the future.
- Despite the low PTAL rating (1b), Planning Officers felt the application site was still near enough to public transport.
- There are four bedrooms for three children and two staff, but the night staff would not be sleeping at the property.

An oral representation in objection to the application was received from a neighbour, representing the views of eighty residents on the Marlings Park Estate. Members heard that neighbours understood the need for a children's care home, but the suitability of the Applicant's company was in question as they had not run such a facility before. Concerns were raised in that the property had previously been rented to criminals and criminal activity had taken place at the location. The Speaker informed Members of the poor access to public transport and the lack of space on the driveway and road for additional vehicles. With staff arriving and departing, deliveries etc the increase in traffic and trips would increase the likelihood of accidents. The negative impact on neighbouring properties of having the care home was also raised.

An oral representation in support of the application was then received from the Children's Care Home Manager. Members were informed that the Application Company, Bithoms, had been operating since 1999 and they were now looking to make an impact on caring for younger children with the provision of this home for residential care. The plan was to guide and prepare the children for the future through teaching various life skills. Travel training would be part of the teaching, together with budgeting, cooking etc. The Speaker confirmed that the Company/site would have to be approved by Ofsted and would abide by Ofsted rules, regulations etc.

In response to Members' questions, the Speaker stated that:

- The driveway has space for two cars, and all deliveries would be carefully managed and organised.
- Children would go through a referral process and those with similar needs would be given a place at the home. It was important to ensure staff were able to manage the children and any extra provision and support would be in place if required.
- The bedroom with a door directly onto the garden would not be used for children.
- The storeroom may be used as a quiet room or activity room in the future.
- Bithoms is registered with the Care Quality Commission (CQC) as they deal with social care for adults. The only body the proposed Children's Care Home has to satisfy is Ofsted.
- Bithoms took on renting the property as a new location for a Children's Care Home and has no connection or contacts with the previous tenants and the criminal activity that took place.
- The children would benefit from living in a suburban environment and being given almost a 'normal' family life, with the chance to establish relationships and hopefully participate in mainstream schooling.
- The existing trees and vegetation would be retained. The company understood the importance of maximising all areas available to teach the children.

An oral representation was given by Visiting Ward Member, Councillor Price, who confirmed to Members that the application had been discussed by the St Paul's Cray Councillors, together with Councillors from Chislehurst Ward. Members heard of the following issues and concerns with the application:

- Concerns regarding the appropriateness of the Company, the location and history of the property.
- There had been 84 objections to the application with many referring to the importance surrounding the need to protect vulnerable children.
- The Company's website only mentions caring

- for the elderly and not for children.
- It is a high-risk option for the Council and is the Company just using this opportunity to make profit?
  - The location has a low PTAL rating and is inconveniently located for access to public transport, thus reducing the options for children to develop independence.
  - Taking into account the property's recent history, it is not a suitable location for a children's home.

A written representation in objection to the application had been received from Ward Member, Councillor Hitchins, and had been circulated and tabled for Members. Committee Member, Cllr Harris, also read out the statement at the meeting.

In response to a Member's question regarding any restrictive covenants in place for the property, the Planning Officer confirmed that it was a civil matter and not a planning consideration.

During discussions Members agreed that although there is a strong need for this type of property that can provide residential care for children, this was the wrong property and location for this proposal. Concerns were raised regarding the lack of suitable play areas at the property, the lack of security, the standard of the proposed site and poor nearby transport availability. Members also agreed that if the Borough is housing children in such care homes then there is the need to be 100% certain that they are housed in suitable locations with suitable providers.

Members having considered the Report, objections and representations **RESOLVED that the APPLICATION BE REFUSED for the following reason:**

**The change of use from dwellinghouse (Class C3) to supported care for three children (Class C2) would result in over-intensive use of the site which has a limited size rear garden to serve the intended use, which is inconveniently located for transport links and public services and which would be out of keeping with the residential character of the area, resulting in increased noise and disturbance with associated impact on the residential amenities of neighbouring properties,**

**thereby contrary to policies H12 and T4 of the London Plan and Policies 11, 37 and 44 of the Bromley Local Plan.**

**34.2  
SHORTLANDS & PARK  
LANGLEY**

**(24/00142/FULL1) - South Hill Wood Recreation  
Ground, Tootswood Road, Shortlands, Bromley**

Installation of a sail covering half of an existing tennis court.

In an update given by a Planning Officer, Members heard that three additional letters of support for the application had been received. In response to a Member's question the Planning Officer confirmed that the application was for the permanent siting of the sail/canopy.

An oral representation in objection to the application was then given by a neighbouring resident living immediately opposite to the application site. Members heard concerns that the sail would not actually help during periods of rain and that the noise caused by the sail would be greatly increased during high winds and heavy rain. In addition it was thought that in future the sail may be used for other purposes eg as a cover for parties and barbeques. The impact on views/outlook was also raised, together with white as the colour for the sail. The Speaker felt that an alternative colour may be more suitable, together with a less intrusive shape.

An oral representation in support of the application was then received by the Applicant and owner of the Tennis Club where the sail canopy is to be sited/used. Members were informed that the Applicant had run the Tennis Club for the last thirty years and had used a large amount of his own money for the upkeep of the club, including court resurfacing and now the all-weather surface. The Club was used by members, schools and disability groups.

The Applicant explained that with climate change causing warmer and wetter weather, it has had a detrimental effect on income due to cancelled courts, lessons and coaching sessions. The introduction of the sail canopy would enable the third court to be used more and coaching could run all-year round, with 3 mini tennis courts able to be set up under the

canopy. Consultations had proved that it was not possible to have posts on four sides, therefore three posts and a sail canopy was concluded to be the best solution to the problem. The Applicant stated that the proposed plan would help to protect his income and provide important sports facilities, especially for children, throughout the year.

In response to Members' questions the Applicant stated that drainage would not be a problem as water would drain straight off and into the surrounding woods. The Applicant added that the sail canopy would be strictly for the use of tennis with no plans for it to be used for other purposes or events. The sail can be taken down for cleaning and maintenance, although the Applicant would have to pay for a company to put it back up. The sail has a lifespan of around fifteen years.

The Applicant confirmed that he would not be able to agree to a different design eg a flatter canopy as consultations had resulted in the sail design being the most suitable for sun cover, drainage etc. Other colours may be considered, although the Applicant had been advised that white was the best option for such canopies.

During discussions a Member mentioned that the tennis club was unable to move coaching inside due to weather conditions and that overall the plan was an unobtrusive answer to the problem. It was stated that the design did not really affect the outlook of the street scene, and it was definitely a good idea for children to continue to be able to use the facilities and be protected from the sun and rain. In addition it was stated that this was an application from a small, local and well-established business providing a valuable service to the area. The Ward Councillors for Shortlands and Park Langley were also in support of the application.

Members also discussed that, if approved, a condition should be added regarding the use of the sail canopy for tennis purposes only, together with a condition regarding the Applicant undertaking further discussions and submitting details for approval with the Planning Department regarding the appearance/colour of the sail/canopy.

Members having considered the Report, objections and representations **RESOLVED that the APPLICATION BE APPROVED**, subject to the conditions set out in the report, and the additional conditions as follows:

The proposed sail shall only be used in connection with tennis and fitness and the court area under the sail shall not be used after 22.00 hours on any day.

Reason: To ensure that the sail canopy is only used in connection with and within hours consistent with the existing use, in order to avoid unacceptable noise and disturbance to local residents, to comply with Policies 37 and 119 of the Bromley Local Plan.

Prior to the installation of the canopy/sail detail of its appearance/colour shall be submitted to and approved in writing by the Local Planning Authority. The sail shall be installed in complete accordance with the approved details and permanently retained as such thereafter.

Reason: In the interest of the appearance of the visual amenities of the site and its surroundings, to accord with Policy 37 of the Bromley Local Plan.

**34.3  
BROMLEY COMMON &  
HOLWOOD**

**(24/00343/FULL1) London Borough of Bromley,  
Waldo Road, Bromley, BR1 2QX.**

Installation of 2 x below ground weighbridges and associated kiosk.

Following a presentation given by a Planning Officer, Ward Councillor and Committee Member, Councillor Dr Gupta proposed the approval of this application on London Borough of Bromley owned land.

Members having considered the Report **RESOLVED that the APPLICATION BE APPROVED** subject to the conditions set out in the Report.

**34.4  
HAYES & CONEY HALL**

**(24/00512/FULL6) - The Bungalow, Hayes Mead  
Road, Bromley, BR2 7HR**

Proposed single storey front extension with new porch and part side extension and conversion of existing garage to habitable accommodation, single storey rear extension, loft conversion with rear dormer, roof alterations to form crown roof feature and roof lights.

The Planning Officer confirmed to Members that this was a resubmission of Planning Application 23/00790/FULL6 which had been previously refused in June 2023 on the grounds of bulk, size and scale (as detailed on page 57 of the Report). The main changes with the current proposal are also listed on Page 57 of the Report.

An oral representation in objection to the application was received from a neighbour. A photo had also been circulated to Members showing the proximity of the Speaker's garden to the Applicant's property. Members heard concerns that the rear dormer window would overlook the neighbour's property resulting in a loss of privacy, and that velux windows would be a preferred alternative. In response to a Member's question, the Speaker confirmed that the use of frosted glass would be acceptable.

Members then heard from Ward Councillor and Committee Member, Councillor Michael, who stated that she agreed this was an improved application, being more modest and with less bulk, but the neighbour's concerns were also understood and should be taken into account. The Planning Policy was in place to protect people from loss of privacy, outlook etc. Although Councillor Michael did not want the application refused, it was suggested that Members may be minded to defer the application for the Applicant to consider whether the dormer window could be replaced with velux windows or the sill area raised.

During discussions Members raised concerns regarding possible future changes to the property with the internal void being enclosed and converted into a habitable room. This would then contribute to the loss of privacy for neighbours. It was agreed that the current proposal would improve the property and fit in with surrounding properties and the area, although Members felt there was a need to put in a condition



regarding changing the dormer window to velux windows or the use of frosted glass. The Planning Officer confirmed to Members that the application would not be able to be approved with such a condition as it required the submission of revised plans/drawings etc, it would need to be deferred.

Members having considered the Report, objections and representations **RESOLVED that the APPLICATION BE DEFERRED without prejudice to seek revisions to the proposal. Members requested that the applicant considers removing the rear dormer and substitute this with rooflights.**

**If the applicant does provide revised plans removing the dormer, Members agreed that this application could be determined under delegated authority. If no revised plans were provided, then the application would be required to come back to the next available Plans Sub Committee.**

35

#### **CONTRAVENTIONS AND OTHER ISSUES**

NO REPORTS

36

#### **TREE PRESERVATION ORDERS**

NO REPORTS

The Meeting ended at 9.22 pm

Chairman