

PLANS SUB-COMMITTEE NO. 1

Minutes of the meeting held at 7.00 pm on 3 March 2016

Present:

Councillor Alexa Michael (Chairman)
Councillor Charles Joel (Vice-Chairman)
Councillors Douglas Auld, Nicholas Bennett J.P., Katy Boughey,
Ian Dunn and Angela Page

Also Present:

Councillors Charles Rideout QPM CVO

23 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Bob Evans and Councillor Nicholas Bennett JP attended as his substitute. An apology for absence was received from Councillor Nicky Dykes.

24 DECLARATIONS OF INTEREST

Councillor Douglas Auld declared a Personal Interest in Item 8.1. He remained in the Chamber for the debate and vote.

25 CONFIRMATION OF MINUTES OF MEETING HELD ON 7 JANUARY 2016

RESOLVED that the Minutes of the meeting held on 7 January 2016 be confirmed.

26 PLANNING APPLICATIONS

SECTION 1

(Applications submitted by the London Borough of Bromley)

26.1 PLAISTOW AND SUNDRIDGE

**(15/05658/ADV) - Parish School, 79 London Lane,
Bromley, BR1 4HF**

Description of application – Installation of non-illuminated signage to school access gates fronting Park Avenue.

**THIS REPORT WAS WITHDRAWN BY THE CHIEF
PLANNER.**

SECTION 2

(Applications meriting special consideration)

**26.2
CRAY VALLEY EAST**

**(15/04202/PLUD) - Ruxley, Sandy Lane, Sidcup
DA14 5AH**

Description of application – Detached single storey building for parking and storage ancillary to the main dwelling. CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT.

THIS REPORT WAS WITHDRAWN BY THE APPLICANT.

**26.3
SHORTLANDS
CONSERVATION AREA**

**(15/04608/FULL1) - 28 Wickham Way, Beckenham,
BR3 3AF**

Description of application amended to read, 'Demolition of existing dwelling and erection of a 5 bed detached house with attached garage.'

This application was considered by Members of Plans Sub-Committee 3 on 4th February 2016, which resolved to approve the proposal subject to conditions. On the day of the meeting a loss of power had affected the Civic Centre's information and communication systems and it had been agreed that on restoration of the systems any late representations (although outside of the statutory consultation period) received that materially affected an application would be taken into consideration before a decision on that application was issued. It became apparent after the Sub-Committee that a local resident had attempted to send an email on the day of the meeting that had not been received. Accordingly the decision was not issued and the application reported back to this Sub-Committee. The Chief Planner's report and recommendation remained the same as that contained in the agenda for Plans Sub-Committee 3 on 4 February 2016 but with the additional late email objection summarised in the report.

Oral representations in objection to and in support of the application were received at the meeting. Comments from Ward Member, Councillor Mary Cooke, in objection to the application were reported. 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.

**26.4
WEST WICKHAM**

(15/05035/FULL6) - 202 Langley Way, West Wickham, BR4 0DU

Description of application - Single storey detached outbuilding at land r/o 202 Langley Way for use as a dance practice studio for occupants of main house only.

Oral representations in support of the application were received at the meeting. It was reported that on page 33 of the Chief Planner's report, paragraph 4, should be amended to read:-

'It is also noted that a further application for a lawful development certificate for an 'outbuilding for use as a dance practice studio for occupants of main house only' was refused as the proposal did not constitute permitted development as it would not fall within the curtilage of the dwellinghouse and the use was not considered as a purpose incidental to the enjoyment of the dwellinghouse in relation to Class E of the GPDO.'

It was also reported that on page 34 of the Chief Planner's report, paragraph 4, should be amended to read:-

'A recent application for a lawful development certificate for an 'outbuilding for use as a dance practice studio for occupants of main house only' (ref: 15/02887/PLUD) was refused as the proposal did not constitute permitted development. This was due to two reasons; it would not fall within the curtilage of the dwellinghouse and the use was not considered as a purpose incidental to the enjoyment of the dwellinghouse in relation to Class E of the GPDO. This current application requires the Council to determine the application in relation to planning policy rather than a matter of whether it is "Permitted Development".'

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.

**26.5
HAYES AND CONEY HALL**

(15/05474/FULL1) - Land Between 65 and 67 Cameron Road, Bromley

Description of application – Construction of a single storey building for use as a day nursery (Use Class D1) and associated access, parking, refuse storage and landscaping.

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

Councillor Nicholas Bennett JP was concerned that no arrangement had been put in place with regard to potential noise disturbance to adjacent residents at play times. In Councillor Charles Joel's opinion there was insufficient parking provision. The Chief Planner's Representative advised Members that a previous application had been refused that was subject to an appeal. The Planning Inspector dismissed the appeal but his concerns were narrow and a partial aware of costs was made. The Chief Planner's Representative further reminded Members to consider the guidance regarding the award of costs if the application was to be refused.

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

1. The proposed development, by reason of its design and in particular the proposed fencing will unduly impair the open nature of designated Urban Open Space contrary to Policy G8 of the Unitary Development Plan.
2. The proposal, by reason of the additional noise and disturbance associated with activities relating to the proposed use as a day nursery, will have an adverse impact on the residential amenities of occupants of nearby properties contrary to Policy BE1 of the Unitary Development Plan.
3. The proposal does not provide a suitable arrangement for the parking and turning of cars within the site resulting in unsatisfactory parking arrangements contrary to Policy T3 of the Unitary Development Plan.

**26.6
CHISLEHURST**

(15/05603/FULL6) - 45 Sandy Ridge, Chislehurst, BR7 5DP

Description of application – Two storey side/rear extension, partial hip to gable extension, rear dormer with juliet balcony and front rooflights.

Councillor Katy Boughey disagreed with the Chief Planner's recommendation and, in her opinion, the proposed development would impact the residential amenity and be contrary to the Unitary Development Plan Policies BE1 and H8.

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

1. The proposed alterations to the roof are considered to result in a bulky and overdominant

addition that would be detrimental to the streetscene and the visual amenities of the area; thereby contrary to policies H8 and BE1 of the Unitary Development Plan.

2. The proposed two storey extension, by reason of its design, bulk and rearward projection, would have an adverse impact on the residential amenities currently enjoyed by the occupants of the adjoining property, No.47 Sandy Ridge, contrary to Policies BE1 and H8 of the Unitary Development Plan.

**26.7
CRAY VALLEY EAST**

**(15/05646/TELECOM) - Land Opposite 27-33
Chelsfield Road, Orpington**

Description of application - Installation of 10m telecommunications mast and one ancillary equipment cabinet. Consultation by Vodafone and O2 regarding the need for prior approval for siting and appearance.

Oral representations in objection to the application were received at the meeting. It was reported that further objections to the application had been received together with objections from St Philomena's Catholic Primary School.

Councillors Angela Page and Douglas Auld were concerned that the proposed site was in close proximity to the School being an attractive green area with bungalows predominately nearby and additional street furniture would be detrimental to the local amenity. Councillor Page understood that the Council had undertaken to look at its Asset Register with a view to assist telecommunications companies with the siting of masts and equipment cabinets. Councillor Nicholas Bennett pointed out that residents wanted and needed good mobile reception and considered the site to be acceptable.

Members having considered the report, objections and representations, **RESOLVED that PRIOR APPROVAL BE REQUIRED AND REFUSED** for the following reason:-

1. The proposed mast, by reason of its height, siting and design, would represent an obtrusive and over-prominent feature in the street scene, out of character and detrimental to the visual and residential amenities of the area, contrary to Policy BE1 and BE22 of the Unitary Development.

**26.8
SHORTLANDS**

**(16/00300/TELCOM) - Land rear of 109 Hayes Way.
Hayes Lane, Beckenham**

Description of application – 12.5 replica telegraph pole telecommunications mast with equipment cabinet

sited on the pavement of Hayes Lane.
Consultation by Vodafone Ltd and Telefonica UK Ltd regarding the need for approval of siting and appearance of telecommunications apparatus.
AMENDED SITE LOCATION - LAND REAR OF 109 HAYES WAY.

It was reported that further objections to the application had been received.
Comments from Ward Member, Councillor Mary Cooke, in support of the application were reported. Councillor Charles Joel referred to technical information regarding the siting of masts and equipment. Councillor Joel's preference was for companies to site them in tree/wooded areas or back gardens. Councillor Nicholas Bennett supported the application.

Members having considered the report, objections and representations, **RESOLVED that PRIOR APPROVAL BE REQUIRED AND REFUSED** for the reason set out in the report of the Chief Planner.

SECTION 3

(Applications recommended for permission, approval or consent)

26.9 DARWIN CONSERVATION AREA

(15/04895/FULL1) - Trowmers, Luxted Road, Downe, Orpington BR6 7JS

Description of application – Detached two storey 4 bedroom dwelling with integral garage on land adjacent to Trowmers with vehicular access from Cudham Road.

Oral representations in support of the application were received at the meeting. It was reported that a further objections to the application had been received from Downe Residents' Association. Comments from Ward Member, Councillor Richard Scoates, in objection to the application were reported together with comments from Highways Division.

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.

**26.10
HAYES AND CONEY HALL**

(15/05216/FULL6) - 20 Hayes Garden, Bromley

Description of application – First Floor side 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.

**26.11
PENGE AND CATOR**

(15/05284/FULL1) - 41 Croydon Road, Penge, London, SE20 7TJ

Description of application – Second floor side extension, roof and rear dormer extensions and conversion of attic to self-contained studio flat.

It was reported that the ordnance survey site map attached to the Chief Planner's report was incorrect and the site was the next door site.

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

**26.12
CRAY VALLEY WEST**

(15/05285/FULL1) - Havencroft, Sevenoaks Way, Orpington, BR5 3JE

Description of application – Demolition of existing dwellinghouse and construction of a replacement two storey five bedroom dwellinghouse (PART RETROSPECTIVE APPLICATION).

Oral representations in support of the application were received at the meeting. It was reported that the application site was adjacent to the Green Belt and not sited in the Green Belt as stated in the Chief Planner's report.

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.

**26.13
BICKLEY**

(15/05551/FULL6) - 11 Hartley Close, Bickley, Bromley, BR1 2TP

Description of application – Part one/two storey front extension with dormer and single storey side 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.

**26.14
HAYES AND CONEY HALL**

(15/05599/FULL6) - 193 Queensway, West Wickham, BR4 9DU

Description of application – First floor side/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.

**26.15
MOTTINGHAM AND
CHISLEHURST NORTH**

(15/05647/TELCOM) - Land Opposite 1 Grove Park Road, Mottingham SE9 4NP

Description of application – Installation of 12.5m high telecommunications mast. Consultation by Cornerstone Telecommunications Infrastructure Ltd (CTIL) regarding the need for prior approval of siting and appearance.

Oral representations from Ward Member, Charles Rideout QPM CVO, and on behalf of his fellow Ward Member, Councillor David Cartwright, in objection to the application were received. The layout of the potential siting was inappropriate and accidents or near misses at the site were common and additional street furniture would reduce motorists' visibility. In Councillor Rideout's opinion a more suitable location had been offered but the telecommunications company had not taken this up due to technical reasons.

It was reported that the application had been amended by documents received on 11 February 2016. Comments received from Ward Member, Councillor David Cartwright, in objection to the application were reported and circulated to Members. It was reported that Highways Division had no objection to the application.

Members having considered the report, objections and representations, **RESOLVED that PRIOR APPROVAL BE REQUIRED AND REFUSED** for the following reasons:-

1. The proposed mast, by reason of its prominent location, height, siting and design, would represent an obtrusive and over-prominent feature in the street scene, out of character and detrimental to the visual and residential amenities of the area, contrary to

Policy BE1 and BE22 of the Unitary Development Plan.

**26.16
PETTS WOOD AND KNOLL**

(15/05656/FULL6) - 5 Novar Close, Orpington BR6 0XA

Description of application – Single storey side extension. Replacment garage with covered porch.

Oral representations in objection to the application were received at the meeting. It was reported that on page 137 of the Chief Planner's report the first sentence should be amended to read, 'The proposed single storey side extension would increase the width of the dwelling from 10.6m to 18.2m by using a 3.6m wide strip of adjoining land which is currently outside the ownership of the property, eroding the space to the side of the property.'

Ward Member, Councillor Douglas Auld, spoke in objection to the application. Councillor Auld's comments and the ordnance survey plan attached to the Chief Planner's report are attached as Minute Annex, Appendix 1, to these Minutes.

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

1. The proposed development, by reason of its length, height and prominent boundary location, will result in an overdevelopment of the site and the development will have an overbearing impact on the occupants of 16 Sequoia Gardens resulting in a loss of prospect, privacy, amenity and vista contrary to Policy BE1 of the Unitary Development Plan.

SECTION 4

(Applications recommended for refusal or disapproval of details)

**26.17
CHISLEHURST**

(15/05493/FULL6) - 78 Walden Road Chislehurst BR7 5DL

Description of application – Part 1/2 storey front, rear and side extensions. Conversion of garage into habitable room with 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 REFUSED**, as recommended, for the reason set out in the report of the Chief Planner.

27 SUPPLEMENTARY AGENDA

27.1 PETTS WOOD AND KNOLL

**(15/05056/FULL6) - 67 Dale Wood Road,
Orpington, BR6 0BY**

Description of application - First floor rear extension.

Oral representations in objection to and in support of the application were received at the meeting. A plan had been received from the applicant and circulated to Members. Comments and photographs from Ward Member, Councillor Simon Fawthrop, in objection to the application were reported and circulated to Members and attached as Minute Annex, Appendix 2.

Ward Member, Councillor Douglas Auld, spoke in objection to the application. Councillor Auld's comments are attached as Minute Annex, Appendix 3 to these Minutes.

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration, **to seek a reduction in the height of the roof of the proposed extension.**

The Meeting ended at 8.50 pm

Chairman

MINUTE ANNEX

APPENDIX 1

London Borough of Bromley Plans Sub-Committee 1 – 3 March 2016

ITEM 4.16 – (15/0566FULL6) 5 Novar Close, Orpington BR6 0XA

COMMENTS RECEIVED AT THE MEETING FROM SUB-COMMITTEE AND WARD MEMBER, COUNCILLOR DOUGLAS AULD.

Madam Chairman,

May I draw your attention to what I believe is an error at the top of page 137 of the report. In the first line the proposal is said to be a two storey side extension. It is I hope a single storey extension being proposed.

The application is in two parts, the side extension and a replacement garage. I believe the garage replacement to be acceptable but I have reservations concerning the side extension.

On the small map on page 141, the southern boundary line of the dwelling at 5 Novar Close, (towards the bottom of the application site) is depicted as it is today. It is stated several times in the report that the proposed extension will occupy all of the existing side space up to the boundary and additionally extend a further 3.6 metres into a strip of adjoining land which currently forms part of the garden of 9 Irene Road, shown at the bottom right of the map. Presumably the intention is to purchase this additional land. Thus part of the proposed extension will be clearly visible from the rear of 16 Sequoia Gardens shown on the map below and to the left of the application site.

Neither does the map depict the very sharp rise in ground levels from the rear of 16 Sequoia Gardens, up to the proposed extension. This would make the proposed single storey side extension the equivalent of a two storey extension if the properties were on the same level and taking into account the already referred to change in boundary to accommodate the proposed extension, the rear first floor bedroom windows of 16 Sequoia Gardens would be on a level if not slightly lower than those of the extension.

I accept there is room to the southern flank of 5 Novar Close to have a single storey side extension but not to the additional 7.6 metres width being proposed which represents a 72% increase in the width of the whole property. This would be

obstructive and reduce the fairly open aspect currently enjoyed by the occupier of 16 Sequoia Gardens.

In terms of width I believe this to be an overdevelopment of the property at 5 Novar Gardens leading to dominance over the dwelling at 16 Sequoia Gardens, resulting in loss of amenities to the occupier of that property in terms of being overlooked with accompanying loss of privacy and loss of vista to the occupier of that address.

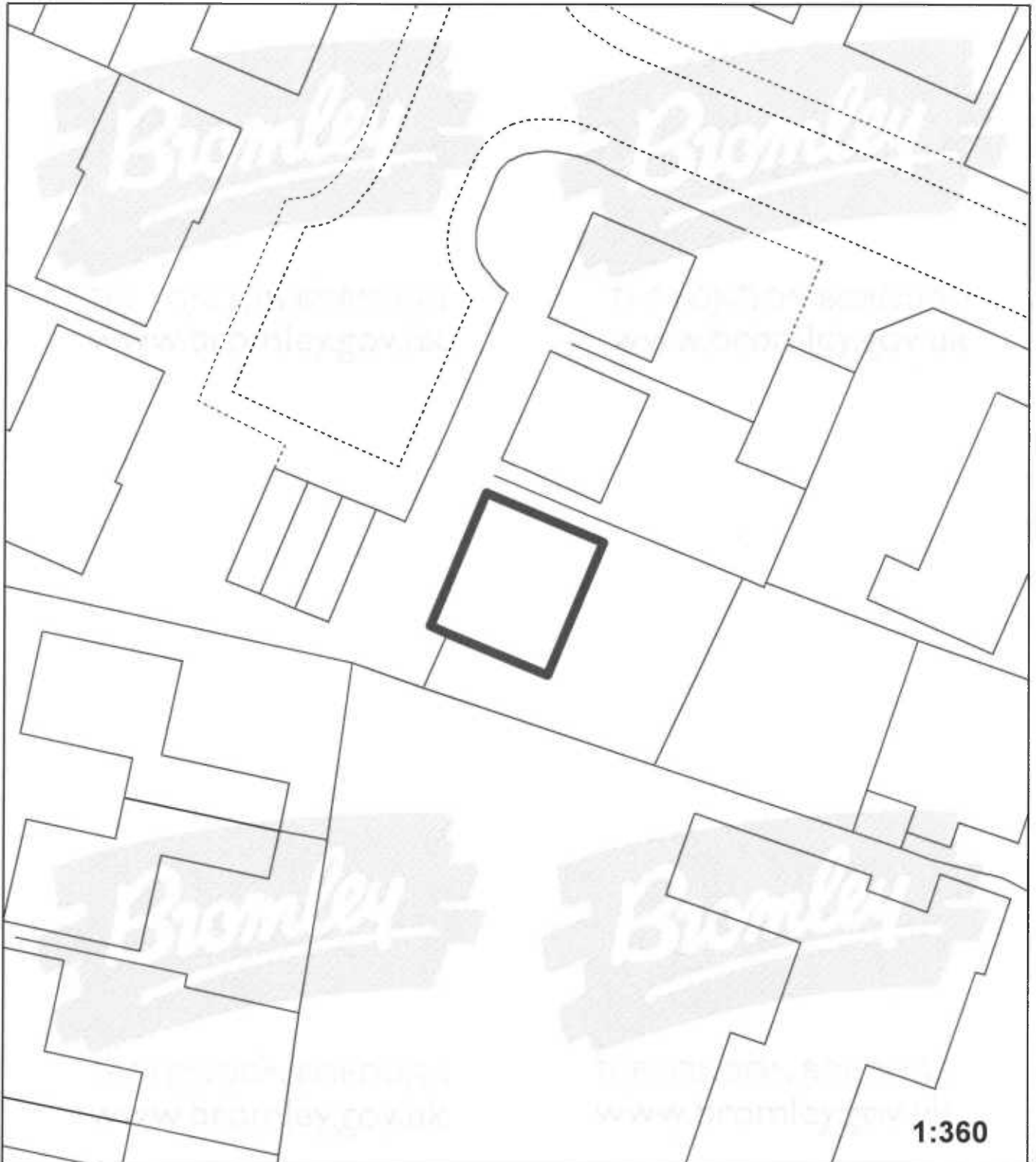
I propose that the application be refused.

Thank you.
Councillor Douglas Auld

Application:15/05656/FULL6

Address: 5 Novar Close Orpington BR6 0XA

Proposal: Single storey side extension. Replacment garage with covered porch.



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"
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MINUTE ANNEX

APPENDIX 2

London Borough of Bromley Plans Sub-Committee 1 – 3 March 2016

ITEM SUPPLEMENTARY AGENDA S8.1 – (15/05056/FULL6)

67 Dale Wood Road, Orpington BR6 0BY

COMMENTS READ AND CIRCULATED AT THE MEETING FROM

WARD MEMBER, COUNCILLOR SIMON FAWTHROP.

The crux of this application is the impact it will have on the neighbours at 65 Dale Wood Road. The gardens in this case are roughly north facing.

As can be seen from the photographs the occupants of no. 65 already have impeded access to daylight due to the proximity of the existing development at no. 67.

In fairness to no. 67 the revised development for the extension is a huge improvement on the previous application being set back by half the width of the existing building. If this were of a flat roof variety of extension the impact whilst detrimental to the amenities of No. 65 would be substantially less than what is currently proposed. Unfortunately the pitched roof adds to the over shadowing at no. 65. Which is a shame because in design terms the pitched roof is more pleasing than a flat roof.

For a long time as members we have had to rely on our judgement to determine the impact of proposed developments on neighbouring properties due to overshadowing. With the link I have forwarded we are able to enter the post code and then a time of day to assess the shadowing impact of a proposed development. In this case I have taken a date of 21st March to assess the impact at midday on the equinox a time when if you like we can determine the average impact upon the amenities of no. 65.

If colleagues enter this date into a link attached to my email of 28 February 2016 they will see that the shadow is approximately 3 times the length of the extension. Making the overshadowing impact on no. 65. Substantial, this is in the main due to the height of the roof rather than the extension its self.

This leads to a conclusion that as it stands the proposal should be refused as being contrary to policy BE1.

If colleagues are not with me on this then at the very least the application should be deferred to seek a reduction in the roof slope, to reduce the impact of overshadowing on no. 65.

Regards

Simon Fawthrop





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MINUTE ANNEX

APPENDIX 3

London Borough of Bromley Plans Sub-Committee 1 – 3 March 2016

ITEM SUPPLEMENTARY AGENDA S8.1 – (15/05056/FULL6)

67 Dale Wood Road, Orpington BR6 0BY

COMMENTS RECEIVED AT THE MEETING FROM SUB-COMMITTEE AND WARD MEMBER, COUNCILLOR DOUGLAS AULD.

Madam Chairman,

This application was originally on the agenda for Sub-Committee 4 on 18 February but was deferred. On that basis my Ward colleague, Councillor Simon Fawthrop, visited the adjoining property at no. 65 as the occupiers of that house had concerns over the proposal in respect of further loss of sunlight and daylight into their rear lounge and onto their patio.

Following his visit, Councillor Fawthrop forwarded an email and photographs which are before you this evening. The contents of his email have been read.

On Tuesday I visited both nos 67 and 65 Dale Wood Road. Like Councillor Fawthrop I believe the current application is a vast improvement in that, at first floor level the width of the proposed extension has been reduced by 3.1 metres thereby increasing the space to the boundary to 5.58 metres at that level.

In concurring with Councillor Fawthrop I consider that the extension in this application in itself is acceptable but I saw for myself that the roof of the extension would still cause further shadowing and loss of light to the rear lounge and patio of no 65. The resident there stated the shadowing was at its worst in the winter months. In my opinion height and not width or depth is the difficulty.

The rear lounge of no. 65 is situated adjacent to the boundary of no. 67. It is lit by a flank window and by patio doors to the rear. Light from the flank window is almost totally obscured by the wall of a single storey garage, part of no. 67 which is about one metre from the flank window.

Due to the orientation of the houses, the direction of the sunlight and a single storey rear extension to no 67 permitted in 2005, there is already restricted light reaching the patio and the patio doors of no 65. In terms of light the lounge is already a dull room. Therefore anything which further impeded that light would be detrimental to the occupants of no 65.

In her report the planning officer states, (page 3, second paragraph), 'the proposal should not affect privacy or loss of light. Neither Councillor Fawthrop or myself agree as regards the loss of light.

There have been three previous applications for a first floor rear extension to no 67. As you will have noted from the report all three were refused by the Council. The last, early last year, went to Appeal. In dismissing the Appeal the Planning Inspector concluded that the proposed development would have a detrimental effect on the living conditions of the adjoining occupiers at no 65, in terms of loss of light and outlook and that the scheme would not accord with Unitary Development Policy BE1 in this regard. It is obvious the Inspector was partially concerned with loss of light.

This application goes a fair way to address the Inspector's concerns. However if it was to proceed as it is I would propose refusal on the grounds of loss of amenity (light) to the occupants of no 65. There may be a middle path if the applicant was to either substantially reduce the slope of the roof of the extension or to have a flat roof on it thereby reducing the height.

I move deferral to give the applicant the opportunity to consider amending the design of the roof with the objective of reducing the height.

Thank you

Councillor Douglas Auld