

## **DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held at 7.30 pm on 25 April 2017

### **Present:**

Councillor Peter Dean (Chairman)  
Councillor Richard Scoates (Vice-Chairman)  
Councillors Vanessa Allen, Graham Arthur, Katy Boughey,  
Kevin Brooks, Lydia Buttinger, Nicky Dykes, Simon Fawthrop,  
William Huntington-Thresher, Charles Joel, David Livett,  
Russell Mellor, Keith Onslow, Tony Owen, Neil Reddin FCCA,  
Pauline Tunncliffe and Michael Turner

### **Also Present:**

Councillors Nicholas Bennett J.P. and Michael Tickner

### **37 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

Apologies for absence were received from Councillors Douglas Auld, Eric Bosshard and Alexa Michael; Councillors Keith Onslow, Russell Mellor and Tony Owen attended as their respective substitutes.

### **38 DECLARATIONS OF INTEREST**

There were no additional declarations of interest.

### **39 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 25 JANUARY 2017**

**RESOLVED that the Minutes of the meeting held on 25 January 2017 be confirmed and signed as a correct record.**

### **40 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

The following oral question was received from Mr D Angelo concerning the methods adopted by Bromley Planning Department when dealing with applications where privacy and loss of light were major issues:

'Can you please explain why, when a planning application is made initially and an objection by affected parties has been made, that an amended application for the same property addressing some of the objections is totally ignored and the initial plans passed?

Both the original application, the objection and the amended application were with the planning department prior to the final decision being made.

Surely by any standards this is totally unacceptable and shows a total lack of logic by the planning department.’

The Chairman responded as follows:-

*Each planning application is determined on its merits with regard to the development plan and other material planning considerations. Representations made to the application are a consideration and are never ignored.*

*However, an application can only be determined on the basis of the plans submitted by the applicant who has the final choice as to what forms their application. If a proposal would have an unacceptable impact in planning terms, it would be refused planning permission.*

Supplementary Question:

If the applicant withdrew amended plans we would like proof of when the plans were withdrawn.

*The Chairman repeated that the applicant was free to put in whatever application they wished. The application would be decided on its merits.*

Councillor Simon Fawthrop exercised his right as a member of the Committee and asked the following question:

Is it possible that there was a miscommunication and that in fact a supplementary application may have been submitted with the original application which then fell when the original application was granted permission?

*The Chairman responded that his understanding of the circumstances surrounding the application was this: an application had been submitted and the application had generated objections. A subsequent amendment was then submitted with the amendment being withdrawn later.*

*The Chief Planning Officer further clarified that Mr Angelo’s complaints relating to the handling of this application were currently being addressed through the Council’s complaints procedure.*

A further written question (set out below) was received from Mr Martin Ruddick of Bracken Hill Lane, Bromley concerning planning application (15/03400/FULL1) – 20 Blyth Road: Retrospective Planning Application, dismissed on appeal on 21 April 2016

Question

Mr Kehoe, the Chief Planner, instructed for the enforcement to be issued. Other promises have been made by the Enforcement Offices, and the item was raised at the DCC on 25/01/17 by Clive Lees on our behalf, with the expected issue of the enforcement notice within a couple of weeks. No notice has been issued - could the DCC pursue this please.

The Chairman's response was as follows:-

The Council has now issued an enforcement notice against the unauthorised development, EN/14/00163/OPDEV in connection with the unauthorised creation of a vehicular access together with the erection of a 3 metre high fence and the formation of a hardstanding for vehicular parking. A copy of the notice can be viewed online at

<https://searchapplications.bromley.gov.uk/online-applications/enforcementDetails.do?activeTab=documents&keyVal=N3CHL2BT0NA00>

**41 PLANNING APPLICATION (16/04563/OUT) - 18 HOMEFIELD RISE, ORPINGTON BR6 0RU (ORPINGTON WARD)**

Description of application – Demolition of numbers 18-44 Homefield Rise and the construction of 105 residential apartments in four separate three and four storey blocks to be served by two accesses together with associated car parking, cycle parking, refuse storage and private communal amenity space.

Oral representations in objection to the application were received from Mr David Padgham on behalf of Lancing Residents' Association.

Mr Padgham reported the following:-

Lancing Residents' Association was not opposed to redevelopment of the site per se. They were opposed to the current plans that were under consideration. The residents' felt that the current proposals amounted to overcrowding of the site.

Mr Padgham had been advised by a designing out crime expert that one of the proposed entrances to the development posed a danger.

Although the developers claimed that the site was in an urban area, the reality was that the location was suburban and it was felt that the proposals under consideration would result in urban sprawl.

Lancing Residents' Association were asking for the current application to be refused with any future submission more in line with the character of the area.

In response to Member questions, Mr Padgham reported that the building referred to in point 3 of his submission was a garage and workshop.

Oral representations in support of the application were received from Ms Jo Tasker (agent).

Ms Tasker reported the following:-

The Agent's had submitted a letter to the Committee which provided further details of the proposals. The current proposals had been in development for two years during this time there had been a number of consultations and the applicants had been involved in two pre-application processes.

The applicants considered that the site was in a sustainable location and that the proposals supported ongoing regeneration of Orpington Town Centre. The scheme would deliver a substantial number of new homes and the proposals around the number of affordable homes were well in excess of policy requirements.

In response to Member questions, Ms Tasker stated that the proposed car parking offer met policy requirements and was more than that required by both Transport for London and the Council's Highways department.

In terms of affordable housing, Affinity Sutton were required to meet certain strict standards in respect of rental accommodation.

Concerning the issue that had been raised by the speaker in objection to the proposal surrounding the proximity of the proposed development to a building belonging to 21 Lancing Road, Ms Tasker reported that the building was a workshop. A garage building could be closer to the development than a residential building.

Additional representations had been received from the applicant in support of the application and the speaker who had attended the meeting to speak in objection to the application, and from residents re-iterating comments already summarised in the report. In addition to this a representation had been received from Mr Richard Gibbons concerning the provision of cycle parking. The recommendation within the report would be subject to a section 106 agreement and officers would seek 35% affordable housing in addition to the s.106 elements outlined in the report.

Opening the debate, Councillor William Huntington-Thresher noted that during the course of the application process the approach of the developers had shifted from one of working in partnership with local residents to one of simply trying to push the proposals through. In line with this change of approach, during the course of the application process the proposals had changed a number of times. Councillor Huntington-Thresher stated that in his view 100 units represented the maximum for the site as it was in a suburban setting. The current proposals amounted to overdevelopment due to the arrangement of the units. Furthermore, the impact on amenity, specifically gardens, had been disregarded by the developers. The proposals were contrary to Policy BE1 in an area that was in deficit of public space. Councillor Huntington-

Thresher proposed that consideration of the application be deferred as the application represented overdevelopment and the proposals were out of character with the surrounding area. A deferral would also enable issues such as bicycle parking and car ownership to be further addressed.

Councillor Pauline Tunnicliffe seconded the motion to defer consideration of the application and endorsed the comments made by her ward colleague, Councillor Huntington-Thresher.

Councillor Fawthrop reported that in his opinion the application should be refused due to the bulk and size of the development, insufficient parking provision, and the impact on residential amenity.

Councillor Reddin stated that he would lean towards deferral. The site was surrounded by suburban low rise residential properties and a number of the proposed blocks overlooked open land. Councillor Reddin sympathised with Councillor Fawthrop's views on parking and indicated that in addition to revised parking he would like to see a reduction in height of the blocks.

Having considered the report, objections and representations, Members **RESOLVED that consideration of the application be DEFERRED to address the following:-**

- **overlooking (particularly from Blocks A and D);**
- **development (bulk and size) too large causing harm to the character of the area and resulting in overdevelopment;**
- **excessive number of units;**
- **arrangement of blocks A and D out of character;**
- **reduction in scale and height;**
- **concerns regarding level of parking and greenspace.**

**42 PLANNING APPLICATION (16/05782/FULL1) - KLINGERS, EDGINGTON WAY, SIDCUP DA14 5AF (CRAY VALLEY EAST WARD)**

Description of application – Partial demolition and redevelopment of the Klinger factory and associated buildings to provide 15 units to be used for B1(c), B2, B8 uses together with associated access and parking.

Joint Report 16/05782/FULL1 and 16/05784/LBC.

Oral representations from the Council's Design Champion, Councillor Nicholas Bennett in support of the application were received at the meeting. Councillor Bennett reported the following:-

The site had a chequered history and the building had been empty for roughly 20 years and had been subjected to vandalism. The building was on the risk register but remained an important building within the Borough and was a good example of the modernism of the period. Councillor Bennett reported

that he supported the recommendations in the report, particularly recommendation 7 – that the car parking area shall be used only by customers and employees of the premises at the application site and for servicing of the premises.

It was reported that, contrary to what was stated in the report, the site was not in the Green Belt but adjacent to it. Part of the access fell within the London Borough of Bexley and a Grampian condition would be added requiring works to the access to be completed.

Councillor Arthur welcomed the application which secured the building for its original purpose. The conditions outlined in the report were appropriate and Councillor Arthur moved that planning permission be granted.

The motion was seconded by Cllr Simon Fawthrop.

Having considered the report and representations Members unanimously **RESOLVED that PERMISSION BE GRANTED as recommended, subject to the conditions and informatives set out in the report of the Chief Planner and an additional condition as follows:**

**Before the development hereby approved is first brought into use the access to the site from the existing highway shall be constructed in accordance with a design and specification first submitted to and approved in writing by the London Borough of Bexley (under Bexley Council ref. 16/03132/FUL)**

**REASON – To ensure a satisfactory means of access to the development in the interest of highway safety, to comply with Policy T18 of the Unitary Development Plan.**

**43 PLANNING APPLICATION (16/05784/LBC) - KLINGER WORKS, EDGINGTON WAY, SIDCUP DA14 5AF (CRAY VALLEY EAST WARD)**

Description of application – Partial demolition and redevelopment of the Klinger factory and associated buildings to provide 15 units to be used for B1(c), B2, B8 uses together with associated access and parking.

Joint Report with 16/05782/FULL1.

The Chairman moved that Listed Building Consent be granted subject to the conditions listed in the report.

Councillor Simon Fawthrop seconded the motion.

Councillor Charles Joel noted that there was damage to the existing building and metal windows and stressed that as the development progressed these must be replaced with like-for-like materials.

Councillor Mellor welcomed the industrial use for the building which would provide small units were start-ups could locate

Having considered the report and representations Members unanimously **RESOLVED that LISTED BUILDING CONSENT BE GRANTED as recommended, subject to the conditions set out in the report of the Chief Planner.**

**44 PLANNING APPLICATION (16/05897/FULL1) - MAYBREY  
BUSINESS PARK, WORSLEY BRIDGE ROAD, LONDON SE26  
5AZ (COPERS COPE WARD)**

Description of application – Demolition of existing buildings and comprehensive redevelopment of the site to provide new buildings ranging from five to nine storeys in height comprising 159 residential units (Use Class C3), 1,099 sq m commercial floorspace (Use Class B1a-c) residents gym (Use Class D2), together with associated car and cycle parking, landscaping and infrastructure works.

Oral representations in support of the application were received from Mr Kieron Wheeler (Agent).

Mr Wheeler reported the following:-

The proposals before the Committee represented an important opportunity to regenerate the site. The developers had been in dialogue with both Council Officers and the GLA. The site in question was physically separated from the business area and it was unlikely that the buildings would be occupied again. A range of modern, conventional floor space was being proposed in the high quality, mixed use development which would incorporate 159 new homes.

In response to Member questions, Mr Wheeler confirmed that 5 car parking spaces on the north west of the development had been allocated for visitor parking. The developers had undertaken a parking survey which had indicated that there was capacity for on-street parking and there would be a concierge on site to control use of the spaces. The development was well located in good proximity to public transport and the town centre. A designed approach had been adopted and the developers felt that the impact on amenity space provision was minimal. Although Network Rail had reported that it was standing room only from Lower Sydenham station there were frequent, quick trains to London Bridge. Car parking had been a serious consideration and car club and travel scheme plans had been included within the proposals. The Developers felt that car parking provision was comfortable and appropriate for the site.

An update to the report was circulated. This clarified that as a result of amendments to the scheme made by the applicant, the proposed level of commercial floorspace was 1099 sqm (GIA), resulting in a net loss of 3304 sqm (GIA). This represented a 75% reduction in the quantum of commercial floorspace on site, when compared to the existing situation.

Late representations had been received along with comments from the Environment Agency and the Metropolitan Police Designing Out Crime Officer. No objections were raised subject to recommended conditions in the event that planning permission was granted.

Comments were also received from TfL, confirming in summary that the amount of car parking should be reduced to encourage sustainable travel, supported by the implementation of a CPZ.

Further representations had been received from Network Rail, raising concerns regarding the impact on capacity at Lower Sydenham Station.

In opening the debate, Councillor Russell Mellor, Ward Councillor for Copers Cope, highlighted that this was the third development of large density in the ward. This particular area was at saturation point for residential units and the existing industrial sites must now be considered for industrial purposes. The infrastructure for the area was not adequate to meet the additional demands of the proposal. Councillor Mellor moved that the application be refused for the reasons set out in the report and the additional reason: that the infrastructure of the area was inadequate to meet the additional demands of the proposal.

Councillor Simon Fawthrop seconded the motion adding that Public Transport Accessibility Levels (PTALS) were an inadequate method for deciding planning policy.

Councillor Reddin, although supporting refusal, noted that there were some positives within the application: it was refreshing to see a 1:1 parking ratio and the landscaping around the river would be welcome. However, these positives did not overcome the scale of the development and its proximity to Metropolitan Open Land.

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

**The following ground for refusal was added:**

**In the absence of information to demonstrate to the contrary, the proposed development would give rise to an unacceptable impact on local public transport infrastructure particularly the local rail network, contrary to Policy T9 of the Unitary Development Plan and Policy 6.3 of the London Plan.**

Noting it was the last meeting of the municipal year, the Chairman thanked the Members of the Committee for their continued support.

The meeting ended at 8.30 pm

Chairman