

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 22 July 2010

Present:

Councillor Alexa Michael (Chairman)
Councillor Charles Joel (Vice-Chairman)
Councillors Reg Adams, Eric Bosshard, Katy Boughey,
Lydia Buttinger, Simon Fawthrop, Peter Fookes, Will Harmer,
John Ince, Russell Jackson, Paul Lynch, Anne Manning,
Russell Mellor and Richard Scoates

13 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS

An apology for lateness was received from Councillor Eric Bosshard. Apologies for absence were received from Councillors Douglas Auld and Peter Dean.

14 DECLARATIONS OF INTEREST

There were no declarations of interest.

15 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 25 MAY 2010

RESOLVED that the Minutes of the meeting held on 25 May 2010 be confirmed.

16 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

The following three questions were asked by Ms Elizabeth Day:-

Question 1

"In the planning process objectors are invited to comment on any revised plans . Where, having obtained permission, the applicant revises the plans and reduces the side spaces, should all previously notified persons be re-consulted or indeed should the applicant be advised to submit a new planning application?"

Chairman's Response

"There is a statutory requirement to publicise most planning applications by way of neighbour notification or site notice and in some cases a press advertisement is also necessary. Where revised plans are subsequently

received, there is no statutory obligation on the Council to re-notify residents/objectors but this is normally done as a matter of good practice."

As a supplementary question, Ms Day asked if the same applied where an application involved garden land.

The Chairman confirmed there would be no difference.

Questions 2 and 3 (taken jointly)

"Is it unusual for the Council to choose not to take enforcement action if foundations are laid for a new build which do not comply with the consent given?"

"Where planning approval is subject to conditions, residents can presumably expect items such as revised plans and notes of conversations with the developer to be made available on enquiry. Within how many days of receipt would you expect the planner to be aware of revised plans having been submitted?"

Chairman's Response

"If there is a material change in a proposal after planning permission is granted, this would normally be the subject of a fresh planning application and would involve further local publicity. In respect of the land to the rear of 70 Pope Road, which is understood to be the case in question, there was a condition attached to the latest permission which required the detailed siting of the houses to be agreed before commencement. Although these details are currently with the Council, it is apparent that works involving a revised siting have commenced without the required approval. The developers have therefore been advised verbally and in writing to stop work and a report on the issue is to be presented to the Plans Sub Committee on 29th July. There is no requirement to consult residents on details required by condition but in this case the matter is being considered at Committee and they will have an opportunity to comment".

As a supplementary question, Ms Day asked whether revised plans should be made available on file for the public to view at Planning Reception or on the Council's website.

The Chief Planner responded by explaining that revised plans and information to discharge planning conditions submitted after a decision is taken, are required to satisfy the terms of the decision and are supplemental to the original application. With regard to the specific case in question this was being presented to Plans Sub-Committee on 29th July and if Ms Day wished to address that Committee she should register her intention to do so by 10.00 a.m. on 28th July.

17 PLANNING REPORT

The Committee considered the Chief Planner's report on the following planning application:

1. PENGE AND CATOR WARD	(10/01069/FULL1) Part one/three storey block comprising extra care housing with communal facilities (41 one bedroom and 9 two bedroom flats) with 18 car parking spaces at Anne Sutherland House, Thesiger Road, Penge, London SE20.
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Oral representations in objection to and in support of the application were received at the meeting.

Members' attention was drawn to an error on page 12 of the report. The site mentioned in the penultimate line of the paragraph headed 'Location' should read 'Kent House Road' not 'Kings Hall Road' as stated.

Several questions were raised concerning the number of car parking spaces available. Members were informed that the car parking facilities were based on a survey conducted by the applicant involving similar extra care housing schemes.

The Chief Planner commented that public transport accessibility levels around the site were at the higher end of the spectrum with seven bus routes within a 600 metre radius of Anne Sutherland House and four or five train stations which were easily accessible.

In relation to the needs of residents with disabilities, Members were informed that all flats would be built to a standard design which would need little adaptation should the need arise.

Concerns were raised over the loss of some trees at the site and it was suggested that a condition be added to resolve this issue.

It was also suggested that a slab level condition be added to resolve the problem of overlooking.

The Chief Planner drew Members' attention to condition 8 on page 16 of the report. He confirmed that a palette of materials had been received and accepted.

Members having considered the report, objections and representations **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions and informative set out in the report of the Chief Planner with condition 8 amended to read:-

'8 The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and/or drawings unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.'

A further two conditions were added to read:-

'18 Details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences and the development shall be completed strictly in accordance with the approved levels.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

19 If any of the trees on the Parish Lane frontage shown on the approved plans to be retained die or become seriously damaged within five years of the completion of the development hereby permitted, they shall be replaced with a similar number of heavy standard nursery stock of a species to be approved by the local planning authority.

REASON: In order to comply with Policy NE8 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.'

18 SECURED BY DESIGN

PC Mick Lane, Crime Prevention Advisor, Bromley Borough Police, gave a presentation to the Committee showing various examples of good designs which reduced the opportunity for criminality and bad designs which helped to enable criminal actions. Phase 2 of the Ramsden Estate redevelopment was quoted as an example of good design.

The unit was established in 1989 at a time when there was a rising tide of house burglaries. The team liaises with the Planning Department on Secured by Design (SBD) applications for all new developments not just housing and offices, with the aim of achieving a safe, secure and sustainable environment. All developers are required to achieve the 'Secured by Design' Accreditation awarded by the Metropolitan Police. No fee is charged and an Accreditation is awarded upon completion of the works specified in the application.

The SBD guide focuses on the need for windows and doors (communal doors in particular) to ensure a good standard of security is achieved. It specifies the use of good lighting and stipulates that no alleyways should be incorporated where easy access can be gained to the rear of properties.

The Unit liaises with Bromley Safer Partnership Board and Safer Neighbourhood Panels to assist residents in resolving issues where criminal activity had occurred due to design problems.

PC Lane was pleased to report that crime levels in original SBD sites sustained 62% fewer burglaries in newest SBD developments.

Various questions were raised by Members and responded to.

The Chairman thanked PC Lane for his very informative and interesting presentation.

19 ADVISORY PANEL FOR CONSERVATION AREAS (APCA)

The Committee received a presentation from Mr David Wood, Chairman of the Advisory Panel for Conservation Areas (APCA) and Ross Jones a long-serving member of APCA, outlining the history of this body, how it had been formed and its current means of operation.

APCA was established in 1971 from the Civic Amenities Act 1967 which had provided powers for the creation of Conservation Areas. There were currently 45 Conservation Areas within the Borough, the main criteria for the designation of which were the preservation and enhancement of Statutory Listed, Locally Listed or historical buildings e.g. churches and cathedrals. All trees within Conservation Areas are automatically protected. APCA liaises with the Development Control Committee and Planning Sub-Committees with the aim of safeguarding these areas. Its activities are largely confined to commenting on significant planning applications.

APCA is a voluntary service with a core Committee of seven members selected at an Annual General Meeting. Membership generally comprises representatives from bodies such as RIBA or the Town Planning Institute. Meetings are held every four weeks and are not open to the public.

Councillor Mrs Anne Manning complimented APCA on the excellent service it provided. She was, however, concerned to learn that some Conservation Areas no longer had representatives. Mr Wood responded by informing Members that representatives were being sought through liaison with the Residents Federation and Residents Associations.

The Chief Planner also thanked APCA for the useful service it provided over many years.

Various questions were raised by members and responded to.

The Chairman thanked Mr Wood and Mr Jones for their interesting and informative presentation.

20 RECENT CHANGES TO PPS3

Report DRR10/00078

In accordance with the Government's proposals to decentralise the planning system, two changes had been made to Planning Policy Statement 3 Housing, both of which had a beneficial impact on local authorities.

The exclusion of private residential gardens from the definition of previously developed land in Appendix B of the Policy enabled authorities to manage development in residential areas by considering applications on an individual basis and refusing inappropriate development.

The removal of the minimum density of 30 dwellings per hectare enabled a better mix of homes to be built for the local community and would encourage the development of more family homes.

RESOLVED that the report and the implications that the amendments to PPS 3 will have on decision making be noted.

21 BIGGIN HILL HERITAGE CENTRE WORKING PARTY

Report LDCS10113

The Committee gave consideration to the reappointment of the Biggin Hill Heritage Centre Working Party and to the membership for 2010/11.

RESOLVED that the Biggin Hill Heritage Centre Working Party be appointed for the 2010/11 Municipal Year and that the membership comprises Councillors Mrs Anne Manning, David McBride, Gordon Norrie and Richard Scoates.

22 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

RESOLVED that the Press and public be excluded during consideration of the items of business referred to in the following Minutes as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

**The following summary
refers to a matter
involving exempt information**

23 EXEMPT MINUTES OF THE MEETING HELD ON 25 MAY 2010

RESOLVED that the exempt Minutes of the meeting held on 25 May 2010, be confirmed.

The Meeting ended at 9.30 pm

Chairman