

PLANS SUB-COMMITTEE NO. 1

Minutes of the meeting held at 7.00 pm on 23 November 2023

Present:

Councillor Alexa Michael (Chairman)
Councillor Christine Harris (Vice-Chairman)
Councillors Jonathan Andrews, Graeme Casey, Kira Gabbert,
Colin Hitchins, Ruth McGregor, Tony Owen and Mark Smith

Also Present:

Councillors Keith Onslow and Alison Stammers

36 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies received from Cllr Laidlaw.

37 DECLARATIONS OF INTEREST

None received.

38 CONFIRMATION OF MINUTES OF MEETING HELD ON 28TH SEPTEMBER 2023

The Minutes of the meeting held on 28th September 2023 were confirmed and signed as a correct record.

39 PLANNING APPLICATIONS

39.1 PENGE & CATOR

(21/05656/FULL1) 62 Kings Hall Road, BR3 1LS

Alterations and conversion of the existing day nursery into 4 self-contained flats.

Following the presentation of the application from Planning, the Chairman brought to the Committee's attention the written comments received from Councillor Jeal and his fellow Ward Members, with the statement circulated to Members at the meeting.

The Chairman then informed the Committee that she was in agreement to the grounds for refusal as stated

in the Planner's Report. Agreement was also received from Committee Members.

Members having considered the report, objections and representations **RESOLVED that PERMISSION BE REFUSED** as recommended for the reasons set out in the report.

**39.2
PENGE & CATOR**

**(21/05715/FULL1) - Cyphers Indoor Bowling Club,
Kings Hall Road, Beckenham, BR3 1LP**

Demolition of existing buildings, erection of a part one, part two storey building to provide a day nursery, erection of a 3 storey building to provide 18 residential units with associated play space, hard and soft landscaping, car parking and ancillary works (Revised scheme).

An oral presentation of the application was received from Planning, with confirmation of the recommendation for refusal for the reasons stated on pages 78 and 79 of the report.

Following the presentation of the application from Planning, the Chairman brought to the Committee's attention the written comments received from Councillor Jeal and his fellow Ward Members, with the statement circulated to Members at the meeting.

The Chairman informed the Committee that she was in agreement to the grounds for refusal in the Planner's Report, highlighting that no special circumstances had been identified and the application was considered to be inappropriate development in Metropolitan Open Land (MOL). Agreement was also received from Committee Members.

Members having considered the report, objections and representations **RESOLVED that PERMISSION BE REFUSED** as recommended for the reasons set out in the report.

**39.3
BECKENHAM TOWN &
COPERS COPE**

**(22/04039/FULL2) - School House, Overbury
Avenue, Beckenham BR3 6PZ**

Change of use of School House from educational (school) use falling within Class F1 to a pre-school

(Class E(f)). RETROSPECTIVE application.

An oral representation in objection to the application was given by a neighbour, who explained that he was also representing views of local residents. Members were informed that the noise from the pre-school has a detrimental impact on neighbouring properties, confirmed by the number of objections raised to the application. It was felt that the noise impact assessment carried out was not realistic due to dense foliage masking the level of noise. The Speaker requested that the children are only allowed to play at the front of the house to limit the effects of noise.

It was confirmed that the only screening between the property and the pre-school garden is a single garden fence. In response to a question from a Committee Member, the Speaker confirmed that there was virtually no noise impact when the children were inside the pre-school and noise was minimal when the children played in the front of the pre-school. A limit to the amount of playing time was also mentioned.

The Committee were also informed that the office and an upstairs bedroom overlook the garden area of the pre-school, together with the back garden resulting in a lack of privacy. Proper noise reducing screening would also be welcomed.

An oral representation was then received from the Agent in support of the application. Members were informed that it was felt there would be no adverse impact to residents if the pre-school adhered to the proposed conditions. The pre-school opening hours were highlighted with the result that any noise generated is limited to these hours. With regard to the impact on traffic and parking, the Speaker explained that it was felt this is minimal as a lot of children arrive on foot or with siblings attending Clare House Primary School.

The outcome of the Noise Impact Assessment was referred to by the Speaker, confirming that the impact on neighbouring premises is relatively low. Following discussions with Environmental Health, it has been agreed that the children play in front of the pre-school, and that is the plan going forward.

In response to a question from a Member, the Speaker confirmed that there are currently no plans to

increase the number of children at the pre-school or to extend the premises.

The Vice-Chairman, Councillor Harris, then read out a statement from Ward Member, Councillor Tickner, as he was unable to attend the meeting in person. Councillor Tickner brought to the Committee's attention the adverse and unnecessary noise impact on residents and highlighted the large number of written objections.

The Committee then discussed the application, and a Member mentioned that there is a need within the Borough for nursery provision. It was also felt that if approved, imposing conditions regarding screening, limiting outside use, windows being obscured etc would be a good idea.

The question of whether restricting children's time spent outside for playing and learning was appropriate for a pre-school was also discussed. The need for more investigation into the noise impact was also highlighted as among the reasons for a deferral of the application.

Planners did remind Members that only planning considerations could be taken into account and confirmed that any breaches of any conditions imposed could be reported to the Council.

A motion to **APPROVE** the application in line with Officers' recommendations was then voted on but not carried.

Members having considered the report, objections and representations, then **RESOLVED that the APPLICATION BE DEFERRED – To seek further noise assessments and confirmation that the existing noise is not a nuisance.**

**39.4
PETTS WOOD & KNOLL**

(23/03040/FULL6) - 13 Birchwood Road, Petts Wood, Orpington, BR5 1NX

Addition of electric gates to front of property.

An oral presentation of the application was received from Planning which updated the recommendation to add impact on the ASRC to the reason for refusal.

An oral representation in support of the application was received from the applicant. Members heard that Birchwood Road is a long straight road, often used as a cut through to shops in Petts Wood. The road is often busy with people driving both recklessly and at speed. Over the last three years the volume of traffic and frequency of speeding has increased. The Speaker stated that he had to bear the cost of repairing his wall after an accident caused a lot of damage, and he is concerned for the safety of his children.

The Committee heard that the proposed gates have been designed in a sympathetic way, in-keeping with the style of the home, other properties in the road and other gates already in place at other houses. In addition, it is felt that the low-level aspect and open design of the gates will not create any visual intrusion or impact, with the gates planned to finish just above the existing brick piers. This is also seen to be in accordance with the requirements of Areas of Special Residential Character (ASRCs).

An oral representation was then received from Ward Member, Councillor Onslow in support of the application. Councillor Onslow stated that he is aware of the Conservation Status of the area and the guidance around ASRCs. However, it is felt that this application should be considered on its individual merits, with Members still mindful of the impact on the Conservation Area and the ASRC.

Councillor Onslow confirmed his understanding and support for the applicant's fears over speeding traffic and reckless driving in Birchwood Road, together with his desire to protect his family. This is coupled with the additional security the gates will provide to enable the applicant to protect his property.

The Committee heard Councillor Onslow's view that the proposed design of the gates complements the low-level walls and pillars in the front garden, and as they would match the height of the existing pillars would not be obtrusive with minimal impact.

Following the presentation, the Chairman referred to written comments provided by Ward Member, Councillor Fawthrop in support of the recommendation for refusal, with the comments circulated to Members at the meeting. Councillor Fawthrop highlighted parts

of the Areas of Special Residential Character (ASRCs) policy and guidance, and the importance of maintaining these areas.

Ward Councillor and Committee Member, Councillor Owen, then addressed the Committee to reinforce his view that Conservation Areas are put in place for a reason and every effort should be made to maintain them, including the need to retain low walls and open gardens in such cases. Councillor Owen confirmed his agreement to Officers' recommendation to refuse the application.

During discussions by Members, it was mentioned that roads have changed over the years becoming more dangerous and people have the right to ensure the safety of their family and also the security of their property. Some Members also confirmed their view that the gates were a suitable design and sympathetic to the surroundings.

A motion to **REFUSE** the application in line with Officers' recommendations was then voted on but not carried.

Members having considered the report, objections and representations then **RESOLVED that PERMISSION BE GRANTED** for the following reason:

The application would respect the ASRC and not harm the character or appearance of the conservation area; it would additionally increase the safety and security of occupiers.

and,

Subject to updated plans showing the gates not exceeding the height of the piers and such conditions the Assistant Director (Planning) considers necessary.

**39.5
CHISLEHURST**

**(23/03109/FULL6) - Barton, Kemnal Road,
Chislehurst, BR7 6LY**

Installation of 28 solar panels (RETROSPECTIVE).

Following a presentation by Planning, an oral representation was received from a neighbour in objection to the application. The Committee heard that the design, scale and position of the 28 solar panels is

unacceptable to neighbouring residents. Additionally, it is felt that it seems more like an industrial installation, does not enhance the appearance of the area and harms the visual amenity, with views from the adjoining flats being adversely affected. The Speaker said there was no objection to the 12 solar panels previously installed as it was more acceptable for the size of property, but the additional 28 panels is too large and intrusive.

In response to a question from a Member, the Speaker informed the Committee that there was an initial consultation with the applicant, and he agreed to provide visuals of the design etc, but this never happened and the installation just went ahead.

Visiting Ward Member, Councillor Stammers, then gave an oral representation in objection to the application. The Committee heard that although the significant benefits of solar panels are recognised, they have to be installed correctly and be unobtrusive. The 28 solar panels installed on this property would seem to be more in place on an industrial building and not a residential property. The views from several of the adjoining flats have been changed from a plain roof with a stone balustrade to a large bank of solar panels, housed in 'bins' that are visually unattractive.

Ward Councillor and Committee Member, Councillor Mark Smith, echoed Cllr Stammers' views, highlighting the loss of amenity and outlook for residents. The need for such a large amount of solar panels was also questioned.

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

By virtue of its overbearing and industrial appearance and proximity to the windows of adjoining occupiers, the proposal has a harmful impact on the visual and residential amenities of those occupiers, thereby contrary to policy 37 of the Bromley Local Plan.

Enforcement action is authorised to secure the removal of the solar panels.

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CONTRAVENTIONS AND OTHER ISSUES

NO REPORTS

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TREE PRESERVATION ORDERS

NO REPORTS

The Meeting ended at 9.02 pm

Chairman