

## **PLANS SUB-COMMITTEE NO. 1**

Minutes of the meeting held at 7.00 pm on 3 February 2022

### **Present:**

Councillor Alexa Michael (Chairman)  
Councillor Christine Harris (Vice-Chairman)  
Councillors Kathy Bance MBE, Katy Boughey, Kira Gabbert,  
Samaris Huntington-Thresher, Charles Joel, Tony Owen and  
Suraj Sharma

### **Also Present:**

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

There were no apologies for absence.

#### **79 DECLARATIONS OF INTEREST**

None

#### **80 CONFIRMATION OF MINUTES OF MEETING HELD ON 25th NOVEMBER 2021**

Confirmed

#### **81 PLANNING APPLICATIONS**

##### **81.1 Kinross, North End Lane, Downe, Orpington, BR6 7HQ.**

Description of Application: Minor material amendment comprising of variation of conditions 2 and 4 of planning Application Reference: DC/19/03568/FULL6 for demolition of existing conservatory and erection of single storey ground floor extension to the side, elevational alterations to provide roof over extended bungalow with habitable accommodation in the roof space and rooflights to sides/front - to allow for incorporating sliding doors and juliet balconies and the use of new slate tiles instead of retaining existing tiles.

The Head of Development Management provided a brief introduction to the application and said that the

application lay within the Green Belt. He showed Members some photos of the house as altered. It was noted that the application was retrospective.

The officer recommendation was that planning permission be granted, subject to the conditions as outlined in the report.

Oral representations were heard in support of the application.

Ward Councillor Richard Scoates was not present at the meeting, but he requested that the following statement be read out and recorded in the minutes:

*'I do not have objections to the minor alteration to condition 4, but i do object to the variation of condition 2 to allow larger sliding windows and Juliet balconies. This condition was given in the previous permission to protect the neighbouring property's amenities from being overlooked. There is a only a small separation strip between Kinross and Little Orchard which will result in overlooking into the garden and through a bedroom window of Little Orchard.*

*Condition 2 allowed the previous application to be acceptable, and removing it will defeat the object of conditioning an approval when considering the pros and cons of an application. I would therefore ask the committee to approve a split decision to allow changes to condition 4 for the roof tiles, but to refuse alterations to condition 2 on the grounds that it would be to the detriment of the neighbours residential amenity.'*

The Council's legal representative advised the Chairman that it would not be possible to approve a split decision. Only a Planning Inspector could approve that.

Members, having considered the report objections and representations **RESOLVED THAT THE APPLICATION BE REFUSED** for the following reason:

**The proposed alterations would have an unacceptable impact on the amenities of the neighbouring property, by reason of increased opportunities for overlooking and a loss of privacy, contrary to Policies 6 and 37 of the Bromley Local Plan.**

**81.2 Babington House School, Grange Drive, Chislehurst, Bromley, BR7 5ES**

Description of Application: Erection of single storey extension to south east elevation to provide permanent classroom.

The Head of Development Management stated that the single storey extension had already been constructed and completed so in essence this was a retrospective planning application.

The Planning Officers had recommended that the application be approved.

It was noted that objections to the application had been received.

Ward Councillor Katy Boughey commented that pupil numbers were due to increase from 401 to 420 by September 2022 and that the Highways Department had not raised any concerns. However Cllr Boughey was aware from her local knowledge of the area that parking on Grange Drive and the surrounding roads when pupils and staff arrive and depart was very busy, in fact it could be described as chaotic. This was mainly due to inconsiderate parking by parents.

Councillor Boughey expressed the view that an up to date Travel Plan was definitely needed. She was concerned that a Travel Plan had not been submitted with the application and requested that an up to date Travel Plan be provided by the beginning of April 2022. Councillor Boughey noted that this was a retrospective application and was not impressed with the fact that the applicant was not paying proper attention to planning law and procedures.

Councillor Boughey referred to a previous application from the school with respect to the sports pitch. As part of this planning application a condition for permission was that planting be undertaken along the boundary wall with Clifford Avenue. It was the case that one year later, despite two requests from the Planning Officers, this condition had not been complied with. There was no indication that the school had any intentions to comply with this condition as they had installed false grass right up to the Boundary Fence. Cllr Boughey felt that some form of action should be authorised by Committee to

elicit a positive outcome with respect to this condition, so that planting could be in place by April 2022.

Councillor Boughey referred to Section 7.3.8 of the report where it mentioned the possibility of the school accessing the roof area in the future. She stated that if Members were minded to grant the application that a condition be added that stipulated that no structure should be added to the roof without prior planning permission.

Ward Councillor Suraj Sharma agreed with the issues raised by Cllr Boughey with respect to the Travel Plan and expressed surprise that this structure had been built without seeking planning permission first. He said that he was not against the structure being there, but did see the need for a Travel Plan.

Members referred back to the issue that had been previously raised with respect to the planting conditions that had not been complied with. They asked if enforcement action in this regard could be authorised by the Committee. The Council's legal representative advised that this request could be minuted and that it could be dealt with under delegated powers. He said that this request could be put forward to the Planning Enforcement Manager with the requested enforcement action be implemented if he considered it appropriate.

It was agreed that a legal agreement be drawn up so that the temporary modular building would not co-exist with the new structure.

A Member felt that this application would not be the end of the applications from the school and she suggested that the Council request that the school submit a master plan that would highlight planned future development. The Head of Development Management said that an informative to this effect to the school could be something that could be considered.

Members, having considered the report, objections and **representations, RESOLVED that the application BE DEFERRED** to seek the submission of a Travel Plan, to request a Masterplan for future development proposals, and for a legal agreement to secure the removal of the modular building. The Planning Enforcement Manager was also to consider if enforcement action was expedient for the failure to comply with the condition for boundary planting.

**81.3 Land Rear Of 165 And 167, White Horse Hill, Chislehurst**

Description of Application: Erection of a two storey, three bedroom, detached dwelling house with associated access, parking and amenity space.

The Head of Development Management explained to the Committee that this application was originally brought to Plans Sub-Committee 3 on the 6th of January 2022. Members did resolve to grant planning permission. However, subsequently an error in the report was brought to the officers' attention regarding the number of objections and support comments. This meant that when the report was originally presented it looked as if there were more support comments than objections. This had now been corrected and so the report was now being re-presented to the Committee for consideration.

The recommendation was to grant planning permission subject to the conditions outlined in the report.

It was noted that a late objection had been received and the Head of Development Management explained the nature of the objection.

Oral objections to the application were heard on the night.

Ward Councillors Katie Boughey and Suraj Sharma noted that this application had originally been brought to the Plans 1 Committee on January the 6th and was being represented to this Committee because of an administrative error in terms of the number of recorded supporters and objectors. The Ward Councillors considered that this clerical error made no difference materially to the application and they recommended that the application be permitted as per the recommendation in the report.

Members having considered the reports objections and representations, **RESOLVED THAT PERMISSION BE GRANTED** as recommended, subject to the conditions and informatives set out in the report

**81.4 59 Downs Hill, Beckenham, BR3 5ET**

The Description of Application was noted as follows;

T2 Ash - Remove.  
T3 Norway Maple - Remove.  
T4 Oak - Remove.  
SUBJECT TO TPO 1387 (2.7.1997)

The application had been referred to committee on grounds of possible financial risk .

The recommendation was consent in part for the removal of the T2 Ash Tree,

The Chairman explained to the Committee that the application had incomplete information with respect to bore holes and more evidence may be required before any more trees should be felled.

Members having considered the report, objections and representations **RESOLVED that the application be DEFERRED** without any prejudice to future consideration to seek further details regarding evidence of the boreholes.

## 82 CONTRAVENTIONS AND OTHER ISSUES

None.

## 83 TREE PRESERVATION ORDERS:

### 84 COPERS COPE; CONSERVATION AREA

Oakhill House, 39 The Knoll, Beckenham, BR3  
5JH

Description of Application: T1 Oak tree - Section fell as close to ground level as possible and replace.

Members had to decide whether or not to consent to the proposed tree removal. The recommendation of the Planning Officers was that consent be granted.

Oral objections to the application were heard on the night.

The Chairman stated that she had received a number of emails from local residents expressing concern for the well-being of the tree and she had also been contacted by Ward Councillor Stephen Wells who opposed the felling of the oak tree.

A Member and the Chairman noted that the TPO for this tree had been confirmed on 25<sup>th</sup> November 2021 and they therefore wondered why it was now being brought back to Committee when there were no material changes from the previous application.

Members, having considered the report, objections and representations, **RESOLVED that the APPLICATION BE REFUSED** because the proposed works were considered unnecessary at this time, had not been sufficiently justified and would therefore have an undue impact on the amenity of the local area. This application would negate the objectives of the TPO and conflict with Policies 73 and 74 of the Bromley Local Plan (adopted January 2019) and Policy G7 of the London Plan (adopted March 2021).

**85  
CHISLEHURST; CONSERVATION  
AREA**

**Confirmation of TPO 2727--Land adjacent to  
27 Holbrook Lane, Chislehurst**

Description of Application: Confirmation of Tree Preservation Order (TPO) 2727.

The officer recommendation was that the TPO be confirmed without modification.

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

Photographs of the trees were circulated at the meeting.

The application had been referred to the Committee as an objection had been received.

The Chairman asked if it was correct that the TPO had been made collectively on 5 individual trees and 2 groups of trees. The Senior Tree Officer confirmed that this was the case as site access had not been possible. He also said that it could be possible to modify the TPO.

Ward Councillor Katy Boughey asked if a site visit had been made. The Tree Officer explained that visits had been attempted but the site had not been accessible. Councillor Boughey asked how site access could be obtained as this was key in assessing which individual trees should benefit from a TPO. She suggested that before a

decision was made, perhaps arrangements could be made with the objector to arrange a site visit. The Senior Tree Officer replied that providing the 6 month expiry was not exceeded, the application could be deferred for a site visit.

Cllr Suraj Sharma motioned that the application be deferred so that a site visit could be undertaken and this was seconded by Cllr Boughey.

The Chairman proposed that the TPO be confirmed for all trees and then a site visit be arranged with the objector to see which trees (if any) should be felled or trimmed etc. This had been motioned earlier by Councillor Bance.

A Member wondered why an application of this nature could come to Committee without a site visit.

The Tree Officer responded that two site visits had been made but it had not been possible to gain access. Councillor Samaris Huntington Thresher supported the proposal to confirm the TPO followed by a site visit. Councillor Boughey withdrew her motion for a deferral.

There was a unanimous vote to confirm the TPO.

**Members having consulted the report, objections and representations, RESOLVED THAT THE TPO BE CONFIRMED for the reasons and subject to the conditions and informatives as set out in the report of the Assistant Director, Planning.**

Post Meeting Note:

The landowner/objector has requested that the site description could be amended to being Plots 29 & 31 Holbrook Lane rather than land adjacent to 27 Holbrook Lane to avoid ownership and communication confusion.

*The Tree Manager has responded to say that the Council need only name a parcel of land to identify it associated with the TPO plan. So therefore the original name is sufficient for this purpose.*

86  
ORPINGTON;

**Confirmation of TPO 2734--17 Avalon Close  
Orpington Kent BR6 9BS**

Description of Application: Confirmation of Tree Preservation Order (TPO) 2734 at 17 Avalon Close Orpington Kent BR6 9BS.

The officer recommendation was that the Tree Preservation Order be confirmed.

Members having consulted the report, objections and representations, **RESOLVED THAT THE TPO BE CONFIRMED WITHOUT MODIFICATION** for the reasons as set out in the report of the Assistant Director, Planning.

87  
CHISLEHURST;

**Confirmation of TPO 2745-28 Holbrook Lane  
Chislehurst BR7 6PF**

Description of Application: Confirmation of Tree Preservation Order (TPO) 2745 at 28 Holbrook Lane Chislehurst BR7 6PF.

The officer recommendation was that the Tree Preservation Order be confirmed.

**Members having consulted the report, objections and representations, RESOLVED THAT THE TPO BE CONFIRMED WITHOUT MODIFICATION** for the reasons as set out in the report of the Assistant Director, Planning.

88  
SHORTLANDS;

**Confirmation of Tree Preservation Order (TPO)  
2758 - 19 & 30 Broadoaks Way, Bromley, BR2 0UA**

Description of Application: Confirmation of Tree Preservation Order (TPO) 2758.

This matter had been referred to Committee and an objection had been received.

The officer recommendation was that the TPO be allowed to lapse.

**Members having consulted the report, objections and representations, RESOLVED THAT THE TPO BE ALLOWED TO LAPSE** for the reasons as set out in the report of the Assistant Director, Planning..

*Plans Sub-Committee No. 1*  
*3 February 2022*

The meeting ended at 8.20 pm

Chairman