

PLANS SUB-COMMITTEE NO. 1

Minutes of the meeting held at 7.00 pm on 16 May 2024

Present:

Councillor Jonathan Andrews (Chairman)
Councillor Simon Fawthrop (Vice-Chairman)
Councillors Mark Brock, Graeme Casey, Kira Gabbert,
Christine Harris, Tony McPartlan and Alexa Michael

Also Present:

Councillors Mark Smith and Alisa Igoe

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

None received.

2 DECLARATIONS OF INTEREST

None received.

3 CONFIRMATION OF MINUTES OF MEETING HELD ON 21ST MARCH 2024

The Minutes of the meeting held on 21st March 2024 were confirmed and signed as a correct record.

4 PLANNING APPLICATIONS

4.1 CHISLEHURST

(23/00429/FULL6) - Abbots Park House, Orpington Road, Chislehurst, BR7 6RA.

Proposed outbuilding with carport, first floor leisure accommodation including three pitched roof dormers and rooflights.

During the Planning Officer's presentation, confirmation was given to Members of the recommendation for refusal for the reasons stated on page 19 of the Report.

An oral representation in support of the application was then received on behalf of the Applicant. With

regard to concerns raised with the site situated within the Marlings Park Estate Area of Special Residential Character (ASRC), Members heard that it was felt that the front of the house was well shielded by trees and not in view from the neighbouring property at Kyrle House. The Chislehurst Society had also not provided any comments or concerns with the application and proposed plans. The Speaker stated that the design of the outbuilding would be sympathetic to both the house and the surrounding area.

Members heard of the frustration caused by the issuing of three TPOs on trees at the property in close proximity to the siting of the outbuilding. The Speaker informed Members that when the project started there were no TPOs in place and that the surrounding trees were a key feature of the design, with the desire to keep the trees in place.

In response to Members' questions the Speaker stated that:

- There was heavy gravel soil on the site and the piles would only have a limited impact on about 5% of the root protection area.
- It was not felt that an Arboriculturist would be able to give Officers any more information regarding the impact of the proposals on the surrounding trees.
- A considerable amount of money has been spent on the pruning and upkeep of trees on the property and will continue to be spent, including those trees with a TPO in place.
- There were no current plans for the outbuilding to be used as self-contained living quarters. It was to be used as an entertaining space but could change in the future.

An oral representation was then received from visiting Ward Member, Councillor Mark Smith. Members were informed that the original application was made in February 2023, and therefore there were concerns over the lengthy amount of time it had taken for the application to actually come before a Plans Sub-Committee and the chance for the Applicant to present their case/views. Councillor Smith felt that the proposed plans would have a minimal impact on the surrounding trees and confirmed that the Applicants do take care of the trees on their property. Members were asked that if they felt unable to approve the

application then would they be minded to consider a deferral with the applicants requested to provide any further information deemed appropriate.

During discussions Members agreed that there were concerns over the time taken for this application to come before the committee, but that the application put before them had to be considered on its individual merits. Some Members agreed that the application was of a large scale, would be visually dominant and out of character with the Marlings Park Estate Area of Special Residential Character and not meet the requirements of the Bromley Local Plan.

Other Members stated that as they did not feel the proposal was too overbearing, they would support a deferral of the application in order for the Applicant to provide a full detailed survey of the trees.

Members having considered the Report, objections and representations **RESOLVED that the APPLICATION BE REFUSED for the reasons stated in the Report.**

4.2 WEST WICKHAM

(23/04799/FULL1) - 30 Corkscrew Hill, West Wickham, BR4 9BB.

Demolition of existing garage and erection of three bedroomed detached dwelling.

The Planning Officer confirmed to Members that this was a resubmission with a revised scheme of a previously refused development on the same site (23/01815/FULL1). The current scheme had altered the proposal for the site, with the alterations taking into account the reasons for the previous refusal (as detailed on page 28 of the Report). As such, the application was now recommended for approval.

An oral presentation in support of the application was then received from the Agent. Members heard that a similar application was refused in July 2023 but this was a different design. The new dwelling was to be relocated to increase the separation from the neighbouring property from 1m to 2.4m and with no loss of natural light.

The Agent stated that the Applicant had commissioned a review regarding access to the site

and the proximity to the junction, refuge island and a telegraph pole with no issues raised. The Applicant would consider provision for water harvesting if required. It was felt that the Applicant had sought to answer the queries raised from the previous refusal and felt he had satisfied the concerns raised.

Ward Councillor and Committee Member, Councillor Mark Brock, then addressed the committee. Cllr Brock stated his belief that the previous refusal reasons for this application still remained. The one change from the previous application, moving away from the neighbouring property, does not satisfy the concerns raised. The plan was still seen as an over cramped development that would be out of character with the spatial layout of the area. The traffic island between the two driveways was also seen as dangerous. Members were recommended to refuse the application for the same reasons as before.

During discussions it was agreed by some Members that this application only included a minor change to the previous submission and the plot and layout were inconsistent with the spatial layout of the area.

Other Members expressed the view that they felt the property had now been moved a considerable and acceptable distance from the boundary, with the applicant having satisfied previous concerns. There had been no objections received from Highways Officers with no issues regarding proximity to the pedestrian refuge island and telegraph pole.

Members having considered the Report, objections and representations **RESOLVED that the APPLICATION BE REFUSED for the following reasons:**

1. The proposed development would be a cramped overdevelopment with an unacceptable impact on the spatial character of the locality by reason of location, siting and close proximity to neighbouring buildings and property boundaries within the surrounding development pattern and spatial layout of the area which would have a serious and adverse effect on the visual amenity of the streetscene contrary to Policies 4, 8 and 37 of the Bromley Local Plan and Policies D3 and H2 of the London Plan, and the NPPF (2023).

2. The proposed development by reason of its overbearing nature, siting and proximity to neighbouring buildings and property boundaries would have a serious and adverse effect on the residential amenity enjoyed by the occupants of neighbouring property, contrary to Policies 4, 8 and 37 of the Bromley Local Plan and Policies D3, D6 and H2 of the London Plan, and the NPPF (2023).

**4.3
HAYES & CONEY HALL**

(24/00512/FULL6) - The Bungalow, Hayes Mead Road, Bromley, BR2 7HR.

Proposed single storey front extension with new porch and part side extension and conversion of existing garage to habitable accommodation, single storey rear extension, loft conversion with rear dormer, roof alterations to form crown roof feature and roof lights.

The Planning Officer confirmed to Members that this application previously came before the Plans 3 Sub-Committee meeting on 18th April 2024. The application was deferred to ask the applicant to consider removing the rear dormer to be replaced with Velux windows. The application was already a modification of a previously refused scheme (refused in June 2023 on the grounds of bulk, size and scale).

The Applicant had confirmed that as the proposal regarding the windows for this revised application would not be a workable solution within his design, can Members determine the application in its current form. In an update, Members noted that seven letters of support for the application had been received from dwellings in Hayes Mead Road.

An oral representation in objection to the application was received from a neighbour. A photo had also been circulated to Members showing the proximity of the Speaker's garden to the Applicant's property. Members heard the following:

- Concerns that the rear dormer window would overlook the neighbour's property, kitchen, lounge, dining room and garden resulting in a loss of privacy. It was felt that properties should be protected from being overlooked.
- The Applicant had ignored the request to use

- Velux windows as a preferred alternative.
- Worries that the floor void could be filled-in in the future and converted into a habitable room meaning the Applicant would be able to come right up to the window.
 - The Applicant has planted bushes to eventually form a kind of screening but there was concern they could grow and block light which was essential to the Speaker's health.
 - The neighbours did not object to the whole plan, just the part regarding the windows and being overlooked.

In response to Member's questions, the Speaker confirmed that they were not directly overlooked by other neighbours in the same way and that the use of frosted glass in the dormer window would be acceptable.

An oral representation in support of the application was then received from the Applicant. Members were informed that:

- The bungalow required extensive improvements and the current plan was to create an open-plan living space with high ceilings within a design that was in-keeping with the area.
- No objections to the actual design had been received from the Planning Department.
- The use of frosted glass for the rear dormer window did not fit in with the design plan.
- The Applicant had already modified and reduced the plan from the application previously refused in June 2023.
- There were no plans to fill in the floor space in the future.
- Bushes had been planted to hopefully form screening between the properties.

In response to Members' questions the Applicant confirmed that he did not want to use fully obscured glazing as the design concept was to be able to enjoy the outlook from the balcony, and it required clear glazing to view the garden. The Applicant was prepared to accept a slight change to the plans with the use of partially obscured glazing if it would enable the application to be approved.

Ward Councillor and Committee Member, Councillor Alexa Michael, then addressed Members and confirmed that there was no issue with the design and it was felt that the Applicant had made good changes since the previously refused application. Councillor Michael agreed that the properties are close together and it was disappointing that the Applicant had chosen not to change to Velux windows as this remained the outstanding concern. Members were advised that if the application was approved then there should be an added condition regarding the use of full or part-frosted glass for the dormer window.

During discussions Planning Officers confirmed that a condition could be added for the required use of a certain type of glass, and the Applicant would be required to provide full details to satisfy Planning, but it was for Members to discuss whether it should be part or fully frosted glass.

Some Members felt there was a need for the use of fully frosted glass to prevent overlooking into the neighbour's property. Other considerations should be the viewing and opening angles of the window and it was agreed that it was hard to determine the parts or amounts of the window that should be frosted or clear.

Other Members felt that as the Applicant had previously stated that he would not be agreeable to using fully obscured glazing, it was important to find a compromise to both protect the neighbours from being overlooked and the Applicant's design.

A motion to approve the application with an additional condition regarding the use of partially frosted glass in the dormer window was then voted on but not carried.

Members having considered the Report, objections and representations **RESOLVED that the APPLICATION BE APPROVED subject to the conditions set out in the report, with an additional condition requiring the dormer window to be fully frosted.**

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TREE PRESERVATION ORDERS

NO REPORTS

The Meeting ended at 8.45 pm

Chairman