

## **DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held at 7.30 pm on 1 July 2021

### **Present:**

Councillor Alexa Michael (Chairman)  
Councillor Yvonne Bear (Vice-Chairman)  
Councillors Vanessa Allen, Julian Benington, Katy Boughey,  
Peter Dean, Simon Fawthrop, Christine Harris, Colin Hitchins,  
William Huntington-Thresher, Charles Joel, Josh King,  
Keith Onslow, Tony Owen, Richard Scoates, Kieran Terry and  
Michael Turner

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

An apology for absence was received from Councillor Samaris Huntington-Thresher; Councillor Keith Onslow attended as substitute.

### **43 DECLARATIONS OF INTEREST**

No declarations of interest were received.

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

The following written question was submitted by Mr Clive Lees, Chairman of Ravensbourne Valley Residents:-

*“Would the Chairman kindly comment on the rooftop railings on the Old Palace (Grade II) and whether in her opinion they comply with planning permission reference 06/02076.”*

The Chairman responded as follows:-

*“While the folding down of the railings was not a condition of the listed building consent reference 06/02076/LBC, the Council’s property team has investigated this matter and I can confirm that the railings have now been put into the folded position so as to minimise the impact on the listed building.”*

### **45 CONFIRMATION OF THE MINUTES OF THE MEETINGS HELD ON 19 AND 20 MAY 2021**

**RESOLVED** that the Minutes of the meetings held on 19 and 20 May 2021 be confirmed and signed as a correct record.

#### **46 MATTERS OUTSTANDING FROM PREVIOUS MINUTES**

**Members noted there were no matters outstanding from previous Minutes.**

#### **47 PLANNING APPLICATION (20/02880/FULL4) - FLAMINGO PARK CLUB, SIDCUP BY-PASS ROAD, CHISLEHURST BR7 6HL (CHISLEHURST WARD)**

Description of application – Section 106A application to amend the terms of the legal agreement attached to planning permission ref 17/04478/FULL1.

Oral representations in support of the application were received from the applicant's agent who gave the following responses to Member questions:-

- Variation to the occupation restriction from the 18<sup>th</sup> to the 23<sup>rd</sup> dwelling would ensure that the first phase (20 residential units) could be fully built out and occupied. It would also give flexibility should the proposed phases change.
- The stadium would be developed up to waterproof shell at which point funding from the first phase of the residential element would go towards its completion.
- Discussions were currently taking place with PA Housing in regard to the provision of affordable housing.
- The second phase of the residential element would not be occupied until the stadium had been completed.

Councillor Boughey considered that variation of the S106 Agreement would help to secure a provider and ensure that all phases of the development would be completed. While there was a small risk that the residential element would be completed without the stadium, this was outweighed by the benefit of the whole development to the local community. Councillor Boughey moved that approval be given.

Councillor Terry alluded to previous issues on the site and while he too was concerned with the risk of being left with housing on Green Belt land and no stadium, on balance he supported the scheme. He seconded the motion for approval with a condition that delegated authority be given to officers to explore the option to review accounts as the scheme progressed.

Councillor Onslow asked if officers had seen evidence that interested Registered Parties (RPs) had advised they were keen to enter into a contract. The Head of Development Management reported that the applicant had provided details of the RPs that had been approached and each one had raised the current occupation limit as an issue.

Councillor Bear proposed that paragraph 1.5 of Schedule 1 be amended to reflect phase 1 completion only and to delete the words '(unless agreed otherwise in writing with the Council)'. Councillor Fawthrop seconded the proposal.

The Head of Development Management confirmed that the original application was accompanied by a financial viability assessment which confirmed that some funding for the development would be provided by the Club.

The Legal Representative advised it was possible for negotiations to begin on the S106 Deed of Variation and be reported back to the next DCC meeting. This could include an updated financial viability appraisal.

**Members having considered the report and representations, RESOLVED that the DEED OF VARIATION BE APPROVED SUBJECT TO LEGAL AGREEMENT as recommended and that negotiations on this be reported back to the next DCC meeting together with an updated financial viability appraisal.**

**48 PLANNING APPLICATION (21/00091/FULL1) - 40 CROYDON ROAD, WEST WICKHAM, BROMLEY BR4 9HR (HAYES AND CONEY HALL WARD)**

Description of application – Demolition of existing warehouse and late additions to retail/office building (No.38 to No. 40 Croydon Road), retention and alteration to front façade and internal stair and erection of part 3 to part 5 mixed use development with basement, ground floor comprising two retail units (Use Class E(a)) and community unit (Use Class E(a)/F) and 61 residential units at upper floors. Associated car parking, public realm and associated works.

Oral representations in support of the application were received from the applicant's agent who gave the following responses to Member questions:-

- The proposed parking provision was adequate and there was ample capacity for on-street parking.
- The facility for residential waste disposal could be reconfigured to include collection of food waste.
- The majority of office space on the upper floors was currently vacant. Evidence suggested that in spite of its existing condition, there was little demand for office use in the area. Consideration had been given to how a flexible office hub could be facilitated.
- Public toilets would be provided within the community facility but would be managed privately.

The Chairman welcomed the preservation of the Art Deco building and the provision of four affordable housing units. However, the parking provision was less than expected for the area and there would be a large loss of retail space and a complete loss of office accommodation.

While Councillor Fawthrop supported the scheme in principle, he was concerned that the only available on-street parking was outside the shops at Kingsway Parade – an issue which could be addressed by condition. He was also concerned that the community aspect of the proposals would undermine the nearby Assembly Rooms and The Beacon Centre. There was no clause in the conditions relating to renewable energy. On a positive note, telecoms equipment would be re-provided. Housing on the ground floor for people with disabilities would be more beneficial to the community.

Councillor Harris considered the development would be a great asset to the area. The applicant was flexible on use of the community space. Parking was protected in many ways across the Borough and some control could be introduced at Kingsway Parade. Councillor Harris moved that the application be permitted.

Councillor Dean seconded the motion for permission stating that while the proposed parking was inadequate, it did meet minimum standards. The applicant was willing to be flexible on community use. A financial viability assessment had been undertaken and as a result, four affordable housing units would be provided. The major contribution to the housing supply outweighed the loss of office space.

Members requested the following:-

- A condition be added for the collection of food waste.
- The condition relating to the re-provision of telecom equipment be amended to ensure the equipment was placed in a more sensitive location.
- The public toilet provision to be conditioned.
- Authority be delegated to planning officers for them to work with the developer and agents in regard to the proposed community use unit to ensure that it was a flexible use to include office accommodation (Class E).

In terms of viability, the Development Management Team Leader – Major Developments, confirmed that the Section 106 Agreement would include early and late stage reviews which the applicant had agreed to. Conditions relating to biodiversity would be added to the consent. Discussions would need to be undertaken with the Highways Department in regard to the introduction of ‘pay and display’ parking facilities outside the shops at Kingsway Parade.

**Members having considered the report, objections and representations, RESOLVED that PERMISSION BE GRANTED SUBJECT TO A S106 LEGAL AGREEMENT as recommended and subject to the conditions and informatives set out in the report.**

**It was further RESOLVED that:-**

- **A condition be added for the collection of residents' food waste.**
- **The condition relating to the reprovision of telecom equipment be amended to ensure the equipment was placed in a more sensitive location.**
- **A condition be added in regard to public toilet provision.**
- **Authority be delegated to planning officers for them to work with the developer and agents in regard to the proposed community use unit to ensure that it was a flexible use to include office accommodation (Class E).**
- **Authority be delegated to planning officers to discuss the possibility of introducing pay and display parking facilities outside the shops at Kingsway Parade with Highways.**

The meeting ended at 8.38 pm

Chairman