

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

Minutes of the meeting held at 7.00 pm on 9 December 2021

### **Present:**

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

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

No apologies for absence had been received.

### **27 DECLARATIONS OF INTEREST**

No declarations of interest were received.

### **28 CONFIRMATION OF MINUTES OF MEETING HELD ON 14 OCTOBER 2021**

**RESOLVED** that the minutes of the meeting held on 14<sup>th</sup> October 2021 be confirmed and signed as a correct record.

### **29 PLANNING APPLICATIONS**

#### **29.1 CHISLEHURST**

#### **(20/00310/RECON) - Chislehurst Sports and Country Club, Elmstead Lane, Chislehurst BR7 5EL**

Description of application - Variation of condition 4 (limit on hours of operation and numbers and ages of children) of permission ref.20/00310/FULL1 granted for proposed additional use of clubhouse as a day nursery from Mondays to Fridays between 07.30 hours and 18.30 hours, in order to allow an increase in the number of children from 40 to 64.

The Development Management Team Leader – Major Developments reported that a further objection had been received and circulated to Members.

In response to a question from the Chairman, the Development Management Team Leader – Major

Developments advised that in relation to compliance condition 4. 'Work to crossover and yellow lines', there would be a time limited for this to be completed within three months of the decision date.

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

**29.2  
BROMLEY TOWN**

**(20/04654/FULL1) - 25 Elmfield Road, Bromley,  
BR1 1LT**

Description of application - Demolition of the existing building at 25-27 Elmfield Road and the redevelopment of the site for a mixed-use development comprising 9 storeys plus 2 basement levels of residential (Class C3) and commercial floorspace (Class E) and associated car parking, cycle and waste storage.

The Development Management Team Leader – Major Developments advised that this case was for a non-determination of a planning application. Officers were recommending that it be contested on insufficient evidence relating to an energy ground. If Members were to contest on this ground, officers would seek delegated authority to work with the applicants to try and resolve this issue during the appeal process. If this was to be resolved, the contesting of the application would then be withdrawn.

The Development Management Team Leader – Major Developments noted that all the Section 106 Heads of Term on page 3 of the report had now been agreed.

Committee Member and Ward Member Councillor Nicky Dykes said that the other Bromley Town Centre Ward Councillors and herself supported the officer recommendation to contest the appeal. If this was not contested it would send the wrong message to developers, in that they did not need to provide the information required and would also imply to residents that the Council were not willing to fight for the best and meet the policies set. It was highlighted that there had been insufficient evidence provided in relation to carbon emissions, which was something that the

Local Authority was committed to reducing.

Members having considered the report and objections, **RESOLVED TO CONTEST THE APPEAL** as recommended, having regard to the grounds for contending the appeal set out in the report of the Assistant Director, Planning (including agreement that if the reason to contest the appeal can be resolved by Officers with the applicant's then the Council would not then contest the appeal).

**29.3  
CHELSFIELD & PRATTS  
BOTTOM**

**(20/04742/FULL6) - 4 Daleside, Orpington BR6 6EQ**

Description of application - Detached outbuilding at rear (retrospective application)

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

In response to questions from the Vice-Chairman and Councillor Peter Dean, the objector said that if the applicant added an additional locking door to the right of the front door, this would allow access through the office, utility room, and store into the garden and therefore the outbuilding could be accessed without going through the main house.

The Chairman enquired if the objector had forwarded any evidence of the outbuilding being used as separate living accommodation to Planning Enforcement. The objector confirmed that she had submitted photo evidence.

The Development Management Team Leader – Major Developments reported that additional photos had been circulated to Members.

In response to questions, the Development Management Team Leader – Major Developments said that the front elevation of the property appeared to be blocked off at present. With regards to conditioning the outbuilding so it could not be used as a self-contained living unit, the Development Management Team Leader – Major Developments advised that a condition was already proposed for use to be restricted to 'incidental'. It was also suggested that further conditions be added – no primary cooking facilities be installed or undertaken; the side window to be obscure glazed; and the removal of Class E

Permitted Development rights so no further structures could be erected in the garden without planning consent. These conditions were effective – if they were breached it was at the applicant’s risk and would be subject to formal planning enforcement action. It was noted that the outbuilding contained a bathroom, which was not unusual – the internal floor area was 30 sqm which was too small for it to be used as a single dwelling. Regarding concerns in relation to the retrospective element of this application, the Development Management Team Leader – Major Developments highlighted that, although applicants were advised that if they built without planning consent it was at their own risk, it was not an offence to build, and retrospective planning permission could be sought under the Town and Country Planning Act.

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 Assistant Director, Planning with the addition of further conditions to read:-

3. N Non-standard no primary cooking facilities;

*No primary cooking facilities shall be installed or undertaken within the outbuilding hereby permitted.*

*Reason: In the interests of the amenities of nearby residential properties and to accord with Policies 37 and 6 of the Bromley Local Plan.*

4. N Non-standard obscure glazing to side windows;

*The window(s) in the flank elevation(s) shall be obscure glazed to a minimum of Pilkington privacy Level 3 and be non-opening within 3 months of the date of this decision notice and shall be permanently retained in accordance as such for perpetuity.*

*Reason: In the interests of the amenities of nearby residential properties and to accord with Policies 37 and 6 of the Bromley Local Plan.*

5. ND Non-standard condition Removal of Class E PD rights;

*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 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 Policy 37 of the Bromley Local Plan.*

**29.4  
KELSEY & EDEN PARK**

**(21/03841/FULL6) - 59 Manor Way, Beckenham,  
BR3 3LN**

Description of application - Alterations to roof to incorporate 3 x rear dormers and 2 x front dormers.

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

In response to a question from the Vice Chairman, the applicant confirmed that the property was currently on the market, as if planning permission was not granted to extend the family home, they were likely to need to move to accommodate additional family members living with them.

The Head of Development Management clarified that the examples of refused applications on page 44 of the report should read 'No. 96 and No.88', and not No.59.

Committee Member and Ward Member Councillor Peter Dean considered that this application would result in a loss of amenity to neighbouring properties. It was also believed that the bulk of the proposed dormers would appear out of keeping with the Manor Way Conservation Area. Councillor Dean moved to refuse the application for these reasons.

The Chairman sought clarification as to whether the Advisory Panel for Conservation Areas (APCA) had been consulted on this application. The Head of

Development Management advised that APCA had been invited to comment on this application, however they did not review all applications that were submitted in each Conservation Area at any one time.

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

1. The proposed rear dormer windows, by reason of their size, number, and second floor location, would result in a harmful loss of amenity to the neighbouring residential properties by reason of overlooking and loss of privacy; thereby contrary to Policy 37 of the Bromley Local Plan.
2. The proposed dormers would, by reason of their bulk, appear out of keeping and therefore neither preserve nor enhance the character and appearance of the Manor Way Conservation Area; thereby contrary to Policies 6, 37 and 41 of the Bromley Local Plan.

**29.5  
PETTS WOOD & KNOLL**

**(21/03881/FULL6) - 69 Broomhill Road, Orpington,  
BR6 0EN**

Description of application - Part one/two storey rear extension, porch extension and steps to side, raised decking with balustrade at front, elevational alterations and rooflights (PART RETROSPECTIVE)

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

The Head of Development Management clarified that this application sought permission to combine two previous approvals – prior approval had already been granted for an 8m deep single storey rear extension, and separately planning permission had been granted for a part one/two storey rear extension (depth of 5m at ground floor level and 4m first floor). This application effectively sought permission for an 8m deep single storey element on the ground floor with a 4m deep first floor above. It was noted that the proposals for the porch extension and decking were as per previous approvals.

The Chairman noted that a request had been received from Ward Members for the removal of Permitted

Development rights to prevent any further development on the site.

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 Assistant Director, Planning with the addition of a further condition to read:-

5. ND Non-standard condition Removal of PD rights;

*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, AA, B, C, D and 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 Policy 37 of the Bromley Local Plan.*

**29.6  
PETTS WOOD & KNOLL**

**(21/03959/PLUD) - 10 West Way, Petts Wood,  
Orpington BR5 1LW**

Description of application - Loft conversion with set back gable and rear dormer (Proposed Lawful Development Certificate)

Members having considered the report and objections, **RESOLVED that A CERTIFICATE OF LAWFULNESS BE GRANTED** as recommended, for the reasons set out in the report of the Assistant Director, Planning.

The Meeting ended at 7.43 pm

Chairman

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