

## **DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held at 7.30 pm on 24 November 2016

### **Present:**

Councillor Peter Dean (Chairman)  
Councillor Richard Scoates (Vice-Chairman)  
Councillors Vanessa Allen, Graham Arthur, Douglas Auld,  
Eric Bosshard, Katy Boughey, Kevin Brooks, Lydia Buttinger,  
Nicky Dykes, Simon Fawthrop, William Huntington-Thresher,  
Charles Joel, David Livett, Alexa Michael, Neil Reddin FCCA,  
Pauline Tunncliffe and Michael Turner

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

There were no apologies for absence.

### **22 DECLARATIONS OF INTEREST**

In relation to Minute 25, Councillor Allen declared that she was a Member of the Labour Party which used the HG Wells Centre.

### **23 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 6TH SEPTEMBER 2016**

**RESOLVED** that the minutes of the meeting held on 6 September 2016 be confirmed and signed as a correct record.

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

No questions were received.

### **25 PLANNING APPLICATION (16/02395/FULL1) - H G WELLS CENTRE, ST MARK'S ROAD, BROMLEY BR2 9HG**

Description of application – Demolition of existing building and erection of a part 7, part 11, part 17 mixed use building comprising 210 sqm community uses (use class D1/D2), 42 sqm office use (flexible B1(a) and A3 use) and 68 residential flats with associated landscaping and public realm works, new

pedestrian links, refuse and cycle parking stores, plant room and 3 disabled parking spaces.

Oral representations in support of the application were received from Mr Mark Gibney on behalf of the applicants.

Mr Gibney stated that Members were familiar with the previous application which had been approved following appeal. The application now before the Committee was virtually identical however the applicant was seeking to replace office space into residential units. The issue of wheelchair access has been resolved earlier in the day and the applicant was proposing that four out of the proposed sixteen new residential units should be allocated as social housing. Mr Gibney reported that the site was ready to be developed. If approved the proposed application would make a valuable contribution to Bromley Town Centre.

In response to Member questions, Mr Gibney stated that following approval of the original application on appeal, and on review the applicant had felt that the development would be complicated with the office space that had been proposed and had therefore wanted to deliver more housing in the Town Centre. In relation to disabled parking bays and car club parking, Mr Gibney reported that the site was constrained in relation to additional disabled parking bays although additional on-street parking was available and essentially there was no demand for additional car club spaces as a result of the proposals. Finally, Mr Gibney reported that he had not been instructed by his client as to whether an appeal would be pursued in the event of the Committee refusing the application.

The Deputy DC Manager reported that through submission of updated plans and an updated accommodation schedule, the applicant had confirmed that the provision of wheelchair user dwellings within the development would be in accordance with the requirements set out in London Plan Policy 3.8 and the Mayors Housing SPG. The second reason for refusal as set out in the report was therefore removed from the recommendation.

Members expressed concerns surrounding the reduction in commercial floor space that was being proposed recognising the need for commercial floor space in the town centre. Concerns were also raised around inadequate disabled parking provision and inadequate provision of car club spaces. Furthermore, Members expressed concerns surrounding the lack of affordable housing provided by the proposed development.

The Chairman moved that the application be refused on the grounds outlined in the amended report tabled.

Members having considered the report and the update tabled at the meeting, objections and representations.

**RESOLVED that PERMISSION BE REFUSED for the following reason:**

**1. Viability has not been agreed and the proposed development has not provided the required 35% provision of on-site affordable housing required under Policy H2 of the Unitary Development Plan and does not provide adequate justification for the proposed off-site payment in lieu, contrary to Policy H3 of the Unitary Development Plan (2006), Policy BTC3 of the Bromley Town Centre Area Action Plan (2010), Policies 3.9, 3.11 and 3.12 of the London Plan (2015) and Paragraph 50 of the National Planning Policy Framework (2012).**

**26 PLANNING APPLICATION (16/02613/OUT) - LAND AT JUNCTION WITH SOUTH EDEN PARK ROAD AND BUCKNALL WAY, BECKENHAM**

Description of application – Residential development comprising of 105 units with a mixture of 4 bedroom houses and one, two and three bedroom apartments together with concierges office and associated basement car parking (outline application).

Oral representations in support of the application were received from Mr John Escott.

Mr Escott provided a brief history of the site. A Counsel's opinion that had been obtained by the applicant had been submitted to the authority. Mr Escott reported that he believed that an attractive scheme was in front of Members although he was aware that concerns had been raised round the number of proposed units. The applicant was willing to review the scheme if necessary and invited Members to defer consideration of the application to enable further review and consideration if necessary.

The Deputy DC Manager reported that following publication of the report, the following additional representations had been received in support of the application:

- A petition, containing 9 signatures, which confirms support for the development which will increase activity to shops and businesses in the parade in Wickham Road
- Additional comments from residents confirming their support for the proposed development which would provide new homes and is considered to be of a high quality and of benefit to the area

Representations had also been received from the West Kent Badger Group, confirming their agreement with the recommendations made in the ecological report submitted by the applicant.

The Deputy DC Manager confirmed that the Committee report had been updated, along with the recommended grounds of refusal, to cross reference relevant London Plan policies.

In opening the debate, the Chairman and Ward Member Councillor Peter Dean reported that he was familiar with the land and was aware of its history. It was the Chairman's personal feeling that the site has potential for development however there were two major objections. Firstly the land had been designated as Urban Open Space. The Chairman suggested the site was prime for development and as other areas of the Glaxo Wellcome had already been developed the precedent for this large piece of land had already been set. The Chairman further noted that any such development would represent a windfall for the housing supply. In this respect the Chairman would support development. The second objection related to over development of the site. The Chairman reported that he felt that 105 properties constituted inappropriate development which would also have an adverse impact on transport and infrastructure. As a result of this the Chairman moved that consideration of the application be deferred to enable the applicant to reconsider and revise the proposals before the Committee. A number of Committee Members supported deferral of the item indicating that this would give the applicant time to revise the proposals to allow more space between the houses and respect the openness of the land.

Councillor Scoates stated that he did not believe that the development in designated Urban Open Space should be permitted. Instead an application should be made to remove the designation. Only after the designation had been removed could an application such as this be approved. As a result of this Councillor Scoates recommended refusal.

Councillor Michael stated that she believed it was a matter of principle that the application be refused. The land was designated Urban Open Space and there were no circumstances which would justify building on the land and therefore the application should be refused.

In response to a question, the Chief Planner reported that the designation of the land is a matter for the Local Plan process. The Local Plan was currently out for consultation and it was envisaged that it would be adopted by the end of 2017.

In summing up, the Chairman noted that two motions had been put forward. The first motion for the Committee was to defer consideration of the item to enable the applicant to revise the proposals. The second motion was to refuse the application as it currently stood in line with the recommendations outlined in the update tabled at the meeting.

The Chairman moved that the application be deferred to enable the applicants to submit a revised proposal. Following a vote:

In favour: 8 Members  
Against: 9 Members

The motion for deferral fell.

The Chairman moved that the application be refused for the reasons set out in the update tabled at the meeting. Following a vote:

In favour: 9 Members

Against 6 Members

The motion for refusal was carried.

Members having considered the report, objections and representations **RESOLVED that PERMISSION be REFUSED for the following reasons:**

**1. The site is designated Urban Open Space in the Unitary Development Plan and Draft Local Plan and its development for residential purposes would be contrary to Policy G8, wherein there is a presumption against such development leading to the loss of open land that serves an important function in the locality and provides a break in the built up area, and contrary to London Plan Policies 2.18 and 7.18.**

**2. The development, as proposed, would result in a cramped overdevelopment of the site, out of character with and harmful to the visual amenities of the area and would fail to provide a satisfactory form of living accommodation for future occupiers contrary to Policies BE1 and H7 of the Unitary Development Plan and policies 7.4 and 7.15 of the London Plan and the Mayor's Housing SPG.**

**27 LB BROMLEY FIVE YEAR HOUSING LAND SUPPLY PAPER -  
NOV 2016  
Report DRR16/086**

The National Planning Policy Framework (NPPF, March 2012) specified that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements. The Committee considered a report setting out the five year housing supply position for the Council from 1<sup>st</sup> April 2016 to 31<sup>st</sup> March 2021. The report concluded that there was a suitable five year housing supply in the Borough.

Appendix 1 to the report set out the Borough's five year housing supply position (2016/17 – 2020/2021). This illustrated that the Borough could accommodate five years supply of housing through a variety of deliverable sites and had delivered sufficient completions over the past few years. As a result of this a buffer of 5% of units had been added to the Borough's overall five year target in line with the requirements of the NPPF to ensure choice and competition in the market for land. This included a small site allowance and relevant large identified sites and draft allocations.

The Chief Planner reported that since publication of the report the Council had received correspondence from Robinson Escott Planning LLP and Nathaniel

Lichfield & Partners. This correspondence was before Members in the packs of additional information that had been provided.

The Chairman noted that the established housing targets required in excess of 640 houses to be built across the Borough every year for the next five years and reported that he was more than happy with the sites and details that the Council's officers had put together in the Plan before the Committee.

In response to a question, the Chief Planner reported that an allowance was made in the figures provided for housing units above shops that were being brought back into residential use.

A Member stressed the importance of adopting the plan in order to provide confidence in the five year housing supply and reduce unwanted development across the Borough.

**RESOLVED that the five year housing supply position from 1<sup>st</sup> April 2016 to 31<sup>st</sup> March 2021 as set out in appendix 1 of the report be agreed.**

## **28 LOCAL DEVELOPMENT SCHEME 2016 -18** **Report DRR16/087**

The Committee considered a report seeking the agreement of Members to the Local Development Scheme (LDS) for 2016-18. The current legislative requirements for the LDS were to only include the development plan documents (DPD) which were subject to independent examination which for Bromley would be the Borough-wide Local Plan and the review of the Bromley Town Centre Area Action Plan which would follow the adoption of the first document. The Local Development Scheme also set out an indicative timescale for the preparation of a local Community Infrastructure Levy and a new Planning Obligations Supplementary Planning Document (SPD).

It had been anticipated that the planning and housing reforms including a revised National Policy Framework would have been published over the summer, however, while some parts had been produced details of the Starter Home Initiative and the revised NPPF had been delayed. The revised timescale in Appendix 2 to the LDS showed the proposed Submission Draft Local Plan consultation in November/December 2016 with submission to the Secretary of State in early 2017 and adoption of the Local Plan by the end of 2017.

The new Local Development Scheme sought to reflect (i) recent Government planning reforms and anticipate the work involved from any future changes, (ii) the Council's resources and lessons learnt from other authorities and Inspectors' reports regarding timescales, and (iii) the increased burden on authorities to demonstrate that plans were based on objective and up-to-date evidence to be found 'sound'. There was a requirement for the Local Plan to be in conformity with the London Plan which formed part of the Development Plan for the Borough.

The LDS outlined the further evidence required to support the Local Plan making process and ensure soundness, along with the risks and measures to mitigate these. The draft LDS also set out the timescale for the preparation of a Bromley Community Infrastructure Levy (CIL). The third set of CIL regulations increased the consultation period for each stage of the preparation of the charging schedule for CIL to six weeks, and again increased the burden for evidence of viability and the proposed infrastructure to be funded based on an up to date development plan. On this basis the LDS showed the CIL Examination following closely after the Local Plan Examination.

**RESOLVED that the Executive be recommended to approve the revised Local Development Scheme for 2016-2018 as the formal management document for the production of the Bromley Local plan and the review of the Bromley Town Centre Area Action Plan**

The Meeting ended at 8.21 pm

Chairman

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