

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

Minutes of the meeting held at 7.00 pm on 8 July 2021

### **Present:**

Councillor Katy Boughey (Chairman)  
Councillor Tony Owen (Vice-Chairman)  
Councillors Kevin Brooks, Simon Fawthrop, Christine Harris,  
William Huntington-Thresher, Charles Joel, Alexa Michael and  
Keith Onslow

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

An apology for absence was received from Councillor Samaris Huntington-Thresher; Councillor Simon Fawthrop attended as substitute.

### **31 DECLARATIONS OF INTEREST**

No declarations of interest were received.

### **32 CONFIRMATION OF MINUTES OF MEETING HELD ON 5 MAY 2021**

**RESOLVED that the Minutes of the meeting held on 5 May 2021 be confirmed and signed as a correct record.**

### **33 PLANNING APPLICATIONS**

**33.1 BROMLEY COMMON AND KESTON CONSERVATION AREA**      **(21/00491/FULL1) - 1 Beech Dell, Keston, BR2 6EP**  
  
Description of application – Demolition of existing house and outbuildings and replacement three storey detached house with garage in basement. Garden pavilion. New terrace area together with associated hard and soft landscaping. New driveway with three parking bays.

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 reasons set out in the report of the Assistant Director, Planning.

**33.2  
CHELSFIELD AND PRATTS  
BOTTOM**

**(21/00566/FULL6) - 40 Warren Road, Orpington,  
BR6 6HY**

Description of application – Detached garage and hardstanding to the front, ground floor front and rear extensions, roof extensions including increase in ridge height, hip to gable extensions and side dormers to create additional habitable rooms in the roof, first floor balcony and single storey detached rear outbuilding.

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

In response to a Member question, the applicant stated that with the proposed 1m distance between the property and the boundary across the site, side space policy would not be breached.

The Principal Planner reported the following updates to the recommendations in the report:-

- The materials condition be amended for materials to be submitted for approval.
- A finished floor levels and slab levels condition be added in regard to the outbuilding (subject to the applicant agreeing to it being a pre-commencement condition).

The Principal Planner also confirmed that a planning officer had visited the site.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions and informatics set out in the report together with any other planning condition(s) considered necessary by the Assistant Director, Planning.

Condition 3 of the recommendations in the report was amended to read:-

- '3(a) Prior to commencement of above ground works, details (including samples) of the materials to be used for the external surfaces of the buildings 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.'

The following three conditions were also added:-

11. Prior to commencement of the outbuilding hereby approved (excluding demolition) details of the existing site levels and proposed slab levels of the building 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

12. 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, D or E 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 Policies 6 and 37 of the Bromley Local Plan

13. 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 change of use of any kind permitted by Class L (Houses of Multiple Occupation) of Part 3 of Schedule 2 of the 2015 Order (as amended), shall be undertaken within the curtilage of

the dwelling without the prior approval in writing of the Local Planning Authority.

Reason: To enable the Council to consider future development at the site in the interest of local amenity, in accordance with Policies 9 and 37 of the Council's Local Plan (2019).

**33.3  
CHISLEHURST**

**(21/00897/FULL6) - 25 Grove Vale, Chislehurst,  
BR7 5DS**

Description of application – Retrospective application for a children's activity frame and swings.

The Head of Development Management reported the following:-

- Paragraph 8.1 on page 48 of the report had been amended to read:- 'Having had regard to the above it is considered that the development is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on trees as a result of the modification proposed.'
- A late objection had been received in relation to overlooking, a matter which had already been summarised in the report.
- Further modifications had been requested i.e. to move equipment further away from the boundary of 7 Selby Close; further screening and a reduction in height.

Concerns were raised in regard to the size of the structure, the tower, clatter bridge and balcony, all of which would be far too visible from the property at No 7 Selby Close even with the modifications proposed. The structure was only 0.4m away from the rear boundary fence and there was no room for screening; two of the five conifers already planted had died.

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

- 1 The development, by reason of its scale and siting, would result in a significant degree of overlooking and loss of privacy to the neighbouring properties to the rear at Nos. 7 and 9 Selby Close, thereby contrary to Policy 37 of the Bromley Local Plan.

It was **FURTHER RESOLVED that ENFORCEMENT ACTION BE AUTHORISED** to require the removal of the play equipment (to be carried out within one month).

The Head of Planning and Development Support advised that the applicant may have been known to Members through a previous matter when he had complied with a roof profile as requested. In this matter and following discussions with the applicant, he was confident that upon receipt of the decision made at this Committee, the applicant would take steps to remove the structure.

**33.4  
BROMLEY COMMON AND  
KESTON**

**(21/01327/FULL6) - 23 Oakfield Lane, Keston  
BR2 6BY**

Description of application – Two storey front, two storey side and first floor extension with enlargement and alterations of roof to create a two storey dwelling, single storey rear extension, 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 REFUSED** as recommended, for the reasons set out in the report of the Assistant Director, Planning.

**33.5  
BROMLEY COMMON AND  
KESTON**

**(21/01353/FULL1) - 13B Cherry Orchard Road,  
Bromley BR2 8NE**

Description of application – New 3-bedroom dwelling on land adjacent to 13B Cherry Orchard Road.

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

In response to a Member question, the objector stated that a smaller family property would be more appropriate. The current proposed development was too large and out of keeping with the area. It was important for green space to be retained and protected.

Members agreed that the proposals would result in an over-development of the site, would lead to an increase in parking issues and lead to loss of light to

the property at No.15. Garden space should be preserved and protected.

Referring to the elevations drawing on page 75 of the report, the Head of Development Management reported that the plans had been amended so that facing brickwork would be used rather than a white render finish. He also suggested that Policy 4 of the Bromley Local Plan (relating to housing design) be referenced in the officer recommendations.

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

1 The proposed development, by reason of the design, dimensions and the constraints of the site, would result in a cramped, piecemeal form of development being created that seriously diminishes the high spatial standards that exist in this location. This is contrary to Policies 4, 8 and 37 of the Bromley Local Plan.

**33.6  
BROMLEY COMMON AND  
KESTON**

**(21/01946/FULL6 - 8 Ebury Close, Keston, BR2 6EL**  
Description of application – Part one/two storey side/rear extension to enclose swimming pool and first floor side extension.

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 informatics set out in the report and subject to any other planning condition(s) considered necessary by the Assistant Director, Planning. The following conditions were also added:-

8 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, D or E 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 Policies 6 and 37 of the Bromley Local Plan

9 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 change of use of any kind permitted by Class L (Houses of Multiple Occupation) of Part 3 of Schedule 2 of the 2015 Order (as amended), shall be undertaken within the curtilage of the dwelling without the prior approval in writing of the Local Planning Authority.

Reason: To enable the Council to consider future development at the site in the interest of local amenity, in accordance with Policies 9 and 37 of the Council's Local Plan (2019).

## **34 CONTRAVENTIONS AND OTHER ISSUES**

### **34.1 DARWIN**

#### **Land at the Back of Number 4 and Number 5 Leaves Green Crescent, Keston BR2 6DN**

##### **Report CSD21068**

Members considered whether all necessary enforcement action should be pursued in order to remedy current breaches of planning control.

Oral representations from the owner of the land in objection to enforcement action being taken were received at the meeting.

The Head of Planning and Development Support outlined the history of this case. He confirmed that Permitted Development Rights (PDRs) had been removed from the plot of land and the Council had written to the owner on numerous occasions to inform him of this and to set out the three options that were available to him.

Members considered it was very clear from the report that PDRs had been removed and that a planning

application should have been submitted. The applicant had opted not to follow the advice of the Planning Department.

The Head of Planning and Development Control confirmed that research on the case had been undertaken and it was found that PDRs had been removed. It was a duty of the Council to write to the owner informing him of this and a letter had been sent.

In the event that enforcement action was authorised, Members requested the required action be completed within three months.

Members having considered the report, objections and representations, **RESOLVED that PLANNING ENFORCEMENT ACTION BE AUTHORISED to require the current owner to:-**

- 1) remove from the land, the extension to the existing detached garage, in the approximate position marked A on the plan attached to the report;**
- 2) remove from the land, the single storey detached outbuilding adjacent to the double garage, in the approximate position marked B on the plan attached to the report;**
- 3) reinstate the land and restore the existing detached garage to its condition prior to the unauthorised developments; and**
- 4) remove from the land, all materials and debris associated with paragraph 5(1), 5(2) and 5(3).**

**It was FURTHER RESOLVED that the required action be completed within three months.**

The meeting ended at 8.24 pm

Chairman