

## **DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held at 7.00 pm on 21 June 2018

### **Present:**

Councillor Alexa Michael (Chairman)  
Councillor Kira Gabbert (Vice-Chairman)  
Councillors Yvonne Bear, Mark Brock, Peter Dean, Nicky Dykes,  
Simon Fawthrop, Will Harmer, Colin Hitchins, Charles Joel,  
Kate Lymer, Richard Scoates, Michael Turner, Vanessa Allen,  
Kevin Brooks, Melanie Stevens and Kieran Terry

### **Also Present:**

Councillors Peter Morgan

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

An apology for absence was received from Councillor Katy Boughey; Councillor Kieran Terry attended as substitute.

An apology for lateness was received from Councillor Melanie Stevens.

#### **2 DECLARATIONS OF INTEREST**

Visiting Member Councillor Peter Morgan declared a non-pecuniary interest in agenda item 5 (Planning Application 17/05084/FULL1) as he was a Trustee of Bromley and Sheppard's Colleges.

Councillor Melanie Stevens declared a non-pecuniary interest in agenda item 7 – Planning Enforcement Progress and Monitoring, as she resided amongst properties listed in the report.

#### **3 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 13 MARCH AND 16 MAY 2018**

**RESOLVED** that the Minutes of the meetings held on 13 March and 16 May 2018, be confirmed and signed as a correct record.

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

No questions were received.

**5 PLANNING APPLICATION 17/05084/FULL1 - LAND ADJACENT TO BROMLEY COLLEGE, LONDON ROAD, BROMLEY (BROMLEY TOWN WARD)**

Description of application – Proposed construction of three, three storey buildings to provide 24, 2 bed 4 person flats with associated parking and landscaping.

Oral representations in objection to the application were received from Mr Tony Banfield, Chair of Bromley Civic Society. Mr Banfield objected on the following grounds:-

- Concerns regarding vibration during construction work as Sheppard's College had no foundations.
- In regard to the number of flats to be provided, a previous application for 25 units was refused by Members in 2003.
- The significant importance of heritage assets. The northern aspect should have been assessed for its historic significance.
- This would be an unsustainable development, harmful to the Conservation Area and the significance of designated heritage assets.

An addendum updating the Committee on a previous application was circulated to Members and can be viewed as Annex A to these Minutes.

The Planning Officer advised that should Members be minded to permit the application, two additional conditions would be required as follows:-

1. A safeguarding condition to ensure that the listed wall was not unduly damaged during or after construction.
2. A compliance condition to ensure the Air Quality Assessment was complied with.

Members were also advised that the officer recommendation had been amended to read 'Application Permitted Subject to a Section 106 Legal Agreement'.

The published report stated that the site was allocated for 70 dwellings however, this had been updated within the five year housing land supply document and 24 units were now allocated for the site.

Ward Member Councillor Dykes considered the current proposal to be an improvement on the previous application. However, taking into consideration the representations received from the Bromley Civic Society, particularly in regard to the Conservation Area and the Listed Building, she was unsure whether the application enhanced the site.

Ward Member Councillor Harmer deemed the application to be uninspiring and of little architectural merit. This was however, an opportunity site identified in Bromley's Area Action Plan.

Councillor Fawthrop referred to the comments submitted by APCA which stated the application did not reflect the Inspector's previous decision. He suggested the applicant be requested to amend the application to be more sympathetic in regard to preserving views into and out of the Conservation Area. The proposed parking provision was inadequate and the number of electric car charging spaces should be 100%.

Councillor Turner stated that in planning terms, there were no grounds to refuse the application. This was agreed by Councillor Dean who moved that the application be granted.

Having visited the site, Councillor Terry observed that the development would be close to the Grade II listed building. In regard to landscaping, it was important to protect the building and to ensure that the tree line was retained. He therefore suggested that condition 16 be strengthened for added protection. The Planning Officer advised that Tree Preservation Orders could be issued on replacement trees in perpetuity.

Councillors Brooks supported the application. The applicant had done what was required; the site was identified within the AAP and Bromley's housing target needed to be met.

Councillor Bear requested the addition of a Dust Management Plan condition.

Councillor Joel referred to the Victorian detached houses which were demolished to make way for the Kentish Way project. These works had resulted in an improvement in traffic movement into Bromley. The current proposal was a more simple design and he suggested the applicant carry out a survey in regard to the boundary wall and that discussions take place with the owners of the adjoining property.

The Chairman agreed that the current proposal was an improvement on previous applications and met the Council's requirements in terms of wide spaces between blocks and good tree screening which would alleviate concerns of the College.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner together with the following additions and amendments:-

1. A safeguarding condition to protect the wall between the College and the site including protection against all effects during construction.
2. An Air Quality Compliance condition.

3. Condition 16 be strengthened in regard to extending the time period for retention of new landscaping beyond five years with a view to TPOs being issued on replacement trees in the future.
4. A Dust Management Plan condition.

A vote on Councillor Fawthrop's motion to provide 100% electric car charging spaces fell.

**IT WAS FURTHER RESOLVED THAT PERMISSION BE GRANTED SUBJECT TO A SECTION 106 LEGAL AGREEMENT.**

## **6 PLANNING APPEALS MONITORING REPORT: APRIL 2017 TO MARCH 2018**

### **Report DRR18/024**

Consideration was given to an update on planning appeals received and decided for the year 2017/18.

In response to a question from the Chairman, the Planning Appeals and Enforcement Manager explained that appeal cases had increased significantly over the last year because Bromley received a higher number of planning applications compared with other Boroughs. Therefore, the refusal rate was also higher.

The Chairman requested (and Members agreed), that a fuller report be submitted for consideration in September 2018 to include:-

- cases determined under delegated authority or by Committee;
- applications determined against officer recommendation for permission;
- the outcome of appeals - whether they were upheld or dismissed;
- comparison figures with other London Boroughs;
- costs awarded for appeals which were allowed;
- list of inquiries and costs for lawyers etc.

The Chairman noted that the national figure for appeals allowed was 33%. Bromley's currently stood at 38%, a decrease on the previous year, so the Council was heading in the right direction.

**RESOLVED that the report be noted and a more detailed report, including the items listed above, be submitted for consideration at the Development Control Committee meeting in September 2018.**

## **7 PLANNING ENFORCEMENT PROGRESS AND MONITORING REPORT**

### **Report DRR18/032**

Members received an update on the progress of cases:-

- currently under investigation/pending consideration;
- at the appeal stage;
- awaiting compliance period;
- where enforcement action had been instigated;
- awaiting prosecution action;
- where enforcement action had been authorised; and
- currently with the legal department awaiting further action.

The report also included a full breakdown on the range of current complaints. As this contained confidential information, it was considered under the part 2 (not for publication) section of the agenda (Agenda Item 15 – Report DRR18/032).

The Chairman noted that Planning Enforcement was a ‘complaint led service’ and asked what scope there was to carry out more reactive work. The Planning Appeals and Enforcement Manager explained that over 3,000 planning applications were received annually and each application had a three year statutory implementation phase. In addition to this, the Enforcement Team were actively dealing with 750 cases with limited resources. It would therefore be exceedingly difficult at the present time to undertake compliance checks as well. The Team reacted to complaints raised by people who were directly affected by schemes which were approved by the Council.

**RESOLVED that a briefing/updates meeting on planning appeals and enforcement for Members of Planning Committees be arranged during Autumn 2018.**

## **8 ENFORCEMENT MONITORING REPORT (APRIL 2017 TO MARCH 2018)**

### **Report DRR19/025**

The report provided an update of enforcement activity from 1 April 2017 to 31 March 2018.

No issues were raised by Members.

**RESOLVED that a briefing/updates on planning appeals and enforcement for Members of Planning Committees be arranged during Autumn 2018.**

## **9 DELEGATED ENFORCEMENT ACTION - JANUARY 2018 TO APRIL 2018**

### **Report DRR18/026**

Members were advised of the action taken in regard to enforcement action authorised under Delegated Authority for alleged breaches of planning control.

Members were advised that the 20 enforcement cases listed at Blackbrook Lane, Bickley (page 35 of the report), related to sub-plots of land belonging to different people who were all issued with individual notices as a result of rubbish accumulating after the land had been used as a traveller site.

**RESOLVED that the report be noted.**

## **10 DESIGNING OUT CRIME PRESENTATION**

Mr Mark Headley, Designing Out Crime Officer, Metropolitan Police Service, gave the presentation which included:-

- an introduction to Secure By Design (SBD);
- what is SBD?;
- types of SBD award;
- the SBD process;
- advantages of SBD; and
- a final summary.

The presentation can be viewed in its entirety at Annex B to these Minutes.

In response to Members' questions, Mr Headley advised that evidence and statistics produced by independent accredited studies could be viewed on the website [www.securebydesign.com](http://www.securebydesign.com). The research carried out could show that crime had decreased since the introduction of SBD.

The SBD Group offer a free security advice service based on current crime figures and crime trends.

It was Mr Headley's belief that some insurance companies gave weight to homeowners who held an SBD Certificate.

In regard to major developments where open spaces and alleyways were created, the SBD Group could advise on lighting, egress and access routes and car parking in an attempt to reduce potential crime issues.

The Chairman and Members thanked Mr Headley for his interesting and informative presentation.

## **11 LOCAL LIST OF VALIDATION REQUIREMENTS FOR PLANNING APPLICATIONS**

### **Report DRR18/027**

National Government Guidance required Local Planning Authorities to undertake a regular review of their validation requirements for planning applications. It was necessary to ensure that the list remained fit for purpose in the context of changes to national legislation and Development Plan Policies.

The report set out:-

- the national and standard requirements for all application types (including householder applications); and
- technical supporting statements/documents required for more complex applications (which could be requested for householder applications if required).

Members were requested to formally adopt a revised Local List of Validation Requirements.

The Chief Planner advised that in accordance with changes to government guidance and standard practice, it was intended that Financial Viability information could be made publicly available.

Councillor Joel referred to pre-application enquiries and asked what documents were requested at this stage. The Chief Planner informed Members that the Council's planning portal set out the documents and information needed which varied for each type of scheme but in general details of elevation, plans and costs were required. An 'in principle' stage had recently been introduced for larger development applications.

The Bromley Portal differed from the National Portal in that it covered slightly different areas. Bromley's Local Validation Requirements may be referred to in regard to developments in Conservation Areas and Areas of Special Residential Character.

The Chairman noted that all applicants were asked for a Design and Access Statement and asked if the required documentation varied between different types of development such as normal household applications and major developments. The Chief Planner confirmed that documents required would be in proportion to the size of the development. Major applications would require fuller details.

**RESOLVED that the revised Local List of Validation Requirements be formally adopted.**

**12 LB BROMLEY LOCAL INTERMEDIATE HOUSING INCOME  
THRESHOLD REVIEW**

**Report DRR18/011**

The report sought Members' agreement to raise the existing local income thresholds for 1-3 bedroom units for intermediate housing to reflect changes (primarily in house prices) over the past three years.

The Chairman referred to the 40% increase in house prices and recognised that household income thresholds needed to be realistic. The Chief Planner informed Members that the information on house prices had been obtained from the [www.home.co.uk](http://www.home.co.uk) website.

In response to a question from Councillor Brooks, the Chief Planner acknowledged there were variations in house prices throughout the Borough which were due, in part, to existing housing stock. The local income thresholds identified in the report were the maximum levels.

Councillor Allen conducted a search of the website mentioned above which showed that house prices had not increased in the last three years. Together with the lack of increase in wages, she was not convinced that the proposed increase would help considering the lack of affordable housing.

**RESOLVED to recommend to the Executive that:-**

- (i) **the amended local upper limit intermediate housing (intermediate ownership) household income thresholds for 1, 2 and 3 bedroom units be as follows:-**
  - 1 bedroom units - £55,000**
  - 2 bedroom units - £68,800**
  - 3 bedroom units - £73,400**
  - 4 bedroom units apply GLA household upper limit of £90,000 to 4 bedroom units (intermediate ownership);**
- (ii) **the GLA household upper limit of £60,000 applies to intermediate rent products; and**
- (iii) **the amended Addendum to accompany the Council's Supplementary Planning Documents on Affordable Housing (2008) and Planning Obligations (2010) be as attached in Appendices 2 and 3 of the report.**

**13 BROMLEY COUNCIL RESPONSE TO THE DRAFT LONDON PLAN**

**Report DRR18/030**

Members considered the Council's response to the Draft London Plan which included a report submitted to the DCC meeting held on 26 January 2018 together with a finalised agreed response.

The Chairman informed Members that she had copied the Council's response to three Borough MPs, and to the Secretary of State. She confirmed to Councillors Allen and Brooks that she would also send a copy to the MP for Lewisham West and Penge.

**RESOLVED that the Council's response to the Draft London Plan consultation and the process and timetable for the London Plan Examination in Public be noted.**

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

**The Chairman moved that the Press and public be excluded during consideration of the item of business listed below as it was 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.**

**15 PLANNING ENFORCEMENT PROGRESS AND MONITORING REPORT - PART 2**

**Report DRR18/032**

Members considered confidential information relating to Agenda Item 7 (Report DRR18/032).

**RESOLVED that the confidential information be noted.**

The meeting ended at 8.33 pm

Chairman

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### **Land Adjacent to Bromley College (17/05084/FULL1) - Addendum for Committee 25/4/2018**

Since the publication of the committee report, it has been brought to Officer's attention that there has been a previous application in addition to that noted within the planning history section of the report - 03/00246/DEEM3.

Officers have considered the plans and note that the 2003 application was refused by committee for the following three reasons:

1. The proposal would be an overdevelopment of the site with a likely excessive bulk and height, out of character with the locality and contrary to Policy H.2 of the adopted Unitary Development Plan and Policy H.6 of the second deposit draft Unitary Development Plan (September 2002).
2. The proposal would be detrimental to the character and appearance of the adjacent Listed Buildings and their settings and visually intrusive when seen from neighbouring properties, and as such the proposal is contrary to Policy E.5 of the adopted Unitary Development Plan and Policy BE7 of the second deposit draft Unitary Development Plan (Sept 2002).
3. The proposal would be likely to result in the loss of existing trees within the grounds of Bromley College, which would be detrimental to the amenities of the area, contrary to Policies E.7 and G.28 of the adopted Unitary Development Plan and Policies BE9 and NE7 of the second deposit draft Unitary Development Plan.

The application is different from that under consideration by Members with the most notable differences being:

- The previous application was for two, four storey blocks
- The application proposed one break within the built form, rather than the two proposed in this case
- Parking was proposed along the rear common boundary with the College buildings
- The application was proposed in outline (for matters of siting, external appearance, design and means of access) and for 28 units with a more modern design

It is the case that since this time there has been a more recent planning application and dismissed appeal (ref: 08/00397/FULL1 and APP/G5180/A/08/2087580). Officers have considered the planning history and do not consider that the recommendation as laid out within the report would change as a result of this application.

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# Secured by Design



**Police Crime Prevention Academy**

# Aims/Objectives

- Introduction to SBD
  - What is SBD
- Types of SBD award
  - The SBD process
- Advantages of SBD
  - Summary

# Introduction to SBD

- Established in 1989, Secured by Design (SBD) is the title for a group of national police projects focusing on the design and security for new and refurbished homes, commercial premises and car parks. It supports the principles of 'designing out crime' through physical security and processes.
- Secured by Design works with the industry and test houses to create high level security standards, responding to trends in crime, and has given input on a number of key standards. The principles of the scheme have been proven to reduce the risk of crime and the fear of crime.
- Secured by Design developments (those using products and materials that meet Secured by Design Standards) are up to 75% less likely to be burgled and show a reduction of 25% in criminal damage.
- The additional cost of using Secured by Design standards in the average home is only around £170.
- SBD saves the MPS 1.1 million pounds per year, each year, on officer hours and investigation time alone.
- In Bromley this equates to 1300 less crimes, and £120,000 in police savings

## So, what is SBD?

- DOCO's are Serving police officers: knowledge, crime trends, figures
- Guidance documents: Homes 2016, commercial 2015, Schools 2014
- Over view and discussion around plans, minuted meeting notes
- Development Layout, lighting, boundary treatments
- Access control, data logging, CCTV
- Cycle and bin stores
- Mail and visitor strategy
- High standard of communal and property doors and windows

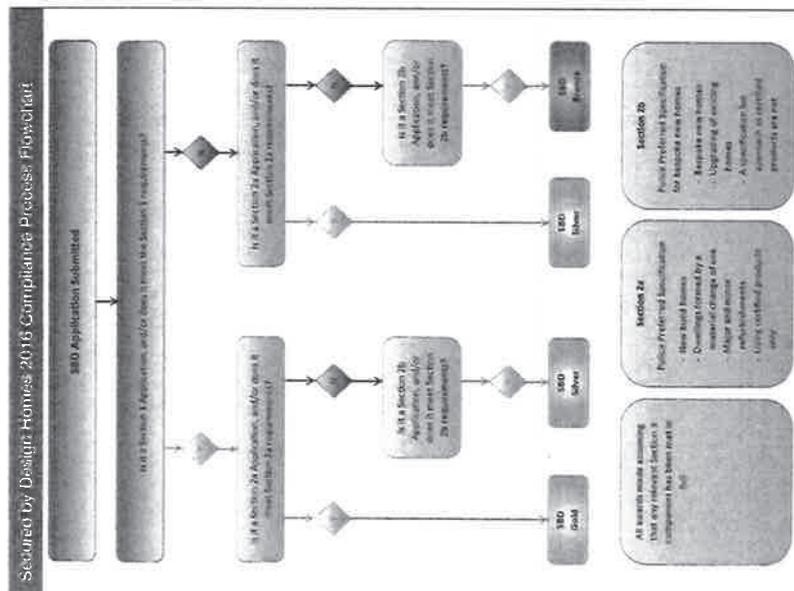
# Types of Award

SBD Homes 2016 –  
Gold/Silver/Bronze

SBD Commercial 2015

SBD New Schools 2014

Hospitals 2005



# SBD process

- Planning condition/developer or client choice/pre-app requirement
- Initial meeting with DOCO for free consultation
- 2 part planning conditions ensure compliance
- Pre commencement discharge: Detailed minuted meeting with DOCO  
SBD application form signed and submitted
- Pre occupation discharge: As above plus  
Certification/documents for products  
Site visit to inspect  
All good? Sign off and certificate

# SBD advantages

- ADQ requirement doors and windows to be to PAS24 from 1<sup>st</sup> Oct 2015
- SBD requires products to have been tested by an independent third party, accredited by UKAS (Notified Body). This provides assurance that products have been produced under a controlled manufacturing environment in accordance with the specifiers aims and minimises misrepresentation of the products by unscrupulous manufacturers/suppliers
- NO VALUE ENGINEERING over time as standards continuously develop.
- If the situation requires better, more robust security measures, if we can justify it we require implementation of it.
- Better standards mean less ongoing maintenance costs to housing providers, less victims, greater customer satisfaction, reduced service demand

# Testing

- ADQ requires the door set or window to have been tested at some point in its life. Marriage of parts allowed. Value engineering over time.
- SBD requires door set or window to be tested in the name of the manufacturer and the name of the fabricator who built it, think of IKEA! How many bits left over from your last flat pack??
- SBD member companies audited regularly to ensure compliance, so due diligence is done ensures testing takes place at regular intervals.

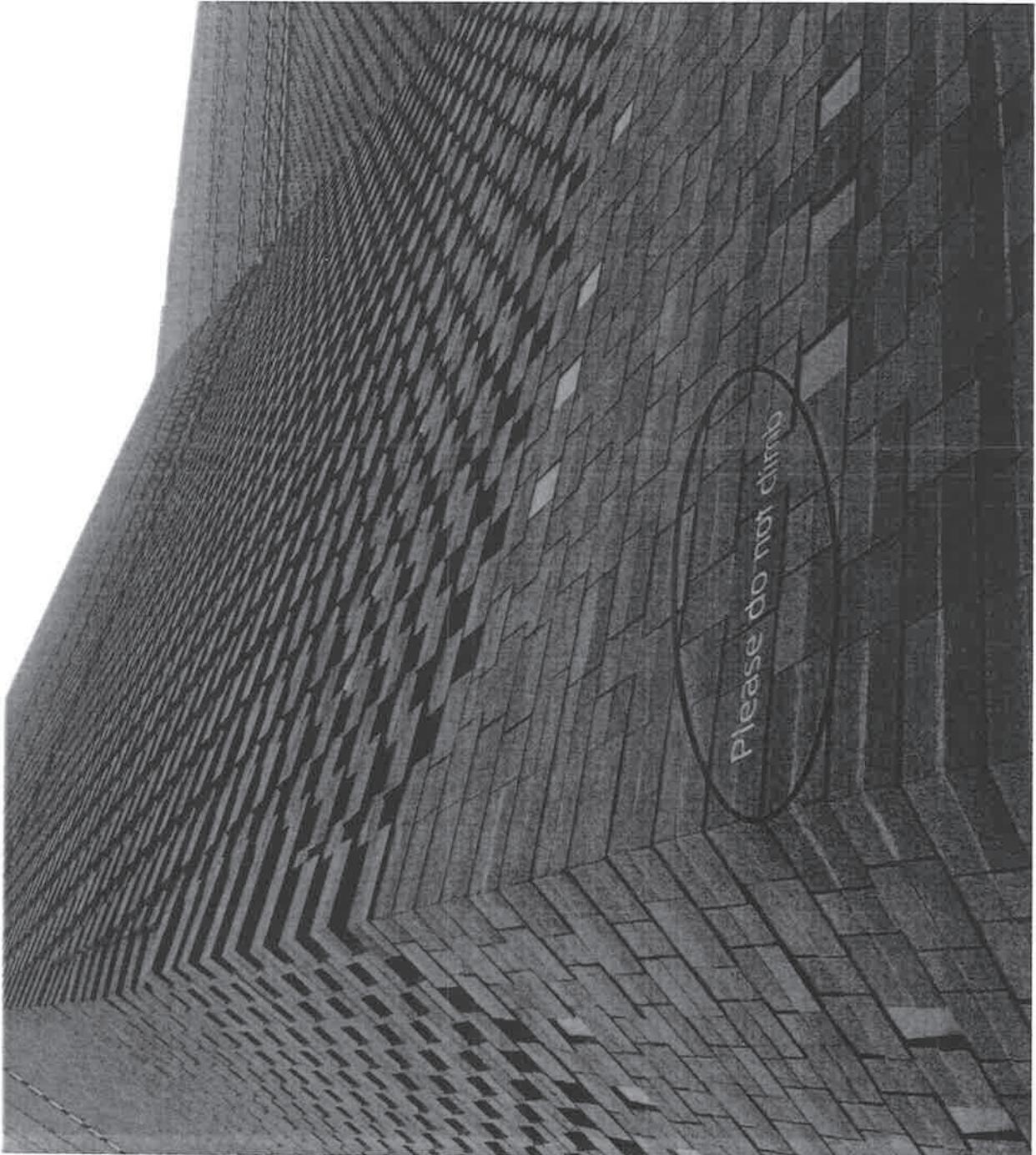
## In Summary

- Secured by design makes developments safer and more secure
- Minimal initial outlay will provide much greater savings and maintenance costs year on year
- Planning conditions pre commencement and more importantly pre occupation to ensure full compliance
- Experienced DOCO's working with the development through out to monitor, ensure compliance and that the condition is met

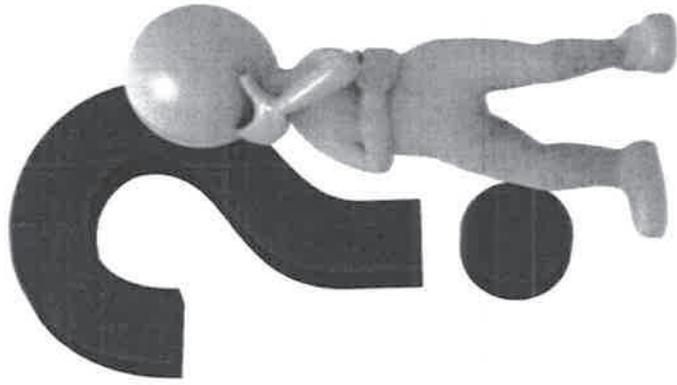
Tate Modern:

My favourite  
DOCO mantra:

“Hope is not a  
solution”

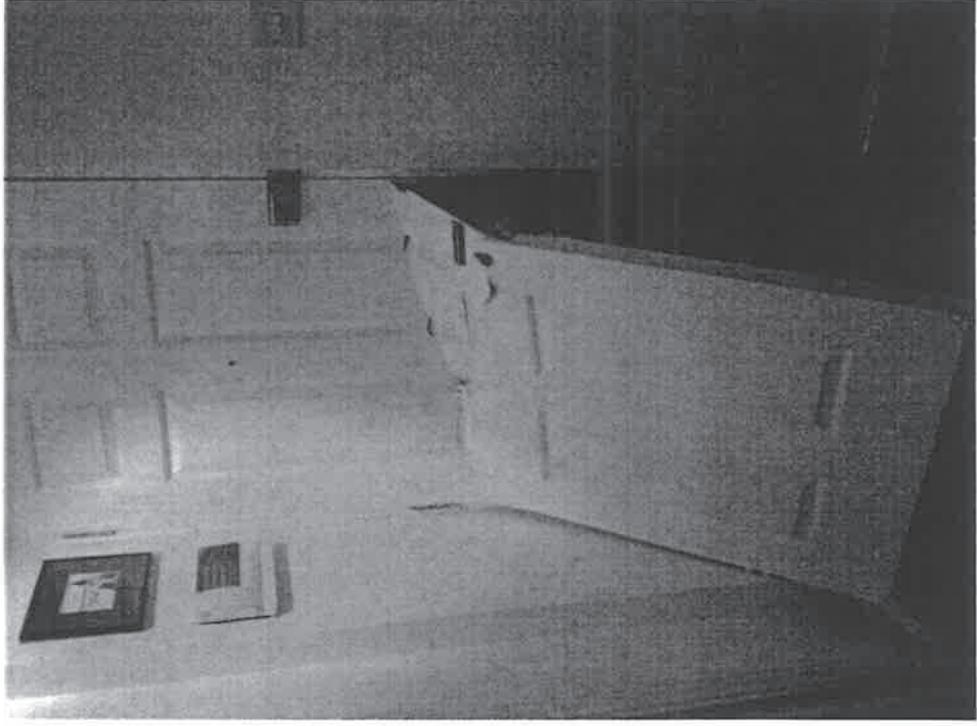


QUESTIONS?



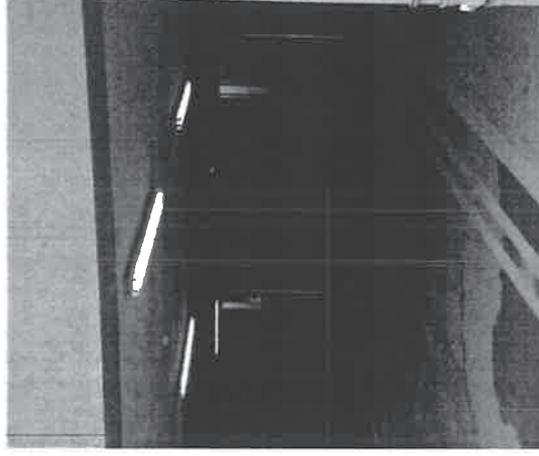
# Common issues

- Poorly fitted locks



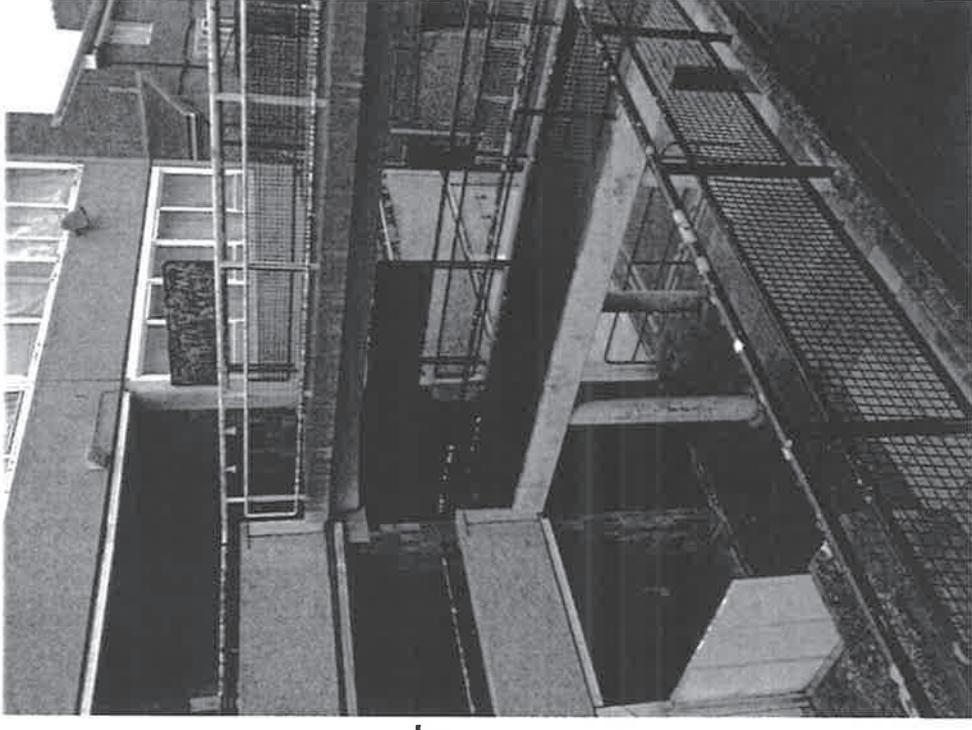
# Basements/Undercrofts

- Means of escape -  
Compartmentalisation
- Induction loop - Vehicle  
theft/trespass
- Access control/Break  
glasses.
- Trespass due to vehicle gates
- Ventilation – Finding tested  
products
- Anti social behaviour



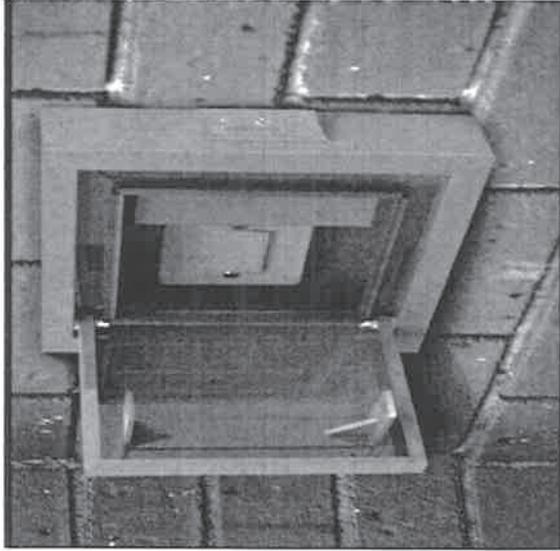
# Compartmentalisation for security

- Reduction in ASB/Gang activity/distraction burglary
- Residents only have access to the floor on which they live and communal floors ideally with no other properties
- Visitors only have access to the floor they are visiting
- Smart lift/lobby on each floor.
- Fob access from stairs into building on each residential floor and into stair core from ground. Push to exit from core out of building at ground.
- Split basement stair cores/tested and accredited door sets on each floor



# Compartmentalisation issues

- Access for visitors/meet and greet.
- Fire regulations compliance
- Over ride of access control for fire brigade – PAB
- Reliance on concierge if present

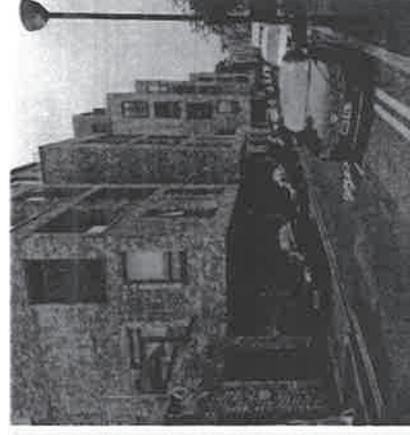


# Podium Gardens/Communal access levels

- Abuse of the fire strategy to give access to multiple cores/buildings
- Shared podium garden means a reduction in security and break in compartmentalisation
- Sacrificial flats/units
- Gym/pool/cinema room all on the same floor as podium if possible.
- CCTV requirement to mitigate against ASB

# Defensible space

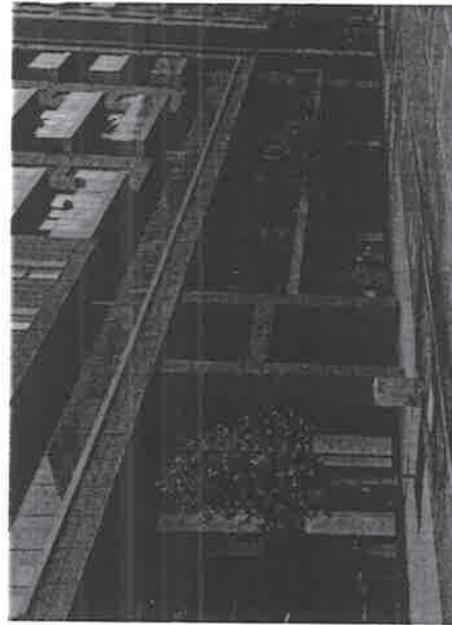
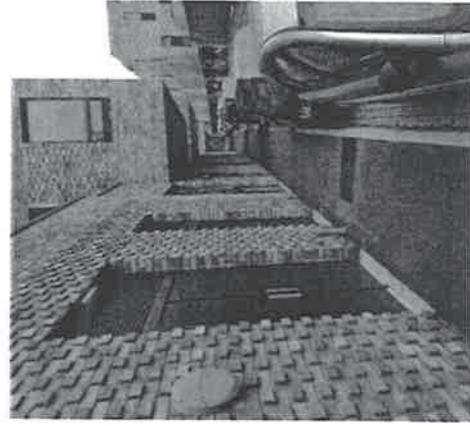
- Protects residents by having a 'safe' area around premises.
- Roof gardens/podiums
- Reduction in ASB, crime and a fear of crime.
- 1.2m high front fence/hedge. Designed to prevent people sitting on fence.



Would you want these two and their mates right outside your window?

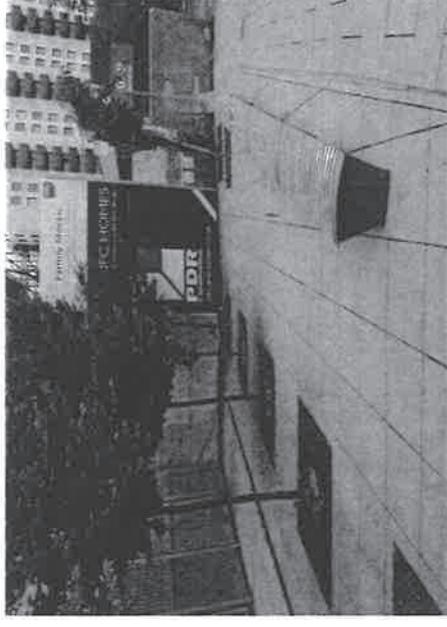
# Alcoves

- Present an opportunity for concealment
- Rough sleeping/drug use
- ASB



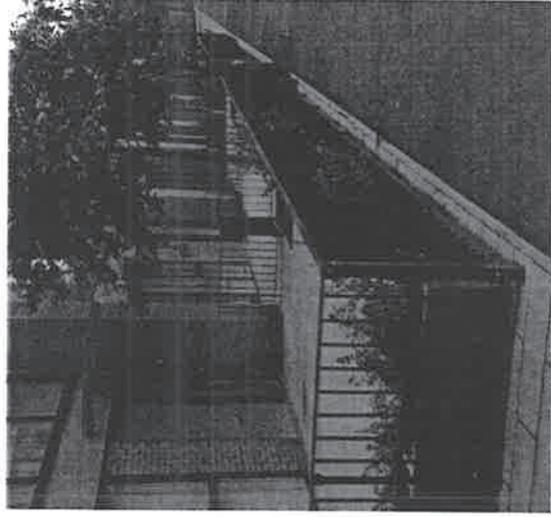
## Landscaping

- Shrubs/ground planting maximum of 1m in height. Not too dense – weapons concealment
- Trees – Bottom of foliage to be 2m above ground level.
- Seating areas designed so they cannot be used by rough sleepers/street drinkers.
- Ability to move seating areas.
- No seating areas near cash points/convenience stores.
- Broken window theory.
- Moped crime reduction.



# Surveillance

- Active rooms?
- Sight lines
- Activity created by well positioned public spaces/routes.



## Cycle stores

- Compartmentalised to around 60 cycles per store
- CCTV requirement to cover all areas
- Tested door sets when accessed from the street. Door into building?
- Behind layers of security
- Metal cages for increased surveillance.
- Two maglocks
- Data logging.

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