

## **DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held at 7.00 pm on 11 September 2018

### **Present:**

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

### **Also Present:**

Councillor Peter Morgan

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

An apology for absence was received from Councillor Kate Lymer; Councillor Michael Rutherford attended as substitute.

#### **17 DECLARATIONS OF INTEREST**

No declarations of interest were received.

#### **18 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 21 JUNE 2018**

**RESOLVED** that the Minutes of the meeting held on 21 June 2018 be confirmed and signed as a correct record.

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

Two oral questions were received from Mr Adrian Lawrence, Lanniston Developments Limited. A copy of these, together with the Chairman's responses, can be viewed at Annex A.

#### **20 PLANNING APPLICATION 17/05790/FULL1 - ABSOLUTE APPLICATIONS HOUSE, 6 SHERMAN ROAD, BROMLEY BR1 3JH**

Description of application – Demolition of existing buildings (6-10 Sherman Road) and redevelopment with a mixed-use, 23-storey scheme comprising 219 Build to Rent apartments, flexible class B1/D1 floorspace, car and cycle parking, associated access and public realm improvements.

Oral representations in support of the application were received from the applicant's agent, Mr Charles Mills.

Mr Mills outlined the scheme which was a product of joint working with Network Rail and collaborative working with the GLA and Bromley Council. The application site was identified in the Area Action Plan as suitable for a tall building. Considered to be of high architectural quality, the building would bring significant benefits to the community as well as providing much needed accommodation for rent and affordable housing.

Historic England had acknowledged the public benefits of the scheme namely:-

- delivery of 219 new residential units – 34% of the borough's annual housing target;
- the provision of 43 new affordable housing units;
- new office floor space;
- new community meeting space;
- 360 new cycle parking spaces;
- improvements to Bromley North Station and the new public square; and
- enhancing the vibrancy and vitality of the area.

Throughout the consultation period there had been demonstrable support for the scheme, particularly from young people in the borough.

In regard to the public consultation, Councillor Dykes asked how seriously the views of respondees were taken into account considering the height of the tower block had been increased, contrary to the request for a smaller building. Mr Mills stated the consultation was taken very seriously and a number of changes recommended by officers had been made. The height of the building was changed to accommodate additional affordable housing.

Councillor Harmer reported that over 80% of respondees were opposed to the 20 storey scheme which was increased to 23 storeys. Historic England considered the scale of the proposal would visually compete with the modest market town character of the Conservation Area. He questioned Mr Mills' view that feedback to the consultation had been positive. Mr Mills reported that whilst Historic England had raised concerns, they considered them to be outweighed by the wider public benefits of the scheme.

Councillor Allen asked if any attempt had been made to acquire the neighbouring site in order to create a more sensible scheme. Mr Mills confirmed that efforts had been made but were unsuccessful.

Councillor Fawthrop suggested a smaller scale building would be more viable even if it resulted in less affordable housing provision. Mr Mills considered the need for additional affordable housing to be an important element of the scheme.

Oral representations were received from visiting Member Councillor Peter Morgan, Portfolio Holder for Renewal, Recreation and Housing who objected to the scheme on the following grounds:-

- overlooking of nearby homes and gardens;
- possible interference to TV broadcasts and waves;
- enhancing the already serious car parking problems in the area; and
- whilst the provision of housing was of great importance, the height of the proposed building was not suitable for this site. A maximum of eight storeys would suffice.

Members then debated the application. Councillor Harmer considered the building to be of little architectural merit and moved that the application be refused, on the grounds as stated in the report. The proposed building was too tall and not of exceptional standard. Whilst the site was identified in Bromley's Area Action Plan for development, the scheme would not contribute to the character of the town centre. The accommodation barely complied with minimum standards and would impact on the amenity of residents living in the building and surrounding area. The use of office space should be protected.

Councillor Rutherford seconded the motion to refuse the application.

Councillor Dykes agreed with the officers' concerns in the report in respect of the listed station building and the adjacent Conservation Area. She also considered the building to be too tall for this particular site. The proposal would not respect and enhance the character of the Bromley North Station area and would create major parking problems. The applicant had ignored the concerns and advice given by Ward Councillors to improve the scheme.

Referring to Public Transport Accessibility Levels (PTALs), Councillor Fawthrop advised that vehicles were still used in high PTAL areas which often led to serious parking problems. Such would be the case with this application site.

Whilst Councillor Allen urged the Council to be more proactive in driving forward applications for this site to include mixed residential and office schemes, she did not support this particular application.

The Chairman stated that the application site covered just a small percentage of the area identified as site A in Bromley's Area Action Plan. She suggested the whole site be brought forward and looked at in regard to mixed use.

Following a unanimous vote, Members **RESOLVED that PERMISSION BE REFUSED – SUBJECT TO ANY DIRECTION FROM THE MAYOR OF LONDON** as recommended, for the reasons set out in the report of the Chief Planner.

**21 PLANNING APPLICATION 18/00399/OUT - 10A SHERMAN ROAD,  
BROMLEY BR1 3JH**

Description of application – Proposed outline application for the demolition of 10A Sherman Road and redevelopment with a mixed-use, 10-storey scheme comprising 6 one bed, 3 two bed flats and B1 commercial space..

Oral representations in support of the application were received from the applicant's agent, Ms Caroline Wilberforce.

Ms Wilberforce outlined the application. Bromley North Station's Strategic Development site had been identified for this type of scheme. The proposal had been carefully conceived. A heritage assessment was submitted with the application which concluded the development would have no material impact upon the settings of the listed station or the Conservation Area. The relationship with North Point had also been carefully assessed. Most of the existing flats would be unaffected by the development. Whilst one or two properties may have a changed outlook, they would retain adequate levels of daylight, sunlight and privacy. This was a relatively minor development proposal compared to the remainder of the allocated site. It was located on the eastern edge of the area with its own frontage. It was a high quality proposal which should be determined on its individual merit.

Councillor Dykes referred to the special consideration which needed to be given to planning applications affecting Conservation Areas and Listed Buildings and queried the reason for this being only an outline application. Ms Wilberforce stated a number of drawings detailing indicative elevations had been submitted and the application had been accepted as valid by the planning authority. The level of detail was considered acceptable.

Councillor Rutherford considered the design of this building to be inappropriate for the site and demonstrated the need for a Master Plan. The scheme would not add to the character of the area or indeed the town centre as a whole. It would provide no benefit to Bromley residents and would have a particularly adverse impact on North Point residents, Bromley North Station and the adjacent Conservation Area. Councillor Rutherford moved refusal of the application for the reasons set out in the report.

Councillor Dykes seconded the motion for refusal. The piecemeal approach to the development of Site A was not acceptable and the proposal would be of no benefit to anyone.

Following a unanimous vote, Members **RESOLVED that PERMISSION BE REFUSED** as recommended, for the reasons set out in the report of the Chief Planner.

**22 PLANNING APPLICATION 18/01319/FULL1 - FOOTZIE SOCIAL CLUB, STATION APPROACH, LOWER SYDENHAM, LONDON SE26 5BQ**

Description of application – Demolition of the existing buildings and redevelopment of the site by the erection of a four to eight storey development with basement parking, comprising 151 residential units (63 x one bedroom, 80 x two bedroom and 8 x three bedroom) together with the construction of an estate road and ancillary car and cycle parking and the landscaping of the east part of the site to form open space accessible to the public.

It was reported that a further objection from a local resident had been received which raised similar concerns to those already summarised in the report. Two letters from the applicant's agent had also been received but did not affect the recommendations set out in the report. Both sets of documents had been circulated to Members.

Updates

Members were advised that the mix of affordable housing contained in paragraph 5 on page 129 of the report had been amended. The correct mix was shown on page 171.

An additional reference to Policy 7.7 of the London Plan was recommended within the second ground to contest the appeal.

Councillor Dean moved that the appeal be contested for the grounds given in the report. Three submissions had been made for the land and none approved as the proposals were inappropriate for Metropolitan Open Land (MOL) which should be protected and that remained the position for this application. No information had been provided about the infrastructure to accommodate the proposal in addition to the nearby developments already granted consent.

The Chairman seconded the motion on a matter of principle. This was an inappropriate site to accommodate tall buildings and would cause harm to the visual aspect and openness of MOL.

Following a unanimous vote, Members **RESOLVED to CONTEST THE APPEAL as recommended, on the grounds set out in the report, subject to any necessary referral to the Mayor of London and Secretary of State.**

**23 PLANNING APPEALS MONITORING REPORT: APRIL 2017 TO  
MARCH 2018 - UPDATE**

**REPORT DRR18/050**

This report was withdrawn from the agenda.

**24 NATIONAL PLANNING POLICY FRAMEWORK 2018**

**REPORT DRR18/048**

In July 2018, the Government published a revised National Planning Policy Framework (NPPF). This report outlined key changes which were particularly relevant to Bromley, the implications of which would normally be incorporated by officers in committee agendas on planning matters.

**RESOLVED that the revised NPPF be noted.**

**25 DRAFT LONDON PLAN UPDATE**

**REPORT DRR18/047**

Following a public consultation period for the New Draft London Plan to which the Council had submitted its response, the Mayor of London published a Minor Suggested Changes document.

In response to the Council's concerns, the suggested changes included a reduction in the 'Residential Growth Potential' for Petts Wood and West Wickham from 'medium' to 'incremental'. With the exception of this change, Members agreed that the Council should maintain the objections outlined in its response to the Draft London Plan.

Provisional dates for the key stages of the Examination in Public (EiP) were also outlined in the report.

Referring to the changes for Petts Wood and West Wickham, Councillor Fawthrop submitted a motion to amend the first word of recommendation 2.1 in the report to read 'Note' instead of 'Welcome' as the reduction in the 'Residential Growth Potential' from 'medium' to 'incremental' appeared inconsequential. He considered there to be little scope for development in Petts Wood in terms of the Area of Special Residential Character.

Councillor Dean seconded the motion to amend the first recommendation.

**RESOLVED that:-**

- 1. the specific Minor Suggested Changes for Petts Wood and West Wickham be noted;**

2. **apart from the change for Petts Wood and West Wickham, the Council's remaining objections to the Draft London Plan be maintained; and**
3. **the provisional dates for the key stages of the EiP be noted and a submission be made to the EiP in support of the Council's objections to the Draft London Plan submitted in March 2018.**

## **26 RESPONSES TO DRAFT LOCAL PLAN MAIN MODIFICATIONS CONSULTATION**

### **REPORT DRR18/045**

Following a consultation period on the proposed Main Modifications to the Draft Local Plan, Members considered responses received from local interest groups, planning consultants and developers and statutory consultees. The responses would be considered by the Local Plan Inspector when finalising her report.

The report also outlined the anticipated next steps towards adoption of the Local Plan.

Referring to page 237 – Item 10 – West of Bromley High Street, Councillor Allen informed Members that she had attended the Public Inquiry when the Inspector established the requirement for a Masterplan. The report stated it was in response to representations by the Bromley Civic Society however, this was misleading as Councillor Allen believed it was more to do with linking together representations from the Chief Planner, the Head of Town Centre Planning Projects and other key officers.

In regard to paragraph 3.8 (page 222), Councillor Dykes stated she was not satisfied with the Council's response to the omission of Local Green Space designation for the Valley Primary School Playing Fields. The Friends of Bromley Town Parks and Gardens and the Bromley Civic Society had clearly demonstrated its use for local community sport, school tournaments, family picnics etc. The Chief Planner advised that at this stage of the procedure, there was no opportunity to make changes to the document.

**RESOLVED that the responses to the Draft Local Plan Main Modifications consultations and the anticipated next steps towards adoption of the Local Plan be noted.**

## **27 PROPOSED RESPONSE TO SEVENOAKS AND TANDRIDGE DISTRICT COUNCIL'S DRAFT LOCAL PLAN CONSULTATIONS**

### **REPORT DRR18/046**

Under a 'Duty to Co-operate', local planning authorities are required to identify cross-boundary issues and engage positively with neighbouring Councils in preparing their Local Plans.

In this regard, Members considered key aspects of Sevenoaks and Tandridge District Councils' Draft Local Plans which could impact upon Bromley. The Authority's proposed responses to the Draft Local Plans were also considered.

**RESOLVED that:-**

- 1. the suggested response to Sevenoaks District Council's Draft Local Plan (Regulation 18) consultation be agreed; and**
- 2. the suggested response to Tandridge District Council's Draft Local Plan (Regulation 19) consultation be agreed.**

**28 PERMITTED DEVELOPMENT FOR SHALE GAS EXPLORATION  
CONSULTATION**

**REPORT DRR18/049**

Members considered a Government consultation by the Ministry of Housing, Communities and Local Government on the principle of whether non-hydraulic fracturing shale exploration development should be granted planning permission through a permitted development right.

Consideration was also given to a consultation by the Department for Business, Energy and Industrial Strategy on the criteria required to trigger the inclusion of shale production projects into the Nationally Significant Infrastructure Projects regime.

The Council's suggested responses to both consultations were also set out in the report.

The Chairman emphasised the importance of the Council's objections to the shale gas consultation. If shale gas production was designated as a Nationally Significant Infrastructure Project, then decision making powers would be taken away from the Local Planning Authority and would lie solely with the Secretary of State.

**RESOLVED that:-**

- 1. the Planning Authority's concerns in regard to both consultations, be noted; and**
- 2. the draft suggested responses to both consultations be noted and final responses be prepared by the Chief Planner in consultation with the Chairman.**

**29 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.

**30 EXEMPT MINUTES OF THE MEETING HELD ON 21 JUNE 2018**

**RESOLVED that the exempt Minutes of the meeting held on 21 June 2018 be confirmed and signed as a correct record.**

The meeting ended at 7.57 pm

Chairman

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### **ORAL QUESTIONS RECEIVED FROM MR ADRIAN LAWRENCE, LANNISTON DEVELOPMENTS LIMITED**

#### Question 1

In view of substantial public objection to high rise, tower block style development in Bromley, should the Council now rethink its local plan policy and take a proactive approach in identifying land that can accommodate houses with gardens instead to meet the clearly identified housing need and which characterise Bromley borough?

#### Chairman's Response

Bromley's Local Plan is at a very advanced stage of development, having been prepared in accordance with the requirements of National Planning Policy to deliver sustainable development. The draft Local Plan acknowledges the variety of constraints across the Borough, (including Green Belt) and plans positively, through policies and allocations, for the efficient use of land, to meet the development needs of the Borough, through well-designed, attractive and healthy places.

#### Question 2

Neighbouring Sevenoaks have allocated a Green Belt sporting facility, (Broke Hill Golf Course), right on the Bromley border for 800 new homes. Their local plan making process and public consultation put Bromley to shame. Will this Committee, some of whom are relatively new to local government, direct our planning department to follow Sevenoaks's example of positive plan making.

#### Chairman's Response

Sevenoaks are at an early stage of local plan development, and, with over 90% Green Belt in their Borough, the circumstances in Sevenoaks differ markedly from Bromley borough. Members' attention is drawn to item 12 on the agenda which considers the Sevenoaks consultation and makes recommendations regarding Bromley Council's response. Meanwhile the emerging Bromley Local Plan is prepared in conformity with the London Plan 2016 and national policies on Green Belt and is at an advanced stage of preparation. All relevant parties have had opportunities to participate in the consultations and the formal Examination of the Bromley Local Plan.

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