

DEVELOPMENT CONTROL COMMITTEE MEETING – 4 OCTOBER 2017**ORAL QUESTIONS RELATING TO ITEM 5 (PLANNING APPLICATION 17/02468/FULL1 – ST HUGHES PLAYING FIELDS, BICKLEY), RECEIVED FROM BROMLEY RESIDENT, RHIAN KANAT**Question 1

'Given the GLA projected shortfall of circa 2,700 secondary school places in the borough by 2022 and the Council's obligations under the Education Act to secure sufficient secondary school places to meet the projected need, can the Committee legitimately refuse this application outright or are they duty bound to try wherever possible to approve it but if necessary with appropriate conditions?'

Chairman's Response

This matter is addressed in the Committee report and it would not be appropriate to discuss this prior to the Committee's consideration of the application.

Question 2

'The Cushman and Wakefield alternative site search report on the planning portal concludes that there is no suitable alternative site for the school and the Council's own draft Local Plan includes the site in its secondary school allocation. With that in mind, what alternative sites does the Committee consider suitable for this school?'

Chairman's Response

The Committee is required to determine the application for the specific scheme before it. Should it not be permitted, there may be other proposals for this site that could be acceptable but these would be for the applicant to put forward.

Question 3

'Does the Committee objectively consider that the planning authority has followed the National Planning Policy Framework when deciding to recommend refusal of this application and if yes, how? The NPPF includes local planning authorities:-

- a) taking a proactive, positive and collaborative approach to meeting the need for the provision of sufficient choice of school places to meet need;
- b) giving great weight to the need to create, expand or alter schools to meet the need for places; and
- c) working with the applicant to identify and resolve key planning issues before the application was submitted.

Chairman's Response

The decision has not yet been made on the application however, this matter is addressed within the Committee report and it would not be appropriate to discuss this prior to the Committee's consideration of the application.

ORAL QUESTIONS RELATING TO ITEM 5 (PLANNING APPLICATION 17/02468/FULL1 – ST HUGHES PLAYING FIELDS, BICKLEY), RECEIVED FROM BROMLEY RESIDENT, MR ANDREW RUCK

Question 1

‘Given the Council is responsible for most of the highways network, it welcomed a revised planning submission in January to address particular highways concerns and has said it wants to work collaboratively with free schools and academies. What solutions to the highways issues have the Council and Planners proposed to the applicant in the last nine months?’

Chairman’s Response

The applicant has been made fully aware of all highways concerns about the current application through regular feedback and given the opportunity to address these well in advance of the application being reported to Committee.

Supplementary Question

What proposed solutions has the Council fed back to the applicant?

Chairman’s Response

The Council has fed back their concerns to the applicant and it is up to them to come up with a solution.

Question 2

‘The Glanville independent third party peer review of the Transport Assessment recommends two potential modifications: a longer footpath to the south of Chislehurst Road and some extra passing places within the site on the access road. They also advised that the degree of additional congestion may be acceptable to the Local Authority depending on their wider aims. Does the Committee believe these wider aims have been considered in this context?’

Chairman’s Response

Highways considerations are addressed in the Committee report and it would not be appropriate to discuss this prior to the Committee’s consideration of the application.

Supplementary Question

Has the Council asked the applicant to make these minor modifications?

Chairman’s Response

The Council has made the applicant aware of its concerns and it is up to the applicant to make whatever modifications they need to in order to meet those modifications.

Question 3

'Given the answer to the previous question, which I am taking as 'no' the Council has not approached the applicant to address to the two minor modifications, the question is, would the Council like to do that this evening and perhaps consider that as part of a series of planning conditions?'

Chairman's Response

The applicant has been made fully aware of all highways concerns about the current application through regular feedback and given the opportunity to address these well in advance of the application being reported to Committee. The concerns about Highways matters are too serious to be addressed by planning conditions and the applicant has been unable to resolve the concerns via any modifications they have proposed.

ORAL QUESTION RELATING TO ITEM 5 (PLANNING APPLICATION 17/02468/FULL1 – ST HUGHES PLAYING FIELDS, BICKLEY), RECEIVED FROM BROMLEY RESIDENT, MR PAUL GRAY

'My son is currently in year 6 and we live in Dairy Close, Sundridge Park, Bromley BR1 and have done so since the houses were built (1999). We want a single sexed state school in Bromley for him to start in September 2018. I understand that the only boys state schools in the borough (being Ravenswood and Langley Boys) are seriously over-subscribed, especially also taking into account any new homes being built within the catchment areas and noting that Langley Park may have increased allocation by September 2018. I believe there is a significant probability our son will not get a place as we will be outside of their catchment areas. My question is in the event that Bullers Wood for Boys does not get the green light at this meeting, where would you recommend my son goes to a single sexed school in Bromley in September 2018?'

Chairman's Response

There are no gender restrictions on school planning permissions and the issue of educational need is addressed within the Committee report. It would not be appropriate to discuss this prior to the Committee's consideration of the application.

ORAL QUESTIONS RELATING TO PLANNING APPLICATION 16/03842 CONSIDERED AT THE PLANS 1 SUB-COMMITTEE MEETING ON 20 OCTOBER 2016 RECEIVED FROM BROMLEY RESIDENT, MRS JANE GREEN

Question 1

'Application 16/03842 for a 12 metre high telecom mast and equipment cabinet was permitted by Plans Sub-Committee 1 on 20 October 2016. They are now installed on the brow of the hill in St Mary's Avenue adjacent to St Mary's Church and on the edge of Shortlands Conservation Area.

Why, when the officer's report clearly states that "near neighbours/occupiers" were consulted, were St Mary's Church and the Pre-School users of the Church Hall not included in the consultation by the Council?'

Chairman's Response

In this case, a number of local residential properties were notified of the application by letter, a press notice was published and a site notice displayed, which exceeded the statutory publicity requirements.

Question 2

'The officer's report stated that the proposal was more sensitively sited than the earlier refused application (16/00369) for a 10 metre mast and cabinet nearby; the 12 metre mast would be clearly visible in the street scene against the backdrop of the church, which would be harmful to the visual amenity and character of the area. This harm would outweigh any likely improvement in telecom signal coverage in the location. It concluded that the previous refusal should be regarded as a material consideration in determining the second application

Why therefore, when there was an unequivocal officer report for refusal, plus strong objections from residents and APCA, was the recommendation overturned and permission granted? The Committee Minutes recorded the Ward Member's exempt views and the no objection from the Tree Officer but no discussion or reasons for approval or how the Committee voted.'

Chairman's Response

Planning Committees are not bound to follow officer recommendations. The Committee debated the application and decided that the proposal was acceptable on its planning merits.

Question 3

'With the benefit of hindsight and the photographic evidence of the poor siting and unsympathetic appearance of the 12 metre brown replica tree mast and overlarge cabinet, would the Committee agree with me that the permission granted visually harms the area. Was there a financial gain to the Council that could be said to outweigh the importance of upholding its own UDP Policies B22 and B13?'

Chairman's Response

The Committee debated the application and decided that the proposal was acceptable on its planning merits. The Council makes no income from telecommunications equipment located within the public highway as the telecommunication operators are 'statutory undertakers'.

Supplementary Question

Is this perhaps an example of a politically as well as a financially driven permission rather than one based on strict planning merits following a change of attitude towards streetworks applications after the meetings which took place in November and December 2015 between representatives of the telecom companies and Nigel Davies and Councillor Peter Morgan a note of which was submitted in evidence at the appeal for a mast at the rear of 109 Hayes Way, in Hayes Lane, Beckenham?

Chairman's Response

No, this is not a politically motivated decision.