

PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held at 7.00 pm on 5 February 2015

Present:

Councillor Simon Fawthrop (Chairman)
Councillor Michael Turner (Vice-Chairman)
Councillors Kathy Bance MBE, Peter Dean, Nicky Dykes,
Kate Lymer, Russell Mellor and Richard Scoates

Also Present:

Councillor Catherine Rideout

18 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Samaris Huntington-Thresher.

19 DECLARATIONS OF INTEREST

No declarations of interest were received.

20 CONFIRMATION OF MINUTES OF MEETING HELD ON 4 DECEMBER 2014

RESOLVED that the Minutes of the meeting held on 4 December 2014 be confirmed and signed as a correct record.

21 PLANNING APPLICATIONS

SECTION 1

(Applications submitted by the London Borough of Bromley)

21.1 BROMLEY TOWN

(14/04917/ADV) - 2 High Street, Bromley

Description of application - Illuminated lettering spelling 'BROMLEY SOUTH' above fascia level, 2 way-finding signs and 2 fascia signs at 2-22 High Street.

Members having considered the report, **RESOLVED that ADVERTISEMENT CONSENT BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner.

SECTION 2

(Applications meriting special consideration)

**21.2
BROMLEY COMMON AND
KESTON**

**(12/03874/FULL6) - Barn Farm, 56 Hastings Road,
Bromley**

Description of application - Roof alterations to incorporate rear and side dormer extension.

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

**21.3
CRAY VALLEY EAST**

**(14/03295/FULL1) - Parker House, 27 Elmcroft
Road, Orpington**

Description of application - Second floor mansard roof extension to provide additional Class B1 office accommodation and elevational alterations.

Oral representations in support of 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 conditions and informative set out in the report of the Chief Planner with the addition of a further 3 conditions to read:-

'8 The use shall not operate on any Sunday or Bank Holiday, Christmas Day or Good Friday nor before 7 am or after 7 pm Monday to Friday or before 8 am or after 1 pm on Saturdays.

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

9 The premises shall be used for Class B1(a) office use only and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and there shall be no change of use including any permitted by the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Reason: In order that the use of the site can be reconsidered in the event of a change with regard to residential amenity and the protection of business floorspace, with regard to Policies BE1 and EMP3 of the Unitary Development Plan.

10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order).

Reason: In order to prevent intensification of the site and to comply with Policy BE1 of the Unitary Development Plan and in the interest of amenity and public safety.

**21.4
COPERS COPE**

**(14/03685/ELUD) - Flat 5 The Old House,
36 Southend Road, Beckenham**

Description of application: Roof terrace on second floor of flat 5. CERTIFICATE OF LAWFULNESS FOR AN EXISTING DEVELOPMENT.

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

The Legal representative advised Members they were required to make a decision based on the balance of probability that the Statutory Declaration signed by the previous owner proved that the roof terrace had been in situ and utilised by the owner for a period of four or more years.

Having considered the report, objections and representations, Members **RESOLVED** that on the balance of probabilities, the roof terrace on the second floor of Flat 5, 36 Southend Road had been used as a roof terrace for a period of at least 4 Years and on the balance of probability was therefore considered to be lawful.

It was **FURTHER RESOLVED** that **A CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE/DEVELOPMENT BE GRANTED** as recommended, subject to the condition set out in the report of the Chief Planner.

**21.5
COPERS COPE**

**(14/03686/FULL1) - Flat 5 The Old House,
36 Southend Road, Beckenham**

Description of application - Retrospective planning permission for wrought iron balustrade and decking for roof terrace.

Oral representations in objection to and in support of the application were received at the meeting. Members having considered the report, objections

and representations, **RESOLVED that PERMISSION BE REFUSED** for the following reason:-

1 The development by reason of its design and appearance, constitutes an unacceptable addition to the property, out-of-character with the locally listed dwelling, detrimental to the visual amenities of the neighbouring residents and contrary to Policies BE1 and BE10 of the Unitary Development Plan. Councillor Dean's vote against refusal of the application was noted.

**21.6
WEST WICKHAM**

(14/03876/FULL6) - 40 Stambourne Way, West Wickham

Description of application - Part one/two storey rear extension, conversion of garage to habitable accommodation and to provide habitable accommodation in roofspace.

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.

**21.7
BICKLEY**

(14/03896/FULL1) - Little Wickham, Hill Brow, Bromley

Description of application - Demolition of existing dwelling and erection of a replacement two storey five bedroom dwelling and formation of a new access drive and erection of detached two storey five bedroom dwelling on land to rear including boundary enclosures and landscaping.

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member Councillor Catherine Rideout in objection to the application were received at the meeting. Councillor Rideout's comments are attached as Appendix 1 to these Minutes.

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

1 The proposed dwellings by reason of their size, height, design and siting and the consequent limited garden space and loss of trees would constitute an overdevelopment of the site which would be out-of-character with the surrounding area and harmful to spatial standards, therefore contrary to Policies BE1 and H7 of the Unitary Development Plan, Bromley

Supplementary Planning Guidance Note 2, the London Plan and the National Planning Policy Framework 2012.

2 The proposed rear dwelling as a consequence of its size, height, siting and design would result in a harmful impact on the adjacent property at 'Hadleigh' by way of an overbearing visual impact and loss of privacy therefore contrary to Policies BE1 and H7 of the Unitary Development Plan.

Informative

You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this levy is payable on the commencement of development (defined in Part 2, paragraph 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and/or person(s) who have a material interest in the relevant land to pay the levy (defined under Part 2, paragraph 4(2) of the Community Infrastructure Levy Regulations (2010).

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

Further information about Community Infrastructure Levy can be found on the attached information note and the Bromley website www.bromley.gov.uk/CIL.

**21.8
HAYES AND CONEY HALL**

(14/04052/FULL6) - 12 Layhams Road, West Wickham

Description of application - Two storey side/rear 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** for the following reason:-

1 The proposed extensions constitute inappropriate development in the Green Belt and no very special circumstances have been demonstrated that outweigh the harm to openness by reason of inappropriateness, therefore contrary to Policy G4 of the Unitary Development Plan and the National Planning Policy Framework 2012.

**21.9
PETTS WOOD AND KNOLL**

**(14/04309/FULL1) - Mega House, Crest View Drive,
Petts Wood**

Description of application - Erection of roof extension to form part fourth

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.

**21.10
ORPINGTON**

(14/04393/FULL1) - 323 Court Road, Orpington

Description of application - Demolition of existing bungalow and erection of a two storey 4 bedroom house with associated landscaping and parking.

Members having considered the report and objections, **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:-

'12 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.

**21.11
CLOCK HOUSE**

**(14/04513/FULL3) - 105 Elmers End Road,
Beckenham**

Description of application - Change of use of ground floor retail unit (Use Class A1) to day nursery (Use Class D1) comprising elevational alterations, pick up/drop off parking bays and landscaping.

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

It was reported that a further 40 letters in support and 13 letters in objection to the application had been received.

The Planning Officer advised that a condition requiring the submission of a Management Plan could be added if Members were minded to permit the application.

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 the addition of a further condition to read:-

'13 Prior to the commencement of the use hereby permitted, a Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan should include measures to manage the times of arrival and departure of children to and from the premises. The Management Plan shall be implemented in accordance with the agreed timescale and details.

Reason: In order to ensure appropriate management of pedestrian and vehicular traffic to and from the development and to accord with Policy T18 of the Unitary Development Plan.

SECTION 3

(Applications recommended for permission, approval or consent)

21.12 COPERS COPE CONSERVATION AREA

(14/03384/FULL1) - 83 Copers Cope Road, Beckenham

Description of application - Demolition of existing buildings and erection of 8 five bedroom houses with associated works relating to a private road, parking and landscaping.

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

Members having considered the report, objections and representations, **RESOLVED TO CONTEST THE APPEAL** on the following grounds:-

1 The proposed development by reason of the number of dwellings, their size and layout, the amount of built development and limited private amenity space, would constitute a cramped overdevelopment of the site, out-of-character with the locality and contrary to Policies H7 and BE1 of the Unitary Development Plan and Policies 3.4 and 3.5 of the London Plan.

2 The proposed development would be detrimental to the residential amenities of the neighbouring property at no. 2 Grangewood Lane giving rise to a harmful

visual impact, loss of privacy and prospect thus contrary to policy BE1 of the Unitary Development Plan.

3 The proposed vehicular access to the site by reason of its length and limited width would be potentially harmful to vehicular and pedestrian safety, contrary to Policy T18 of the Unitary Development Plan.

**21.13
CHELSFIELD AND PRATTS
BOTTOM**

(14/03757/FULL1) - 10 Porthallow Close, Orpington

Description of application - Detached two storey 2 bedroom dwelling with 2 car parking spaces on land adjacent to No. 10 Porthallow Close.

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

1 The proposed development by reason of its size, design and siting would constitute a cramped overdevelopment of the site, which fails to meet the Council's normal requirement for a minimum 1 metre sidespace to each boundary and would therefore be out of character with and harmful to the spatial standards of the area thereby contrary to Policies H7, H9 and BE1 of the Unitary Development Plan.

**21.14
WEST WICKHAM**

(14/03898/FULL1) - 128 Barnfield Wood Road, Beckenham

Description of application - Single storey front extension and porch, single storey rear extension, first floor side extension and roof alterations.

Members having considered the report, **RESOLVED that the application BE DEFERRED** without prejudice to future consideration, to seek compliance with Policy H9 to ensure 1m side space between the flank wall of the extension and the side boundary.

**21.15
PENGE AND CATOR**

(14/04287/FULL1) - Buildings Adjacent to 1-1A Kingswood Road, Penge

Description of application - Demolition of existing buildings and construction of 3 two bedroom houses with associated landscaping and amenity areas.

Members having considered the report, **RESOLVED that the application BE DEFERRED** without prejudice to future consideration, to seek a reduction

in the number of units and the inclusion of adequate car parking.

**21.16
BICKLEY**

(14/04292/FULL6) - Greenwood, Bickley Park Road, Bickley

Description of application - Two storey side and single storey rear extensions with swimming pool to rear.

Comments received from Committee and Ward Member Councillor Kate Lymer in objection to the application are attached as Appendix 2 to these Minutes.

Comments from the Planning Officer were reported at the meeting.

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

1 The proposed extensions would, by reason of their siting, size and bulk, constitute an overdevelopment of the site and as a result would cause harm to the character and appearance of the Bickley Area of Special Residential Character, thereby contrary to Policies H8, H10 and Appendix 1 of the Unitary Development Plan.

**21.17
PETTS WOOD AND KNOLL**

(14/04311/FULL1) - Mega House, Crest View Drive, Petts Wood

Description of application - Elevational alterations to existing building.

Oral representations in support of 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 conditions set out in the report of the Chief Planner.

**21.18
PENGE AND CATOR**

(14/04536/FULL1) - 181 Kent House Road, Beckenham

Description of application - Conversion of a single dwelling into 2 flats, a two bedroom and a three bedroom flat with a loft conversion and rear dormer.

Oral representations 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)

**21.19
PLAISTOW AND
SUNDRIDGE**

(14/04721/VAR) - Treesway, Lodge Road, Bromley

Description of application - Application to vary Condition 5 of planning permission reference 14/01529 from 'Within two months of the date of decision notice all flank windows shall be incapable of being opened and shall be obscure glazed to a minimum of privacy level 3 (using five levels of privacy with 5 providing the most obscure in line with the Permitted development for householders - Technical guidance) and shall subsequently be permanently retained as such' to 'All flank windows at first floor level should be obscure glazed and openable in order to allow for natural ventilation. In the roofspace the three lower rooflight windows should be obscure glazed and permanently fixed shut'.

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

22

TREE PRESERVATION ORDERS

**22.1
COPERS COPE**

Tree Works Application 14/00578/TPO: Consent to Remove 1 London Plane Tree on Land Adjacent to The Avenue, Beckenham, BR3 5ES

Oral representations in objection to the application were received at the meeting. The Legal representative advised Members they were required to make a decision based on the probability of foreseeability that the tree could be the potential cause of damage. Members were also made aware that refusal of the application could cost the Council in the region of £63,000-£85,000 (excluding legal costs), by way of compensation payment.

Members having considered the report and representations, **RESOLVED THAT THE APPLICATION TO REMOVE 1 LONDON PLANE TREE BE GRANTED** as recommended with the addition of a condition to read:-

1 A replacement tree of size, species and location to be agreed in writing by the Council shall be planted

and thereafter be maintained for a period of 3 years and shall not be pruned or removed without the written consent of the Council. If the replacement tree dies within that period it shall be replaced with a new tree of a size and species to be agreed in writing by the Council.

**22.2
BICKLEY**

Tree Works Application 14/02640/TPO: Consent to Remove 1 Cedar Tree Located in the Rear Garden of 6 Laurel Gardens, Bromley, BR1 2US

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

Comments from Ward Member Councillor Colin Smith in objection to the application were received at the meeting. Councillor Smith referred to a similar application at the same site which Members considered in 2014; this had resulted in the loss of a much loved and 'protected' tree. Background papers to that application are attached as Appendix 3.

Members having considered the report and representations, **RESOLVED THAT THE APPLICATION TO REMOVE 1 CEDAR TREE BE REFUSED** for the following reason:-

1 The removal of the tree is unnecessary and would have a detrimental effect upon the character and appearance of the area contrary to Policy NE7.

23

SUPPLEMENTARY APPLICATION

The Chairman moved that the following report, not included in the published agenda, be considered as a matter of urgency on the following grounds:

'There was a pressing need to ensure that the Legal Agreement was signed with the Decision Notice wording clarified as requested by the agent.'

**23.1
CRAY VALLEY WEST**

(14/00820/OUT) - Grays Farm Production Village, Grays Farm Road, Orpington

Description of application - Demolition of existing buildings and redevelopment to provide 1.077sqm of use Class B1 floorspace in a detached 2 storey building with accommodation in roof and 45 two storey houses (some with accommodation in roof) with access road and car parking.

Members having considered the report and objections, **RESOLVED that PERMISSION BE**

Plans Sub-Committee No. 2
5 February 2015

**GRANTED SUBJECT TO THE PRIOR
COMPLETION OF A LEGAL AGREEMENT** as
recommended and subject to the conditions and
informatives set out in the report of the Chief Planner.

The meeting ended at 9.35 pm

Chairman