

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held at 7.30 pm on 6 June 2024

Present:

Councillor Alexa Michael (Chairman)
Councillors Jonathan Andrews, Peter Dean, Simon Fawthrop,
Christine Harris, Colin Hitchins, Alisa Igoe, Charles Joel,
Tony McPartlan, Tony Owen, Chloe-Jane Ross, Shaun Slator,
Mark Smith, Melanie Stevens and Gemma Turrell

Also Present:

Councillor Sophie Dunbar

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Keith Onslow and Councillor Colin Hitchins attended as his substitute. Apologies for absence were also received from Councillor Kevin Kennedy-Brooks.

2 DECLARATIONS OF INTEREST

Councillor Colin Hitchins declared that he was employed by London Biggin Hill Airport which neighboured the site being considered at Agenda Item 5: (23/03484/OUT) - 53 Jail Lane, Biggin Hill. Councillor Colin Hitchins could remain in the meeting for the discussion and vote.

3 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

Two questions for oral reply and one question for written reply were received at the meeting and are attached at Appendix A.

Regarding the question about the existing Planning Portal, a Member outlined the regular difficulties she experienced in accessing information and requested that the IT Division check the performance of the Planning Portal on Plans Sub-Committee meeting days. The Assistant Director: Planning agreed to follow this up with the IT Division after the meeting. Another Member who was Chairman of the Executive, Resources and Contracts PDS Committee underlined the need to identify whether further action was required to ensure the existing Planning Portal was fit for purpose and to support the introduction of the new Planning IT system within agreed timescales.

**4 CONFIRMATION OF THE MINUTES OF THE MEETINGS HELD
ON 5 MARCH AND 15 MAY 2024**

RESOLVED: That the minutes of the meetings held on 5 March and 15 May 2024 be agreed and signed as a correct record.

**5 (23/03484/OUT) - 53 JAIL LANE, BIGGIN HILL, TN16 3SE
(BIGGIN HILL WARD)**

Description of Application: Outline application for demolition of existing dwellings (51 and 53 Jail Lane), formation of access off Jail Lane and construction of up to 50 new Discount Market Rent (DMR) dwellings (Use Class C3) with priority for ex-service personnel, forces families and key workers, comprising a mix of houses and maisonettes together with associated parking, amenity space, landscaping and refuse. All matters reserved.

The Planning Officer gave a brief presentation, providing an overview of the application and update on the report.

Oral representations from visiting Ward Member, Councillor Sophie Dunbar objecting to the application were received at the meeting. Councillor Dunbar explained that she was speaking on behalf of local residents, business owners and the Aperfield Green Belt Action Group who all strongly opposed the application. Councillor Dunbar stated that in her view, the developer had not demonstrated the very special circumstances that were required for the development of land that was designated as Green Belt. The Member also objected to the planning application in relation to the increased pressure that 50 new households would place on local services, including General Practitioner and dental surgeries and local schools that were already at capacity, as well as to the road network and increased demand for on-street parking. Public transport in the Biggin Hill area was generally poor, relying on infrequent bus services with no train, tube or tram links, and the area was largely unsuitable for cycling due to steep inclines. Additionally, the site proposed for development was an ecologically diverse open space that hosted a range of wildlife such as badgers, owls, bats and slow worms, although this had not been adequately captured in the ecological survey. The development would also require the felling of mature trees to the rear of the site that served as a natural screen and sound barrier to the adjoining airfield and would impact the quality of life of existing and new residents if removed.

The Chairman invited Councillor and Ward Member Melanie Stevens to open the debate. Councillor Stevens voiced support for the points made by Councillor Dunbar and underlined that, while she agreed that housing was needed in the Borough, this particular site was designated as Green Belt and no very special circumstances had been demonstrated that would outweigh the harm caused by the development. The site plan showed the removal of two Category B mature trees and the natural habitat of an area that was teeming with wildlife would be eroded. There were also concerns around the

impact of the new estate on the surrounding area including the safety and security arrangements of London Biggin Hill Airport and by placing additional pressure on an already struggling water and waste management infrastructure that would be further exacerbated by the soakaway arrangements for the development and could increase the risk of intermittent flooding.

Councillor Simon Fawthrop agreed with the points raised and stated that in his view, both the principle of development and the impact on green infrastructure and heritage from the proposed development were unacceptable and that the developer had not demonstrated very special circumstances for the development of land designated as Green Belt. Councillor Jonathan Andrews reported that local residents in Darwin Ward had also raised concerns regarding the proposal to develop Green Belt land. This site was part of a wider stretch of open land benefitting many parts of the Borough and should be preserved.

Councillor Melanie Stevens moved that the planning application be refused as recommended in the report. The motion was seconded by Councillor Simon Fawthrop.

Councillor Alisa Igoe had recently visited the site and suggested it could provide an excellent location to deliver much needed affordable housing in Bromley. She had not experienced any issues with parking on her visit and had seen that several houses in Hawthorne Avenue backed onto the airfield which could mitigate some of the security concerns. Despite this, there remained a number of issues with the proposed development including a lack of disabled parking bays and the size of the 18 studio apartments which were very small and would not allow for storage or amenity space. Councillor Tony McPartlan similarly recognised good elements to the application but stated that it raised a number of issues and questions that had not been answered.

Councillor Tony Owen asked about the air quality of the site, bearing in mind its proximity to the airfield. The Planning Development Management Team Leader – Major Developments advised that the site was not within the Air Quality Management Area, but that due regard must be given to the London Plan and Local Plan which required new developments to be air quality neutral and that this had not been demonstrated by the developer.

In summation, the Chairman stated that one motion had been proposed and seconded. The motion that permission be refused as recommended for the reasons set out in the report was put to the vote and CARRIED.

RESOLVED: That PERMISSION BE REFUSED as recommended for the reasons set out in the report of the Assistant Director: Planning.

6 (24/00478/DET) - CRYSTAL PALACE PARK, THICKET ROAD, PENGE, LONDON, SE20 8DT (CRYSTAL PALACE & ANERLEY WARD)

Description of Application: Details of reserved matters (appearance, landscape, access, layout and scale) for Sites A and B, Phase 1A of the Crystal Palace Park regeneration development, pursuant to Condition 1 of outline planning permission DC/20/00325/OUT, for the demolition of Ranger's Lodge and Information Centre and the construction of a new Information Centre and Rangers Maintenance Building, the conservation and repair of heritage assets within the Geological Court of the Tidal Lakes and Dinosaurs, and Italian Terraces; relocation of the Paxton Bust; alterations to hard surfaces, ground levels and tree removal; landscaping enhancements including introduction of new trees and planting; accessibility improvements; provision and rearrangement of pedestrian paths/vehicular access routes, car and cycle parking and new gateway feature at Penge Gate; provision of new play space, new seating, lighting, wayfinding; drainage and ground works.

The Planning Officer gave a brief presentation, providing an overview of the application and update on the report.

Oral representations in support of the application were received from the Agent who gave the following responses to Members' questions:

- The Information Centre had been designed using sustainability principles. While solar panels were not viable due to being overshadowed, it was planned to harvest rainwater by directing hard surface run-off to green areas on site.
- Feedback from the Orpington Field Club and Bromley Biodiversity Partnership Sub Group around increased planting of native species had been incorporated into the plans for the park. Additional bat surveys were also being undertaken and consideration would be given to foraging corridors during the phasing of the works.
- There were no plans to connect Site B to the Crystal Palace Subway at this stage of the Crystal Palace Park development, but this was likely to form part of a future phase of works.

In opening the discussion, Councillor Tony McPartlan spoke in support of the proposal and was particularly pleased to see the level of step-free access delivered across the site. Councillor Alisa Igoe noted that four disabled parking bays and two Electric Car (EV) Charging Points were designated for the Penge Gate Car Park and asked whether it would be possible to deliver EV Charging Points to some or all of the disabled parking bays. The Planning Officer confirmed that the requests for dual Disabled Parking Bays/EV Charging Points would be covered by informatives as part of the pre-commencement conditions within the Parking Design and Management Plan. Native species planting would also be covered by informatives within the

Landscape and Ecological Management Plan.

Councillor Tony McPartlan moved that the approval of details be AGREED as recommended for the reasons set out in the report of the Assistant Director: Planning. The motion was seconded by Councillor Chloe-Jane Ross, put to the vote and CARRIED unanimously.

RESOLVED: That APPROVAL OF DETAILS BE AGREED as recommended for the reasons set out in the report of the Assistant Director: Planning.

7 UPDATE ON THE BROMLEY LOCAL PLAN REVIEW
Report HPR2024/024

The Committee considered a report providing an update on the progress of the Local Plan review and the intention to undertake the review under the new plan-making system.

RESOLVED: That the report be noted.

8 CRYSTAL PALACE SHADOW SECTION 106 AGREEMENT
Report CSD24071

The Committee considered a report setting out an issue that had arisen in connection with the Application Stage Gross Development Value (GDV) that would be used for the Section 106 agreement for the Crystal Palace Park regeneration planning permission.

RESOLVED: That it be noted that the Rockhills Application Stage GDV to be used for the purposes of the Section 106 Agreement that is to be finalised in respect of Application 20/00325/OUT is £55,037,400.

The Meeting ended at 8.22 pm

Chairman

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DEVELOPMENT CONTROL COMMITTEE 6 JUNE 2024

QUESTIONS FOR ORAL REPLY

From Councillor Chloe-Jane Ross to the Development Control Committee

1. Planning permission does not require a small developer to communicate construction plans with neighbours. In one case a neighbour was a severely disabled child known to LBB Children's services that would need advance notice to prepare for the disruption and noise. Can the planning team check with Children's Services so planning conditions can be made to provide suitable protection where there is a need?

Reply: Construction impacts are already suitably managed through the planning process where it is necessary and reasonable to do so, mostly in relation to larger developments. In such cases developers are required to provide and adhere to a Construction Management Plan, detailing how the site and construction work will be managed to ensure that any highways or environmental impacts arising are suitably managed and mitigated. The Council's Public Protection Team also has powers to deal with any specific issues and complaints relating to noisy construction work on a case-by-case basis.

Whilst there may be specific circumstances where construction might impact on a specific resident (as in the case mentioned) it would not be a proportionate response for the Planning Team to engage with Children's Services on every application as this would place a significant resource burden on both services and would also risk the sharing of potentially sensitive and/or confidential information. It would also be unreasonable for a small-scale development to be expected to address construction impacts on a specific neighbour and planning conditions seeking to do so would not meet the statutory tests.

Supplementary Question: To clarify, I wasn't asking for additional actions to be taken but for the developer to simply give notice to neighbours that construction is about to start to enable them to prepare.

Reply: I have noted your request.

1. Why is LBB's planning site failing to show linked planning documents more frequently, and are performance stats kept on its performance and if so what are the metrics?

Reply: This question relates to IT functionality and monitoring and is therefore a matter for the Executive, Resources and Contracts PDS Committee.

Supplementary Question: When is the new planning portal coming in? Can we have an update on the status of that procurement.

Reply: There have been slight delays with data migration to the new system as Bromley has a lot of data and it didn't behave quite as the supplier expected. A revised date of mid-October 2024 has been set for the introduction of the new software and website, and the Planning Division will be communicating with Members in advance to advise what is happening and what the changes will be.

QUESTIONS FOR WRITTEN REPLY

From Councillor Will Connolly to the Development Control Committee

1. Can the Development Control Committee please consider whether a Councillor's call-in can be added online to the planning portal? It would help with transparency, and it would help residents know that an application will come to a public Plans committee.

Reply: Not all call-in requests will ultimately result in an application being reported to Committee. The current position is that call-in requests are not published online but will be summarised in the report when an application is reported to a Committee meeting for determination for transparency. However, if an applicant, their agent or a member of the public enquires as to the progress of an application, the Planning Officer will usually advise if a call-in request has been received.