

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

Minutes of the meeting held at 7.00 pm on 19 May 2022

### **Present:**

Councillor Christine Harris (Chairman)  
Councillor Tony Owen (Vice-Chairman)  
Councillors Alisa Igoe, Julie Ireland, Charles Joel, Kate Lymer,  
Alexa Michael and Mark Smith

### **Also Present:**

Councillor Simon Jeal

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

Apologies were received from Cllr Mike Jack and Cllr Mark Smith attended as substitute.

### **2 DECLARATIONS OF INTEREST**

The Chairman and Cllr Owen declared an interest as they were both present at the opening of the Crystal Palace Academy.

Cllr Mark Smith declared an interest with respect to Item 4.3 which was Babington House School. He read out a statement that had been checked by the legal department. Mr Smith had previously been approached by some local residents asking for support in objecting to some developments at the school. He said that given the rules around pre-determination, he would consider both the arguments in support and objection to the application with an open mind. He said that in the interests of transparency and probity he would retain the right to speak on the application but not to vote.

Cllr Joel declared a non-pecuniary interest in Item 4.3: Babington House School

### **3 CONFIRMATION OF MINUTES OF MEETING HELD ON 3rd MARCH 2022**

The minutes of the Plans 3 meeting held on March 3<sup>rd</sup> 2022 were agreed and signed as a correct record.

### **4 PLANNING APPLICATIONS**

**4.1  
CHELSFIELD**

**(20/04944/FULL1) - 21 Windsor Drive, Orpington,  
BR6 6EY**

The application was for a rear extension to provide enlarged restaurant space on the ground floor and staff live/work accommodation on the first floor with ventilation ducting. The application had been called in and was recommended for permission. The Chairman was happy to move for approval which was seconded by Cllr Owen.

Members, having considered the report, objections and representations, **resolved that PERMISSION BE GRANTED** for the reasons and subject to the conditions and informatives set out in the report of the Assistant Director, Planning.

Condition 3 (restriction on occupation to employees of restaurant) deleted.

**4.2  
DARWIN**

**(21/01062/FULL1) - Luxted Farm, Luxted Road,  
Downe, Orpington, BR6 7JT**

The proposed application was for a partial rebuild and restoration of a barn. It included the erection of dormer windows and fenestration alterations, including enlarged doors, glazed roof panels and alterations to windows. Change of use had been requested from an agricultural barn to a dwelling house with an integral garage. This was a part retrospective application in the Greenbelt and had been recommended for approval.

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

A written objection to the application from Cllr Jonathan Andrews was read out at the meeting as follows:

*I am writing to you in your capacity as Chairman of Plans 3 as understand the above planning application will be discussed at Plans 3 tomorrow evening, having been called in by my ward predecessor Cllr Scoates. I wanted to write to confirm that I am also of the opinion that this application should be refused. I am unable to attend Plans 3 tomorrow as I am attending a local residents meeting in Pratts Bottom, but I would ask that the below written report be read out indicating my opposition to the application for the following reasons:*

- *As noted in the report, the proposal (which is also stated to be “part-retrospective”, meaning work on this must have commenced without planning permission being sought) would constitute inappropriate development in the Green Belt.*
- *Again, as noted in the report, the proposal “would have actual harm to [the Green Belt’s] openness impacting detrimentally on the character of the area and visual amenities of the Green Belt which are formed of its essential characteristics including its openness and its permanence” - not least given that the proposed building would be larger and of different design to the original barn and therefore will have a greater impact upon the Green Belt.*
- *As the National Planning Policy Framework (NPPF) notes, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in “very special circumstances” which require any potential harm to the Green Belt which would result from the proposal to be “clearly outweighed” by other considerations. This is clearly a high bar to pass and I do not consider that it is met in this case as no exemptions or exceptions would appear to apply.*

Members, having considered the report, objections and representations, **RESOLVED THAT PERMISSION BE GRANTED** for the reasons and subject to the conditions and informatives set out in the report of the Assistant Director, Planning.

**4.3  
CHISLEHURST;**

**(21/02452/FULL1) - Babington House School,  
Grange Drive, Chislehurst, Bromley, BR7 5ES**

The application was for the erection of a single storey extension to the south east elevation to provide a permanent classroom. The officer recommendation was that the application should be approved.

The Assistant Director, Planning’s Representative mentioned that additional objections had been received and that there was a current travel plan in place for the school although this was due to elapse in

July 2022. A new travel plan had been submitted which was being considered. It was noted that the temporary classroom would be removed when the construction of the permanent classroom was completed. It was also noted that any permission granted would include a condition that the current and new travel plans would be accepted and implemented.

Oral representations objecting to the application were received at the meeting.

Ward Councillor Mark Smith attended the meeting as a substitute committee member.

Cllr Alisa Igoe expressed the view that although a travel plan existed, travel/road conditions outside of the school at certain times were chaotic. The Chairman pointed out that granting permission for the extension would not result in an increase in pupil numbers.

Cllr Julie Ireland was in favour of the application being deferred until the new Travel Plan had been approved. The Assistant Director, Planning's representative commented that this was an option, but could result in a significant delay to the application.

Cllr Alexa Michael moved that the application be approved and this was seconded by the Chairman.

Members, having considered the report, objections and representations, **RESOLVED THAT PERMISSION BE GRANTED** for the reasons and subject to the conditions set out in the report of the Assistant Director, Planning.

Approval was subject to the following additional condition:

An up-to-date Travel Plan shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the decision notice. The Plan should include as a minimum:

- Measures to promote and encourage the use of alternative modes of transport to the car:
- A timetable for the implementation of the proposed measures and details of the mechanisms for implementation and for annual monitoring and

updating.

The details of the plan as agreed shall be fully implemented concurrently with the operation of the development hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.

**Reason: In order to ensure appropriate management of transport implications of the development and to accord with Policy 31 of the Bromley Local Plan.**

**4.4  
BECKENHAM TOWN &  
COPERS COPE;**

**(21/02760/FULL1) - National Westminster Bank  
Sports Ground, Copers Cope Road, Beckenham,  
BR3 1NZ**

The application was for the construction of an open-air canopy covering for a spectator seating stand. The recommendation was for approval. It was noted that the application was part of the Crystal Palace Training Ground. The entrance site was on Metropolitan Open Land. The development was not ideal for MOL, but it was considered that the benefits of the application outweighed this. The officers had recommended that the application be approved.

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

Ward Cllr Will Connolly said that the application should be deferred to allow more time for consultation between the football club and local residents.

Councillor Alexa Michael said that she had visited the site and felt that there was nothing unacceptable about the application. She moved that the application be approved and this was seconded by Cllr Charles Joel.

Members, having considered the report, objections and representations, **RESOLVED THAT PERMISSION BE GRANTED** for the reasons and subject to the conditions set out in the report of the Assistant Director, Planning.

**4.5  
ORPINGTON;**

**(21/03035/FULL1) -169 Orpington High Street, BR6  
OLW**

The proposed application was for the demolition of the existing buildings and construction of a four-storey building to provide two ground floor retail units and

sixteen apartments above with associated refuse, cycle, storage and amenities spaces.

The application had been recommended for refusal.

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

Cllr Alexa Michael suggested deferring the application so that the number of units could be reduced to create more space. The Chairman seconded deferral.

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED** without prejudice to any future consideration, to seek revisions to the proposal to allow negotiation for a satisfactory internal and external living space standard, reduction in residential units and floor and an adequate fire statement.

#### 4.6 BROMLEY TOWN

#### **(21/04517/FULL1) Oaklands Court, 6 Oaklands Road, Bromley, BR1 3SW.**

The application was for the construction of two storey building with accommodation within roof space at rear of Oaklands Court to provide 4 no. residential flats with associated car parking, hard landscaping, cycle and refuse storage and including re-configuration of car parking layout associated with Oaklands Court. REVISED DRAWINGS RECEIVED 9/3/22

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

The application had been recommended for approval.

Members, having considered the report, objections and representations, **RESOLVED THAT PERMISSION BE GRANTED** for the reasons and subject to the conditions set out in the report of the Assistant Director, Planning.

The application is subject to the following amendment to Condition 7:

Prior to the installation of any air source heat pump(s) details of the MCS020 assessment shall be provided to the Local Planning Authority for approval. Where the MCS020 assessment does not meet the noise criteria set out then full details of the proposed unit(s)

and details of anti-vibration mounts and other noise attenuation measures will be required. The scheme shall be implemented as approved and thereafter maintained as such thereafter.

Reason: In order that the acoustic performance can be assessed in the interest of the residential amenities of prospective occupiers and neighbouring residential properties, to comply with Policies 37 and 119 of the Bromley Local Plan.

**4.7  
PETTS WOOD AND KNOLL;**

**(21/04669/FULL6) - 49 Priory Avenue, Petts Wood, Orpington, BR5 1JE**

The proposed application was for a single storey rear extension with patio/steps and first floor rear extension. The application had been recommended for permission.

Members, having considered the report objections and representations, **resolved that PERMISSION BE GRANTED** for the reasons and subject to the conditions and informatives set out in the report of the Assistant Director, Planning.

With the additional informatives:

- 1- It is recommended that the applicant engages in a Party Wall agreement.
- 2- It is recommended that the applicant seeks the relevant agreement from Thames Water.

**4.8  
PETTS WOOD AND KNOLL**

**(21/05058/FULL6) - 35 St John's Road, Petts Wood, Orpington, BR5 1HS**

The Assistant Director, Planning's representative explained that the application was for alterations to the existing roof including half hipped gables, 2 front dormer extensions, front rooflight and rear dormer extension to provide enlarged accommodation within the roof space.

It had been recommended that the application be permitted.

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** for the reasons and subject to the conditions and informatives set out in the report of the Assistant Director, Planning.

**4.9  
CHELSFIELD;**

**(21/05099/ADV) - Green Street Green Common,  
Sevenoaks Road, Orpington**

The proposal was for the display of a non-illuminated post mounted double sided 'Welcome' sign.

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

Cllr Lymer proposed that the application be deferred to allow for more consultation with Friends Groups. Cllr Owen proposed approval which was seconded by Cllr Michael. A vote was taken for deferral and it was 4 for and 4 against. A vote was taken for approval and this was also 4 in favour and 4 against. The Chairman used her casting vote for approval.

**RESOLVED THAT ADVERTISEMENT CONSENT GRANTED** □

**4.10  
PENGE AND CATOR;**

**(21/05464/FULL1) Dover House, Anerley Road,  
Penge, London, SE20 8EN.**

The Assistant Director, Planning's representative explained that the proposed application was for the construction of an addition storey (5<sup>th</sup> floor) which would incorporate two additional 2 bedroom flats and one additional one bedroom flat. It also included proposed elevational alterations including the extension of a parapet and external stairs, works to the roof including the relocation of water tanks and the formation of a lift shaft together with the relocation of existing telecommunications apparatus onto the new roof. Associated works included the provision of cycle and refuse storage and level access path from Anerley Road. (Revised Drawings received 6/4/2022 indicating building layouts and addition of level access path from Anerley Road). It was also noted that the application would be a minor contribution to the housing supply if granted.

Officers had recommended that the application be permitted.

Oral representations in objection to the application were received on the night.



Ward Cllr Simon Jeal objected to the application on behalf of the residents of Dover House, some of the neighbouring properties and a local church. He said that he was objecting due to the height of the application and the adverse effect that this would have on neighbours. Cllr Jeal focussed on the impact that the installation of the lift would have on the amenity of the residents of Dover House. He said that the officers had commented on the matter of noise reduction in the report from a technical perspective, but not from a planning perspective. He pointed out that the lift shaft would operate in close proximity to two bedrooms. Sound proofing was not the same as sound elimination and it was clear in his view that disturbance caused by noise from the lift was inevitable. Cllr Jeal highlighted that none of the residents had submitted any comments supporting the application. Cllr Jeal stated that in the event of a fire or the lift breaking down, he would have concerns as to how a disabled resident on the fifth floor would evacuate in a safe and timely manner. Cllr Jeal also stated that there was also a lack of parking spaces in the application. Cllr Jeal proposed that the application be refused, but if the Committee were minded to permit the application then he asked that it be agreed that it be permitted with the conditions requested by the Residents' Association.

The Assistant Director, Planning's representative replied that in the plans documents details had been laid out concerning noise and sound insulation and that these could be expanded upon if this was a concern. He said that with reference to lighting and access points, conditions had been drafted to cover these as well. Cllr Jeal responded that although there were plans for noise insulation, these would not get rid of all of the noise from the lift.

Members, having considered the report, objections and representations, **RESOLVED THAT PERMISSION BE GRANTED** for the reasons and subject to the conditions and informatives set out in the report of the Assistant Director, Planning.

The application is subject to the following amendment to Condition 4:

Prior to the commencement of the development, measurements of existing noise levels at the intended

location of the lift shall be taken and these, along with details of the predicted/resultant noise levels associated with the lift operation, any relevant drawings and technical specifications of the installation, and of proposed works of sound insulation against airborne and structure-borne noise arising from the lift, shall be submitted to and approved in writing by the Local Planning Authority. Sound insulation works shall meet as a minimum the provisions of Table 5 of BS 8233:2014 'Guidance on sound insulation and noise reduction for buildings' in adjacent habitable rooms and works shall be implemented in complete accordance with the approved details and maintained as such thereafter.

Reason: In the interest of the residential amenities of the adjacent flats and to accord with Policies 37 and 119 of the Bromley Local Plan and to avoid an unacceptable increase in noise and disturbance to neighbouring residents.

**4.11  
HAYES AND CONEY HALL;**

**(21/05711/FULL1) - 172 Pickhurst Lane, Hayes,  
Bromley, BR2 7JB.**

The application was for the construction of three, 3 bedroom detached dwellings, with associated parking, bin storage and cycle storage facilities with new vehicular and pedestrian access way. The application had been recommended by officers for permission. The Assistant Director, Planning's representative advised that additional objections had been received. The application included six parking spaces.

Oral representations in favour and in objection to the meeting were received at the meeting.

Members expressed concern regarding the difficulty that a refuse truck would have in gaining access to the proposed dwellings.

Ward Councillor Alexa Michael stated that the application was called in by the previous ward members. She had visited the site on the previous Saturday. Cllr Michael stated that she would focus her comments on issues concerning traffic road safety and overlooking. It was clear that Pickhurst Road was a main road where traffic flowed very quickly. In her view the difficulty with vehicular access was a serious issue. She said that there was a tree located between 170 and 172 and this would cause visibility issues for

drivers emerging from 170. She felt that there was a case for refusing the application under the Road Safety Act. Cllr Michael said that the Planning Inspector had voiced some concerns with respect to overlooking. It had to be born in mind that the objector had a large bathroom that was not glazed which would be used by their 14 year old daughter. She moved that the application be refused and this was seconded by Cllr Owen who felt that the mitigation measures would still result in the badgers being disturbed.

The Assistant Director, Planning's representative pointed out that a relevant condition had been drafted to mitigate against disturbing the nearby habitat of badgers. Cllr Lymer was also concerned that not enough was being done to protect the badgers and that the application should be refused. It was decided that the application should be refused on grounds of road safety, overlooking and loss of amenity.

Members having considered the report, and representations received, resolved that **PERMISSION be REFUSED AGAINST OFFICERS' RECOMMENDATION.**

The proposed development by reason of the location of the houses at the rear and introduction of publicly accessible areas to the rear and side of the existing property into predominantly rear garden curtilage in close proximity to neighbouring buildings and rear property boundaries would result in an excessive increase in noise and disturbance from multiple users of the development, increased and detrimental overlooking resulting in a serious and adverse effect on the privacy and amenity enjoyed by the occupiers of adjoining properties that they might reasonably expect to be able continue to enjoy contrary to Policies 3, 4, 8 and 37 of the Bromley Local Plan and Policies 7.4 and 7.6 of the London Plan and the NPPF (2019).

The development at the scale proposed will have an adverse impact on protected species in and adjacent to the site due to the close proximity of the proposed dwellings to habitat. Mitigation measures proposed are not considered sufficient measures to facilitate survival and reduce disturbance to protected species contrary to Policy 72 of the Bromley Local Plan and London Plan Policy G6.

Members of the Committee considered from local knowledge, the proposed development would be detrimental to the safety and free flow of traffic along Pickhurst Lane and the width of the highway access would be inadequate making it difficult to manoeuvre round the site thereby contrary to Policy 32 of the Bromley Local Plan Unitary Development Plan and T2 and T3 of the London Plan.

## **5 CONTRAVENTIONS AND OTHER ISSUES**

**NONE**

## **6 TREE PRESERVATION ORDERS**

### **6.1 Confirmation of Tree Preservation Order (TPO) 2766 - 54 Baston Road, Bromley, BR2 7BE**

This application was to seek confirmation of the TPO at 54 Baston Road, Bromley, BR2 7BE. Objections had been received from the owner of the tree and an independent building surveyor.

Oral objections to the confirmation of the TPO were heard at the meeting.

Ward Councillor Alexa Michael attended the meeting. She said that all trees have roots and all trees would grow. She supported the confirmation of the TPO. She suggested that an application be submitted to prune the tree instead and that cutting down the tree should only be last resort. Cllr Michael moved to confirm the TPO and this was seconded by Cllr Owen.

**RESOLVED that the TPO be confirmed as recommended.**

The meeting ended at 9.30 pm

Chairman

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