

# London Borough of Bromley

Report No.  
LDS05070

PART 1 - PUBLIC

Agenda  
Item No.

# 12

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Title: **MINUTE OF THE SPECIAL MEETING OF DEVELOPMENT CONTROL COMMITTEE HELD ON 9<sup>TH</sup> NOVEMBER 2004**

Decision Maker: **Development Control Committee** Decision Date: **19 Apr 2005**

Decision Type: Non-Urgent Non-Executive Non-Key

Budget/Policy Framework: Within policy and budget

Chief Officer: Director of Legal and Democratic Services

Contact Officer: Greg Ullman, Team Leader  
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Ward: Orpington

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## 1. SUMMARY

- 1.1 Members on the 9<sup>th</sup> November 2004 considered a report concerning a planning application (ref: 04.03193) in respect of land at the Multi-Storey Car Park, Earls Way, Orpington. Members resolved to grant planning permission subject to the prior completion of a Legal Agreement and to any Direction by the Government Office for London and the Greater London Authority. No Direction has been made by either Body and the terms of the Legal Agreement have been agreed. A copy of the Minute of the meeting is attached to this report.
- 1.2 The Director of Legal and Democratic Services has advised that the reasons for Members decision on 9<sup>th</sup> November 2004 should be more fully set out in the Decision Notice. He notes that Members at that time considered that the scheme differed from the previous outline application (ref: 03.4023) in that the building will be set back to reduce the bulk and resulting visual impact on the Orchard Grove and Station Road frontages. The impact of the building would no longer be harmful to the amenities currently enjoyed by the occupiers of the adjacent residential properties on Orchard Grove and Station Road. Members accepted the findings of the survey submitted in connection with the application which demonstrates that the light reaching the adjacent Orchard Grove residential properties would not be unduly affected by the proposed development. Members noted that there was no duty on the applicant to demonstrate retail need and carry out a sequential test given the Town Centre location. The London Plan, as a result of the Planning and Compensation Act 2004, was now a development plan which would have primacy if there was a conflict with Council policies. Members noted that the Mayor of London had concluded that the proposal broadly complied with the spirit and intent of the London Plan. Members also considered that the proposal was neither contrary to the Council's existing Unitary Development Plan nor against the emerging Unitary Development Plan. Members accepted the information given on behalf of the Director of Environment and Leisure Services that based on surveys that had been carried out, the proposed development would not cause undue parking and traffic consequences for Orpington. Having considered all of these factors, the information in the report of the Chief Planner, the objections and representations Members concluded that the proposal complied with the aims and objectives of Policies H2 Design of Housing Development, H7 Residential Density, S2 District Centres, S5 Large Shopping Facilities, T3 Road Hierarchy, T13 Parking, T15 Parking, T25 Rear Servicing, T26 Trees Woodlands and Landscaping. Members also considered that the proposal complied with

the aims and objectives of the second deposit Draft Unitary Plan Policies H1 Housing Supply, H2 Affordable Housing, H6 Housing Design, H7 Residential Density, T1 Transport Demand, T2 Assessment of Transport Effects, T3 Parking, T6 Commuter and Town Centre Parking, T9 Pedestrians, T10 Cyclists, T13 Public Transport, T21 Servicing of Premises, BE1 Design of New Development, NE6 Protection of Trees and Woodland Amenity, NE7 Development of Trees, C1 Community Facilities, C5 Health Facilities and Imp2 Promoting Development. Members concluded that subject to the prior completion of a Legal Agreement dealing with the matters listed in the Chief Planner's report and subject to any Direction by the Government Office for London and the Greater London Authority, permission should be granted for the development as amended by documents received on 6<sup>th</sup> October and 13<sup>th</sup> October 2004.

## 2. RECOMMENDATIONS

- 2.1 Members confirm their agreement to the above summary of the reasons for the decision made at the Special Meeting held on the 9<sup>th</sup> November 2004 for inclusion in the decision notice.

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| <b>Non-Applicable Sections:</b>                       | Policy, Financial, Personnel and Legal   |
| Background Documents:<br>(Access via Contact Officer) | Minute of the Special Meeting of the Development Control Committee held on 9 <sup>th</sup> November 2004 |