

PLANS SUB-COMMITTEE NO. 4

Minutes of the meeting held at 7.00 pm on 29 September 2022

Present:

Councillor Peter Dean (Chairman)
Councillor Jonathan Andrews (Vice-Chairman)
Councillors Felicity Bainbridge, Mark Brock, Simon Fawthrop,
Kevin Kennedy-Brooks, Will Rowlands and Sam Webber

5 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

There were no apologies for absence.

6 DECLARATIONS OF INTEREST

Councillor Brock declared an interest with respect to Item 4.7 in that he knew the applicant's son.

Councillor Webber declared an interest with respect to items 4.1 and 4.2 in that he had met Mr Hillman (Agent) in the past.

7 CONFIRMATION OF MINUTES OF MEETING HELD ON 9 JUNE 2022

The minutes of the meeting that was held on 9th June 2022 were agreed and signed as a correct record.

8 PLANNING APPLICATIONS

8.1 BROMLEY TOWN

(21/02926/FULL1) - The Royal Bell, 175 High Street, Bromley, BR1 1NN

Description of Application: conversion of existing ancillary residential accommodation at second and third floors to form 9 self-contained residential units. The application had been called in by a Councillor and was recommended to be refused; it sat within the Bromley Town Centre Conservation Area.

Oral representations in support of the application were received on the night.

Cllr Webber said that residents including the Bromley Civic Society had raised concerns about the application, not least concerns relating to minimum spatial standards and no disabled car parking. He said that he was minded to refuse the application. Councillor Rowlands seconded the refusal of the application. A vote was taken and the application was refused unanimously.

Members, having considered the report, objections and representations **RESOLVED THAT PERMISSION BE REFUSED** for the reasons set out in the report of the Chief Planner.

8.2 BROMLEY TOWN

(21/02927/LBC) - The Royal Bell, 175 High Street, Bromley, BR1 1NN

Description of Application: conversion of existing and ancillary residential accommodation had second and third floors to form 9 self-contained residential units. The application had been called in by a Councillor and the recommendation of officers was that consent be granted.

Oral recommendations in support of the application were received on the night.

Members, having considered the report, objections and representations **RESOLVED THAT LISTED BUILDING CONSENT BE GRANTED** as recommended, subject to the conditions set out in the report to the Chief Planner.

8.3 ORPINGTON

(09/00759/RECON) - St Olaves Grammar School, Goddington Lane, Orpington, BR6 9SH

Description of application: Variation of Condition 8 and 14 of planning permission 09/00759/FULL1 dated 26 May 2009 (for Alterations to and extension of existing swimming pool/hall building to provide multi-purpose hall and sports hall with changing/storage/classroom and other ancillary accommodation, all weather sports pitch, 22 car parking spaces) to allow for the letting of the facilities to members of the general public between the following hours:
School Term-Time

1700 hours to 2100 hours on Monday to Friday
0900 hours to 1800 hours on Saturdays
At no time on Sundays and Bank Holidays
School Holidays
0900 hours to 2100 hours on Monday to Friday
0900 hours to 1800 hours on Saturdays
At no time on Sundays and Bank Holidays

This application was recommended for approval by the planning officers.

Oral representations were received on the night in support of the application.

A brief discussion took place concerning the operating times and whether or not there was any duplication of services. During the course of the discourse it was noted that the swimming pool had been filled in.

The Chairman motioned that the application be approved and this was seconded by Councillor Brock. A vote was taken regarding the motion to approve the application and the application was approved by six votes to one.

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 Chief Planner.

8.4 ST PAUL'S CRAY

(22/00192/FULL1) - Land and garages between 17 and 18 Gardiner Close, Orpington BR5 3HW

Description of Application: Demolition of existing garages and erection of 2 two storey semi-detached 4 bedroomed dwellings with associated parking and cycle and refuse stores. The application had been referred to the Committee because of a Councillor call in and the Planning Officer's recommendation was that the application should be permitted. It was noted that this application was in the St. Paul's Cray Conservation Area.

The Planning Officer briefed Members that this application, along with Item.4.5 on the agenda for the same site, followed on from a recent refusal and dismissed appeal. The applications sought to address the reasons for the previous refusal and dismissed

appeal. The Planning Officers agreed that the revised application had addressed the previous concerns and so now were recommending that the application be permitted. Representations had been received and forwarded to Members ahead of the meeting.

Oral objections to the application were received from a local resident.

A Member noted that a drain was located under the site.

Ward Councillor Chris Price attended the meeting and spoke in objection to the application. He expressed his thanks to Councillor Owen who had noted his thoughts on the application via e-mail earlier in the week. He was someone who had visited the site and had been involved in the process of the application for some time. Cllr Price said that he would also like to thank Cllr Bear who in her time as the Ward Councillor for this area, had led an excellent case for rejecting the previous applications on the site. He said that he had concerns about the report that had been presented to the Committee. He expressed the view that many of the previous issues that had been raised by Councillor Bear had not been addressed in the new application. He quoted from the report saying *'residents had raised a number of issues which are addressed and subsequently dismissed by the Appeal Inspector on the previous appeal. Other issues raised can be dealt with by imposing planning conditions'*. He expressed the view that it was not appropriate to deal with these issues just by imposing planning conditions.

Cllr Price stated that problems associated with drainage still existed and that the drain access hatch was still located under the living room of Unit 1. Councillor Price stated that as a result of a Land Registry search in 2020, it was confirmed that the land was part of Inglewood. He said that the drawings in sections 2.5 and 3.5 of the report were misleading and should be removed. He commented further regarding where the report said that 'there would be no impact on trees' and he said that he found this hard to believe, particularly as no appropriate tree survey had been undertaken. He expressed the view that the tree that was referred to in the report was not in the correct position on the plans and that it was unlikely to survive the proposed development.

Cllr Price highlighted the fact that the applicant had submitted 2 sets of plans and expressed the view that this was because they believed that this application was not viable. He said that if the application was granted, then the owner of the garage at number 18 would lose the use of the garage and that this was a loss of amenity.

The Chairman moved that the application be refused.

The Planning Officer referred to the conditions raised regarding drainage. She said that Members should be mindful of the recent appeal decision where the Inspector looked closely at the matter of drainage and that no objections concerning drainage were raised by the Council's Drainage Officers. The Inspector concluded that any issues regarding drainage could be managed by Building Control and appropriate conditions. She therefore cautioned against refusing the application on any concerns regarding drainage as this matter had already been tested.

A Member suggested that it could be noted that there was a lack of information regarding drainage which could be noted if the application was refused.

The Council's Legal representative stated that it was acceptable to apply for planning permission on someone's land. All that was required was that the certificate was given, notifying the owner of the land so that the owner could comment on it. In this case the certificate was completed on the basis that notice had been given to Inglewood. He commented that with respect to the garage issue, this would be a potential easement. The Council was aware that the owner of the garage was cognisant of the application and had commented upon it. He explained that the Council was not the body that would determine these issues which was why members could only give limited weight to the matter of ownership in any case. That was for someone else to decide. The Council was aware that there was a tribunal hearing scheduled for January which would determine the ownership of the garage. The legal representative advised Members to be aware of these issues when formulating their decision.

A vote was taken and the Committee voted unanimously to refuse the application.

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

The proposed development, by reason of its siting, scale, layout, spatial distances and relationship with its neighbouring properties would have an adverse impact on neighbouring residential amenities in terms of loss of privacy contrary to Policies 4 and 37 of the Bromley Local Plan.

**8.5
ST PAUL`S CRAY**

(22/00336/FULL1) - Land and Garages Between 17 and 18 Gardiner Close Orpington BR5 3HW

Description of Application: demolition of existing carriages and erection of two semi-detached dwellings one four bedroom and one two-bedroom with associated parking cycle and refuse stores and undercroft access to existing garage at 18 Gardiner Close. It was noted that this application was called in by a councillor of the officer recommendation was at the application be permitted it was further noted that this application was in the St. Paul's Cray Conservation Area.

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

Ward Councillor Chris Price spoke in objection to the application. He expressed the view that before this application could be considered for approval, a full parking stress survey was needed to be commissioned. He felt that the application had not given effective thought to the parking considerations on site. He said that the plans had also revealed problems with the positioning of bin storage areas and the location of some of these would need to be reconsidered before approval could be granted.

Councillor Price referenced the proposed undercroft, he said that this had a design of two sets of garage doors with an air chamber in between. He said that in his view the potential for anything going wrong with these was far too high. He stated that the reasons that had been put forward with respect to application 4.4 were also relevant to this application. He therefore

urged Members to reject the application.

The Chairman moved that the application be refused because of loss of amenity. This was seconded by Cllr Fawthrop. A vote was taken and the application was refused unanimously.

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

The proposed development, by reason of its siting, scale, layout, spatial distances and relationship with its neighbouring properties would have an adverse impact on neighbouring residential amenities in terms of loss of privacy contrary to Policies 4 and 37 of the Bromley Local Plan.

8.6 CHISLEHURST

(22/01109/FULL1) - 14 - 16 High Street, Chislehurst, BR7 5AN

Description of Application: Replacement shop front (retrospective application). Members noted that this application had been called in by a Councillor and that the officer recommendation was for refusal. This application lay within the Chislehurst Conservation Area.

Oral representations in support of the application were received.

Councillor Mark Smith spoke in support of the application. He said that the proposed changes to the shop front were well designed and enhanced the High Street.

The Chairman said that there was specific guidance concerning shop fronts in the Chislehurst Conservation Area and that in his view the application was not in line with the guidance. The Chairman moved for Refusal. This was seconded by Cllr Andrews. Cllr Fawthrop felt that the new design was better than the previous one and that a deferral should be considered to mitigate any design issues. Cllr

Brock agreed with Cllr Fawthrop. He expressed the view that there were a diverse range of shop fronts in the High Street. A Member said that the guidance that had been published was not legally binding, it was just guidance.

A vote was taken for Refusal and this was lost by 2 votes to 6. There were seven votes in favour of Deferral.

Members, having considered the report, objections and representations, **RESOLVED THAT THE APPLICATION BE DEFERRED** without prejudice to any future consideration, to seek further consideration on mitigation measures to offset heritage objection to the new shopfront on basis of too much unbroken glazing, by the enlargement of stall riser and more traditional entrance door in line with the non-council informally approved 'Chislehurst High Street Shopfront - Design Guide'

**8.7
BROMLEY COMMON &
HOLWOOD**

**(22/01141/FULL1) - Glendale, Holwood Park
Avenue, Orpington BR6 8NG**

Description of application: Demolition of an existing dwelling and detached triple garage and the erection of a replacement 2 Storey detached eight bedroom dwelling with accommodation in roof space, basement accommodation including car parking, single storey rear pool projection, and garden shed and BBQ/dining shelter in rear garden.

Members noted that this application had been called in by Councillor Alexa Michael and that it was located in the Keston Park Conservation Area. The recommendation of the planning officers was that the application should be refused. The Planning Officer stated that objections to the application had been received from the Conservation Officer and the Advisory Panel for Conservation Areas.

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

Oral representations were heard on the night from Ward Councillor Dr Sunil Gupta in support of the application. He said that the existing property was out of character with its surroundings. He stated that there was a property that already existed across the road to

the Royal Bell that was similar to the one proposed in the planning application and so he saw no reason why the application could not be permitted. There were properties in the road of various and in some cases mansion style architecture.

The Chairman moved that permission be granted. The vote was 4 in favour and 4 against. The Chairman used his casting vote and so the application was approved. The Chairman expressed the view that the application would make a positive contribution to the Conservation Area. It was agreed that conditions would be delegated before approval was sent out.

Members having considered the report, objections and representations, **RESOLVED THAT PERMISSION BE GRANTED OVERTURNING THE RECOMMENDATION THAT PERMISSION BE REFUSED FOR THE FOLLOWING REASON:**

The proposed development, by reason of its design, size and siting on the plot, relates well to the dwellings in the surrounding area and as such would make a greater contribution to the character of the Conservation Area than the existing dwelling which it looks to replace.

MEMBERS AGREED THAT THE MATTER OF PLANNING CONDITIONS WITH WHICH THE DEVELOPMENT MUST COMPLY CAN BE AGREED UNDER DELEGATED AUTHORITY.

Conditions as follows:

1. The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990

2. (a) Prior to commencement of above ground works, details (including samples) of the materials to be used for the external surfaces of the building 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

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interests of visual and residential amenity.

4. i) Prior to commencement of above ground works details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

1. A scaled plan showing all existing vegetation to be retained and trees and plants to be planted which shall include use of a minimum of 30% native plant species of home grown stock (where possible) and no invasive species

2. Proposed hardstanding and boundary treatment

3. A schedule detailing sizes and numbers of all proposed trees/plants

4. Sufficient specification to endure successful establishment and survival of new planting.

(ii) There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.

(iii) Any new tree(s) that die(s), are/is removed

or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details

Reason: In order to comply with Policies 37, 73 and 74 of the Bromley Local Plan to secure a visually satisfactory setting for the development and to protect neighbouring amenity.

5. (i) Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPP and AMS:

- a) Location and installation of services/ utilities/ drainage.
- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- c) Details of construction within the RPA or that may impact on the retained trees.
- d) A full specification for the installation of boundary treatment **works**.
- e) A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.
- f) Detailed levels and cross-sections to

show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.

g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.

h) A specification for scaffolding and ground protection within tree protection zones.

i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.

j) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires

k) Boundary treatments within the RPA

l) Methodology and detailed assessment of root pruning

m) Arboricultural supervision and inspection by a suitably qualified tree specialist

n) Reporting of inspection and supervision

o) Methods to improve the rooting environment for retained and proposed trees and landscaping

p) Veteran and ancient tree protection and management

(ii) The development thereafter shall be implemented in strict accordance with the approved details.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with Policy 37, 73 and 74 of the Bromley Local Plan and pursuant to section 197 of the Town and Country Planning Act 1990

6. (a) Prior to commencement of the development hereby approved (excluding any ground clearance or demolition) a scheme for the provision of surface water drainage shall be submitted and approved in writing by the local planning authority.

(b) Before the details required to satisfy Part (a) are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy S113 and the advice contained within the National SuDS Standards.

(c) Where a sustainable drainage scheme is to be provided, the submitted details shall:

i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site as close to greenfield runoff rates (8l/s/ha) as reasonably practicable and the measures taken to prevent pollution of the receiving groundwater and/or surface water

(d) The drainage scheme approved under Parts a, b and c shall be implemented in full prior to first occupation of the development hereby approved

Reason: Details are required prior to the commencement of any new operational development in order to ensure that a satisfactory means of surface water drainage, to reduce the risk of flooding can be achieved before development intensifies on site and to comply with the Policy S113 of the London Plan and Policies 115, 116 and 117 of the Bromley Local Plan

7. Before the development hereby permitted is

first occupied the proposed window(s) in the first floor flank elevations; shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained as such.

Reason: In the interests of protecting residential amenity in accordance with Policy 37 of the Bromley Local Plan

8. No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. As a minimum the plan shall cover:

(a) Dust mitigation and management measures.

(b) The location and operation of plant and wheel washing facilities

(c) Measure to reduce demolition and construction noise

(d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-

(i) Rationalise travel and traffic routes to and from the site as well as within the site.

(ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.

(iii) Measures to deal with safe pedestrian movement.

(iv) Full contact details of the site and project manager responsible for day-to-day management of the works

(v) Parking for operatives during construction period

(vi) A swept path drawings for any tight manoeuvres on vehicle routes to and from the site including proposed access and egress arrangements at the site boundary.

(e) Hours of operation

(f) Other site specific Highways and Environmental Protection issues as requested on a case by case basis

(g) The development shall be undertaken in full accordance with the details approved under Parts a-f

Reason: Required prior to commencement of development to ensure sufficient measures can be secured throughout the whole build programme in the interests of pedestrian and vehicular safety and the amenities of the area. In order to comply with Policies 30, 31, 32 and 119 of the Bromley Local Plan and in the interest of the amenities of the adjacent properties.

Informatives

Thames Water
CIL

**8.8
PETTS WOOD AND KNOLL**

**(22/01776/FULL6) - 261 Chislehurst Road,
Orpington, BR5 1NS**

Description of application: Two storey side and rear extensions, first floor side extension, conversion of one garage to habitable accommodation and elevational alterations. This application was recommended for permission. The Planning Officer stated that a corrected rear elevation drawing had been received.

A discussion took place concerning the roots of the extension and whether or not the extension was central. Councillor Fawthrop felt and the application should be deferred so that the extension could be more central and in keeping with the conservation area. This motion was seconded by Councillor Brock. The Chairman felt that the application could be approved of this motion was seconded by Councillor Kennedy-Brooks. A vote was taken on the motion for approval and there were three votes for and five votes against so that motion was lost. A vote was taken on the motion for deferral and there were six Members in favour so that motion was passed.

Members have considered the report, objections and representations, **RESOLVED THAT THE APPLICATION BE DEFERRED** without prejudice to any future consideration to seek further consideration of increasing the side space at first floor level to align with the centre of the ground floor garage, to allow for a more aesthetically pleasing design in the context of the Conservation Area.

**8.9
PENGE AND CATOR**

(22/02359/ADV) - Land At Junction Of Newlands Park and Venner Road, Sydenham, London

Description of application: One non-illuminated double sided free standing village sign at land adjacent to number 226 Venner Road. This was a Council application and the recommendation was that advertisement consent be granted.

Members, having considered the reports, objections and representations **RESOLVED THAT ADVERTISEMENT CONSENT GRANTED** as per conditions outlined within the report.

The Meeting ended at 9.00 pm

Chairman