

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 19th April 2005

Present:

Councillor A M Wilkinson (Chairman)
Councillor Bloomfield (Vice-Chairman)
Councillors Katy Boughey, Clark, Jane Connor, Peter Dean,
Peter Fookes, Gostt, John Holbrook, Brian Humphrys, John Ince,
Charles Joel, Michael, Jenny Powell, Rod Reed, Bob Shekyls and
Peter Woods

Also present:

Councillors Reg Adams, Ruth Bennett, Mrs I A Buckley,
David McBride and George Taylor (in attendance for Minutes 78,
79, 80, 81 and 84)

73 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS

An apology for absence was received from Councillor Gordon Jenkins. Councillor Brian Humphrys attended the meeting as his alternate.

74 DECLARATIONS OF INTEREST

Item 6: Town Centres - Area Action Plan for Bromley Town Centre and Vision Documents for Orpington and Beckenham Town Centres - Councillor Peter Woods declared a personal interest.

Item 10: Conservation Areas - Proposed Conservation Area at Elm Road, Beckenham - Councillors Peter Dean, Brian Humphrys and A M Wilkinson declared a personal interest. Councillor Rod Reed declared a personal and prejudicial interest and left the room during the discussion and voting on this item.

75 MINUTES

RESOLVED that the Minutes of the meeting held on 8th February 2005 be confirmed.

76 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions had been received.

77 PLANNING REPORTS

1 (04/0404846/DET) Bethlem Royal
KELSEY AND EDEN Hospital, Monks Orchard Road,
PARK WARD Beckenham
This item had been withdrawn by the
Chief Planner before the meeting,

**78 TOWN CENTRES - AREA ACTION PLAN FOR BROMLEY TOWN
CENTRE AND VISION DOCUMENTS FOR ORPINGTON AND
BECKENHAM TOWN CENTRES
Report ELS05101**

The recent Retail Capacity Study (DTZ 2004) had indicated the potential for major development in Bromley Town Centre (by an additional retail floor space of approximately 40,000m² by 2016) and that interest had been shown from differing commercial sectors. Planning Consultants EDAW had been appointed to undertake an Area Action Plan for Bromley Town Centre. This work would be carried out in three phases as outlined and would involve consultation with local stakeholders. As part of Phase 1, an Initial Planning Statement would be submitted to the next meeting of this Committee. Donaldsons had also been appointed to advise on Bromley's property market and would work alongside EDAW to ensure that future proposals were supported by sound development economics and that they were both deliverable and commercially viable. The consultancy for Bromley Town Centre was being funded by the Planning Development Grant.

It was recognised that the issues affecting Beckenham and Orpington Town Centres were different from those relating to Bromley. In response to the DTZ study, the Corporate Town Centre Officer Group would, as soon as resources allowed, proceed to develop vision documents for both the Beckenham and Orpington Town Centres to determine the potential for further commercial/retail development and the improvement of the physical environment of the two towns.

RESOLVED that

(1) the appointment of consultants to carry out an Area Action Plan for Bromley Town Centre be noted; and

(2) the development of vision documents for Beckenham and Orpington Town Centres be noted.

(Councillor Peter Woods declared a personal interest in this item.)

**79 CONSULTATION PAPER “PLANNING FOR MIXED COMMUNITIES”
- PROPOSED AMENDMENTS TO PPG3 (MARCH 2000)
Report ESL05097**

The Government had produced a consultation paper entitled “Planning for Mixed Communities” (January 2005) that would update the existing PPG3 “Housing” (March 2000) and replace the existing Circular 6/96 on “Planning for Affordable Housing”. A copy of the consultation paper together with a summary of the main issues was set out. Comments on the consultation document had been requested by the ODPM by 15th April 2005 and the Chief Planner submitted a suggested basis for the Council’s response. A final response had been issued by the ALG and was circulated at the meeting.

Members supported the Chief Planner’s comments but, in addition, felt that, in relation to paragraph 3.11(iii) of the report, the reference to “key workers” should be replaced by “intermediate occupiers” in line with the guidance in the London Plan. Some concern was also expressed about the appropriateness of highlighting specific groups in terms of accommodation needs particularly since such needs were likely to be similar.

RESOLVED that the views set out in the Chief Planner’s report, together with the above comments of Members, be endorsed as the basis of this Council’s response to the ODPM’s consultation paper.

**80 BUILT HERITAGE IN BROMLEY - UPDATE
Report ESL05098**

The Chief Planner provided an update on the workload commitments relating to the implementation of the Phase 1 recommendations of the GL Hearn study which had been agreed by this Committee (Minute 39 - 26.10.04). A report was likely to be made to the Committee’s next meeting considering the Consultant’s Phase 2 recommendations. Details were also reported on the progress made in relation to the Borough’s statutory list, local list and Conservation Area appraisals. GL Hearn had recently been appointed to undertake a study of future potential conservation area designations in the north-east part of the Borough, the results of which were anticipated in June-July 2005.

RESOLVED that the report be noted.

**81 UNITARY DEVELOPMENT PLAN INQUIRY: INSPECTOR’S REPORT
Report ELS05099**

At its meeting of 26th October 2004 (Minute 46) the Committee had noted the content of the UDP Inquiry Inspector’s interim report concerning the main

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recommendations on the housing and Green Belt and open space chapters and had appointed Consultants to undertake a comprehensive housing study to provide background data with which to address the apparent housing supply shortfall and assist the Council in its detailed consideration of the Inspector's individual recommendations. The Consultants' findings were due to be reported to this Committee's next meeting.

The Chief Planner reported that the Inspector's full report had been published on 7th April 2005 and that modifications to the UDP arising from the subsequent consideration of the report would be published for public consultation in the autumn prior to adoption of the Plan early in 2006. The Inspector's findings were, in the main, related directly to current Government policy and to the Mayor of London's London Plan. The London Plan was now part of the approved Development Plan for London against which planning applications should be determined and which, until the revised UDP was adopted, would take precedence where there was a potential policy conflict.

The Chief Planner referred to the formal process required for considering the Inspector's report and to the strategic issues involved which would need to be dealt with by this Committee, the Executive and ultimately by full Council. This entailed three elements: (i) considering the Inspector's recommendations; (ii) considering whether any modifications needed to be made and publicised; and (iii) the preparation of a new draft UDP. Members considered the most practical way for achieving this process and were mindful that the Council needed to give detailed consideration to the report and to submit strong reasons where it did not agree with the Inspector's recommendations.

RESOLVED that

(1) the receipt of the Inspector's full report be noted; and

(2) the officers' views on the report be considered at a special meeting of this Committee on a date to be arranged and that subsequent recommendations thereon be made to the Executive.

**82 CONSERVATION AREAS: PROPOSED CONSERVATION AREA AT
ELM ROAD, BECKENHAM
Report ELS05091**

Arising from consideration of the findings of the GL Hearn study of built heritage, this Committee on 26th October 2004 (Minute 39) had agreed in principle to a new designation of a Conservation Area to include Elm Road and part of Beckenham Road, and that consultation should be undertaken with residents within the recommended areas and the outcome reported back.

The Chief Planner reported that all of the properties within and adjacent to the proposed Elm Road Conservation Area had, over a 28 day period from 4th January 2005, been consulted on the proposed boundary as shown on Map BCA 45. The views of English Heritage and the Advisory Panel for Conservation Areas (APCA) had also been sought. Of the 72 responses which have been received from a total of 195 consultation packs which had been sent out, 66 had felt that Elm Road was worthy of conservation area designation. Strong support for the proposed designation had been received from the West Beckenham Residents' Association and from APCA, who had also recommended that a wider area should be designated to include properties in Cedars Road, Hayne Road and part of Queens Road, as had been recommended in the GL Hearn report. This view was also supported by the local Ward Members who, at the meeting, expressed the view that properties on the eastern side of Queens Road should also be included in the designated area.

The Chief Planner circulated at the meeting Map BCA 45/2 which showed the proposed boundary of the wider area recommended by APCA and the local Ward Members, but excluding properties on the eastern side of Queens Road. He also made available a report which had been prepared by CgMs Consulting, who represented United Language Schools Limited, owners of Nos. 25 and 27 Beckenham Road. A copy of a summary of the report was also circulated at the meeting. Both CgMs Consulting and English Heritage did not support the designation of a conservation area covering parts of Beckenham Road and Elm Road. The consultants had expressed the view that the proposed designation of additional conservation areas within the Borough was designed as a means of curbing new development within the Borough. Robinson Escott Planning Consultants had expressed similar comments. The Chief Planner disagreed with this view and advised Members that the proposed designation had been put forward on the grounds of heritage merit. A decision on the proposed designated area would ultimately be made by the Executive.

RESOLVED that, having regard to the outcome of public consultation, together with the views of APCA and the local Ward Members, the Executive be recommended to agree to the designation of Elm Road, Beckenham as a Conservation Area under Part II Paragraph 69 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 to include the area as shown on Map BCA 45/2 and to consider inclusion in the designated area properties on the eastern side of Queens Road.

(Councillors Peter Dean, Brian Humphrys and A.M. Wilkinson declared a personal interest in this item.)

(Councillor Rod Reed declared a personal and prejudicial interest in this item and left the room for the discussion and voting thereon.)

83 COUNCIL MOTION: MOBILE TELEPHONE MASTS
Report ELS05100

The following Motion, which had been moved by Councillor Maines and seconded by Councillor McBride at the Council meeting on 21st March 2005, had been referred to this Committee for consideration:

“This Council:

- concerned at its present inability, through the planning process, to act in the best interests of local residents in relation to the proliferation of mobile telephone masts;
- welcomes the Private Member’s Bill introduced by Andrew Stunell MP to give local Councils greater powers in this regard and in particular (a) to prohibit any development without planning permission and (b) to allow a local Council to have regard to health issues on a precautionary basis;
- instructs officers to investigate ways in which the Council can affect legislation so that it is changed to meet the aims of the Private Members Bill.”

The Chief Planner commented on the background to this issue and on the current public concern and uncertainties, together with the present government policy as set out in Planning Policy Guidance Note No. 8. He suggested that a detailed report be submitted to the next meeting to enable the Committee to give full consideration to all aspects of the motion. Various issues were raised by Members and the Chief Planner indicated that these would all be addressed in his report. In the meantime, he suggested various measures which could be undertaken.

RESOLVED that

(1) consideration of this matter be deferred and that the Chief Planner be requested to submit a detailed report to the Committee’s next meeting to be held on 14th June 2005 to take account of all aspects of the motion;

(2) Members be invited to inform the Chief Planner of any further aspects which they wished to have included in this report;

(3) officers be instructed to prepare an appropriate factsheet/leaflet to explain government guidance and the Council’s responsibilities concerning mobile phone masts; and

(4) arrangements be made for a seminar to be held at which a consultant to be appointed will advise Members (and perhaps local Members of Parliament and local residents’ associations) on the matter generally and to address current and specific issues identified in the Council Motion.

**84 MINUTES OF THE SPECIAL MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON 9TH NOVEMBER 2004
Report LDS05070**

At the special meeting of this Committee held on 9th November 2004 (Minute 52) Members granted planning permission relating to a planning application (ref: 04.03193) in respect of land at the Multi-Storey Car Park, Earls Way, Orpington 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 had been made by either body and the terms of the Legal Agreement had been agreed.

The Director of Legal and Democratic Services submitted a report advising the Committee that the reasons for its decision on 9th November 2004 should be more fully set out in the Decision Notice. He set out a summary of the reasons for the decision which had been made on 9th November 2004 and submitted a copy of the minute of the special meeting.

RESOLVED that the summary of the reasons for the decision made by this Committee at the special meeting held on 9th November 2004 as set out in the report of Director of Legal and Democratic Services be confirmed for inclusion in the decision notice, subject to the amendment of the second sentence in paragraph 1.2 of the report to read as follows:

“The impact of the building would no longer be so harmful to the amenities currently enjoyed by the occupiers of the adjacent residential properties on Orchard Grove and Station Road as to justify refusal”.

A.M. WILKINSON

Chairman

The meeting ended at 9.15 p.m.