

## **DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held at 7.30 pm on 31 August 2021

### **Present:**

Councillor Alexa Michael (Chairman)

Councillors Vanessa Allen, Julian Benington, Katy Boughey, Peter Dean, Simon Fawthrop, Christine Harris, Samaris Huntington-Thresher, William Huntington-Thresher, Charles Joel, Josh King, Keith Onslow, Tony Owen, Richard Scoates and Gary Stevens

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

Apologies for absence were received from Vice-Chairman Councillor Yvonne Bear and Councillor Colin Hitchins; Councillors Keith Onslow and Gary Stevens attended as their respective substitutes.

An apology for absence was also received from Councillor Kieran Terry.

Following the meeting, an apology was received from Councillor Michael Turner.

### **50 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **51 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 plans for the immediate temporary protection of the Grade 2 Ice House, the roof of the porch of which has suffered further damage in the last few months and is exposed to the elements. What are the plans for the long term conservation of this 'At Risk' building?"



Above the left hand (and recent picture) shows new damage to the ridge.

The Chairman responded as follows:-

"The Council are working with Historic England to ascertain what should be done to protect this building. A full condition survey from an appropriate conservation consultant is in the process of being commissioned and Historic England will then advise on relative urgency of certain works, comment on draft briefs and help review consultant reports with the aim of agreeing a clear specification of what needs to be done. This work is anticipated to be completed within the next few months. Depending on cost, the works will either then be commissioned or a Capital bid sought to fund the required works – which may also include a bid for funding from Historic England."

**52 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 1 JULY 2021**

Minute 48 – Planning Application (21/00091/FULL1) – 40 Croydon Road, West Wickham, Bromley BR4 9HR

Councillor Fawthrop thanked the Portfolio Holder for Environment and Community Services, Councillor William Huntington-Thresher for the introduction of pay and display parking facilities outside the shops at Kingsway Parade.

**RESOLVED that the Minutes of the meeting held on 1 July 2021 be confirmed and signed as a correct record.**

**53 MATTERS OUTSTANDING FROM PREVIOUS MINUTES**

Members noted there were no matters outstanding from previous Minutes.

**54 PLANNING APPLICATION (20/02880/FULL4) - FLAMINGO PARK,  
SIDCUP BYPASS 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. In response to a Member question relating to the "Ready for Use" Clause referred to in paragraph 2.5 of the report, the agent advised that the football league was keen to assist where it could so as to ensure the stadium was constructed to an operational standard.

Committee Member and Ward Member Councillor Boughey reported that she and Ward Member Councillor Terry had met with the applicant who had explained the financial commitment to them. The applicant proposed to build the stadium to waterproof shell (the whole structure apart from internal fixtures) to get the football pitch up to league standard. This also included access roads, footpaths and the installation of utility services. The costings involved a financial commitment by the applicant and club of nearly £3m before a brick was laid for housing. This demonstrated that the stadium was the first priority in the development. The applicant had provided the accommodation

schedule as requested of the 42 units (five of which were affordable units and two wheelchair adaptable units), 37 shared ownership (six of which would be wheelchair adaptable). Councillor Boughey moved that the Deed of Variation be granted and requested that this be dealt with as a matter of urgency. The development would not only provide an up-to-date sports facility but also 42 much needed affordable properties which would contribute significantly towards Bromley's housing target.

Councillor Fawthrop seconded the motion for the Deed of Variation to be granted.

**Members having considered the report and representations, RESOLVED that the DEED OF VARIATION BE APPROVED SUBJECT TO LEGAL AGREEMENT as recommended in the report of the Assistant Director, Planning.**

**55 PLANNING APPLICATION (21/02269/FULL1) - ST. RAPHAEL'S RESIDENTIAL HOME, 32 ORCHARD ROAD, BROMLEY BR1 2PS (Bickley Ward)**

Description of application – Demolition of the existing care home buildings and erection of a single to part three storey building plus basement to provide a care home (Use Class Order Class C2) and car parking landscaping and associated works.

The Development Management Team Leader – Major Developments gave a brief presentation and overview of the application.

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

- In relation to the 50 proposed car parking spaces (two of which were allocated for disabled parking), as the vast majority of residents did not own a car, these spaces were mainly for visitors and staff. The parking provision met with parking standards and were larger than the norm.
- Ten electric car charging spaces would be provided. This equated to the policy requirement in the Local Plan for the provision of 20%. However, if there was capacity to do so, the applicant was willing to provide more.
- Detailed discussions had taken place with neighbouring residents to ensure they would not be affected too badly during the hours of operation at the construction stage. Statutory regulations stated that engines should not be started before 8 am and must be switched off by 6 pm Monday to Friday. Working hours are 8 am to 1 pm on Saturdays and no work is to be carried out on Sundays or Bank Holidays. Neighbours would be advised when particularly noisy machinery was due to be on site. It was anticipated that work would begin during November/December.
- While twelve dual occupancy suites would be provided, the applicant would be flexible whenever possible.
- In the event that a client was affected by financial difficulties, the matter would be discussed with them or family members to ensure a satisfactory outcome.

- The units located on the ground floor would overlook the spacious courtyard where sunlight would enter from both east and west directions. The café/restaurant would also have a view of the courtyard.
- It was anticipated that work would begin in December 2021 and would be ready for occupancy in two years' time.

The Chairman considered the proposed replacement building had been cleverly designed and was much larger and more attractive than the existing building. Care homes were much needed in the Borough and the applicant had been mindful of the residential quality of the units. The Chairman moved that the application be permitted. Councillor Joel seconded the motion.

Councillor Fawthrop moved that a condition be added for 100% enabled electric car charging points to be provided. The motion was seconded by Councillor Onslow.

The Development Management Team Leader – Major Developments advised that the hours of operation could be covered in the Construction Management Plan condition. Members were also advised that there was no policy basis to add an additional condition for electric vehicle charging points.

**Members having considered the report, objections and representations,  
RESOLVED that PERMISSION BE GRANTED SUBJECT TO A SECTION 106  
LEGAL AGREEMENT as recommended and subject to the conditions and  
informatives set out in the report of the Assistant Director, Planning. A condition  
requiring the provision of 100% electric car charging points was also added.**

## **56 DELEGATED ENFORCEMENT ACTION (APRIL 2021 TO JUNE 2021)**

### **Report HPR2021/041**

Members considered enforcement action taken for the period April 2021 to June 2021 following authorisation under delegated authority.

In response to a question from the Chairman, the Assistant Director, Planning reported that the waste transfer site referred to on page 65 of the report was located on the Rookery Estate and while the postal address was in Bromley Common Ward, the site was located mainly in Hayes and Coney Hall Ward.

Councillor Owen asked what the reason for action was in relation to Lynwood Grove, Orpington (bottom of page 65). The Assistant Director, Planning agreed to check this and circulate the information to Members. The term 'OPDEV' in the recommendation column referred to building work.

**RESOLVED that the report be noted.**

**57 PROPOSED NON-IMMEDIATE ARTICLE 4 DIRECTION TO REMOVE PART 2, CLASS A PERMITTED DEVELOPMENT RIGHTS IN THE KNOLL ASRC**

**Report HPR2021/044**

Members considering the making of a non-immediate Article 4 Direction to withdraw the Part 2, Class A permitted development right (PDR) which allowed the erection or construction of a gate, fence, wall or other means of enclosure. The Direction would apply to the Knoll Area of Special Residential Character (ASRC) and would come into force at least 12 months after being made, subject to confirmation by the Renewal, Recreation and Housing Portfolio Holder after taking account of representations received.

Councillor Fawthrop moved that the non-immediate Article 4 Direction be authorised as set out in the report with recommendation 2.2 amended to state that the matter be referred to the 'next' Renewal, Recreation and Housing Policy Development and Scrutiny committee meeting for pre-decision scrutiny. Councillor Owen seconded the motion.

**RESOLVED that:-**

- 1. the making of a 'non-immediate' Article 4 Direction (covering the Knoll Area of Special Residential Character, as defined in the Bromley Local Plan) to withdraw the permitted development right granted by Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ('the GDPO'), Schedule 2, which allows the erection or construction of a gate, fence, wall or other mean of enclose BE AUTHORISED;**
- 2. the matter be referred to the next Renewal, Recreation and Housing Policy Development and Scrutiny Committee meeting for pre-decision scrutiny; and**
- 3. Members note that the Portfolio Holder for Renewal, Recreation and Housing will be asked to authorise the making of a non-immediate Article 4 Direction, which will come into force 12 months from the day on which it is made, if it is subsequently confirmed following public consultation.**

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**Any Other Business**

Councillor Benington referred to a news article which stated that since 1 August 2021 there had been an Act/Agreement by the Government under planning regulations allowing ground floor shop premises to be converted into residential accommodation under permitted development. He requested (and the Chairman agreed) that the matter be discussed at the next Development Control Committee meeting.

The meeting ended at 8.15 pm

Chairman