

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held at 7.00 pm on 6 November 2018

Present:

Councillor Alexa Michael (Chairman)
Councillor Kira Gabbert (Vice-Chairman)
Councillors Vanessa Allen, Yvonne Bear, Mark Brock,
Kevin Brooks, Peter Dean, Simon Fawthrop, Will Harmer,
Colin Hitchins, Charles Joel, Richard Scoates, Melanie Stevens,
Kieran Terry, Michael Tickner and Michael Turner

31 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Katy Boughey and Kate Lymer; Councillors Kieran Terry and Michael Tickner attended as their respective substitutes.

An apology for absence was also received from Councillor Nicky Dykes.

An apology for lateness was received from Councillor Kevin Brooks.

32 DECLARATIONS OF INTEREST

No declarations of interest were received.

33 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 11 SEPTEMBER 2018

RESOLVED that the Minutes of the meeting held on 11 September 2018 be confirmed and signed as a correct record.

34 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions were received.

35 PLANNING APPLICATION (18/00443/FULL1) - GLAXOSMITHKLINE, LANGLEY COURT, SOUTH EDEN PARK ROAD, BECKENHAM (Kelsey and Eden Park Ward)

Description of application – Redevelopment of the site to provide 280 residential units (Use Class C3), a Use Class C2 care home for the frail elderly, retention of the sports pavilion, retention of the spine road, provision of open space and associated works.

The applicant's agent gave oral representations in support of the proposal which included the following points:-

- The application site had the benefit of previous permission.
- Significant pre-application discussions had taken place with Planning Officers and the GLA.
- The applicant had actively engaged with the Local Authority and other stakeholders.
- The development complied with the density ranges set out in the London Plan, UDP Policy and Draft Local Plan Policy.
- Requirements of the London Plan, the UDP and the emerging Draft Local Plan were met in terms of the provision of affordable housing.
- No objections were raised by local Residents' Associations and local residents were keen for the proposal to proceed.
- Transport assessments had been carried out and no objections were raised in terms of highways safety.
- The car parking provision complied with Policy requirements.
- If permission was granted, Bromley would benefit from a state of the art Care Home facility.

The Agent's Responses to Questions From Members

The previously permitted scheme was not completed due to a change in the market at which time the property owner deemed the development to be unviable.

Whilst the current application excluded the previously proposed D1 Medical Centre element, high quality care would be provided for residents within the care home.

Chief Planner's Update

Page 75 of the report - Issues regarding site-wide energy would be addressed by way of a relevant clause in the Section 106 Legal Agreement.

Bullet points two and three of the recommendation on page 82 of the report had been amended to read:-

'The finalisation of the detailed wording of the clauses of the S106 Agreement and the conditions to be delegated to the Chief Planner in consultation with the Committee Chairman and the Director of Corporate Services. In the event that final terms cannot be agreed, the matters will be reported back to Members for further consideration.'

Members' Discussion

Councillor Dean (Ward Member), had supported the previous application for development of the site. This was a commendable scheme in that it:-

- contributed to the Borough's housing supply;
- the care home would be a useful facility in Bromley;
- the MOL element had been retained as a sports facility;
- adequate parking would be provided; and
- there was an excellent ratio of affordable housing.

However, the increase in dwellings from the previous 179 units to almost 400, in addition to the 4-5 storey tower blocks on the site would impact on the local surroundings and the increase in traffic would result in significantly increased congestion.

Councillor Dean moved refusal of the application on the grounds of over-development of the site; loss of amenity as a result of the tower blocks; bulk and design and the impact on traffic.

Councillor Fawthrop considered the provision of parking to be inadequate for the number of units proposed. There was a lack of innovation on the part of the applicant to make the design greener and more energy efficient. He seconded the motion for refusal on environment grounds, traffic impact and an over-development of the site.

The Chief Planner referred to paragraph 2 on page 68 of the report which concluded that the provision of car parking spaces met with the Council's Policy.

Referring to Public Transport Accessibility Levels (PTALs), Councillor Fawthrop stated that Transport for London assumed people who live next to a train station would travel by train; similarly those living by bus stops would use the bus but those living near a road would not wish to travel by car. PTALs were flawed because they were not based on where people wished to travel to - it was the destination point that was important.

Councillor Harmer supported the application. He considered the number of parking spaces to be adequate and stated that the majority of people were well aware of the parking provision when buying property. Whilst the density range was at the lower end of requirements, refusal on this ground would be difficult to defend at appeal. The scheme contributed to the Borough's housing supply.

If Members were minded to grant the application, Councillor Terry requested that S106 monies be used for improvements to the pathways between Creswell Drive and Eden Park Station and to ensure the pathway near the lake was kept secure. The Chief Planner reported that this could be discussed with the applicant in consultation with the Chairman.

Councillors Allen and Brooks supported the application and expressed the importance of establishing a care home within the Borough along with the provision of affordable housing. A condition could be added in relation to the installation of charging points for electric cars.

The Chairman considered there were no sustainable grounds on which to refuse the application. MOL would be retained, the proposal provided a much needed care home within the Borough and a replacement tree scheme would be conditioned.

The Chairman moved that the application be granted; this was seconded by Councillor Harmer.

A vote to refuse the application was lost at 6-10.

Following a subsequent vote (10-6) to grant the application, Members **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the following conditions:-

- Referral to and any direction by the Mayor of London.
- Prior completion of a Section 106 Agreement relating to matters set out in the report.
- The finalisation of the detailed wording of the clauses of the S106 Agreement and the conditions to be delegated to the Chief Planner in consultation with the Committee Chairman and the Director of Corporate Services. In the event that final terms cannot be agreed, the matters will be reported back to Members for further consideration.

36 PLANNING APPEALS MONITORING REPORT - APRIL 2017 TO MARCH 2018 - UPDATE

Report DRR18/050

As requested by Members at the DCC meeting held in June 2018, a full listing of all 340 appeals determined by the Planning Inspectorate between the financial years 2017-2018 had been submitted for consideration.

Referring to Table 1 on page 13 of the report, the Chairman noted that Bromley's total of appeals allowed (35%) was not too far behind the national average of 33%. It was, however, unfortunate that 75% of the 12 appeals dealt with at Inquiry were allowed. The Chief Planner advised that of the 340 appeals dealt with in total, the 12 decided at Inquiry equated to a low number and that four of those 12 appeals belonged to one site.

One Member suggested that the reasons given for appeals lost at Inquiry, should be considered by Members in an attempt to learn from and improve their decision making skills.

Councillor Turner stated it was Members' responsibility to act on behalf of constituents and consider all applications on their individual merits.

RESOLVED that the report be noted.

37 DELEGATED ENFORCEMENT ACTION (MAY TO AUGUST 2018)

Report DRR18/059

Members considered details of enforcement activity undertaken from May to August 2018.

RESOLVED that the report be noted.

**38 LB BROMLEY FIVE YEAR HOUSING LAND SUPPLY PAPER
UPDATE - NOVEMBER 2018**

Report DRR18/060

In line with Government guidance, an updated five year housing land supply paper should be reviewed by Members on an annual basis. The previous paper was agreed by the DC Committee in November 2017 and an update was now due. However, in order to assess policies and guidance set out in the relatively recent publication of the new National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG), a delay in the submission of this paper until late 2018/early 2019 was requested. In the short term, an extension of the November 2017 five year housing land supply position was also sought.

The Chief Planner confirmed that the updated five year housing land supply paper would be submitted to the next DCC meeting in February. Meanwhile, should any urgent matters arise, they could be dealt with prior to the next scheduled DCC meeting.

The Council's annual housing monitoring target of 641 units, was based on the prospect of those units being completed within five years.

RESOLVED that:-

- 1 the Council's next Five Year Housing Land Supply Paper be presented for approval in late 2018/early 2019; and**
- 2 the November 2017 five year housing land supply position be extended in the short term until the next Paper was considered by Members.**

39 PRESENTATION ON ADVISORY PANEL FOR CONSERVATION AREAS (APCA)

The Committee received a presentation from Mr David Wood, Chairman of the Advisory Panel for Conservation Areas (APCA), outlining the history of this body, how it had been formed and its current means of operation.

APCA was established in 1971 from the Civic Amenities Act 1967 which had provided powers for the creation of Conservation Areas. There were currently 44 Conservation Areas within the Borough, the main criteria for the designation of which were the preservation and enhancement of Statutory Listed, Locally Listed or historical buildings e.g. churches and cathedrals. All trees within Conservation Areas are automatically protected. APCA liaises with the Development Control Committee and Planning Sub-Committees with the aim of safeguarding these areas. Its activities are largely confined to commenting on significant planning applications.

APCA is a voluntary service with a core Committee of five members. Membership generally comprises planning officers, Councillors and other representatives from relevant bodies. Meetings are held on the first Tuesday of every month and are not open to the public.

APCA aimed to preserve and enhance Conservation Areas. Supplementary guidance and advisory handbooks were referred to in order to achieve this.

In response to Member questions, Mr Wood reported there were five members on the core Committee and other representative attend to represent their own areas. As the Council's planning agendas were published too close to the meeting date, there was not sufficient time to organise site visits to application sites.

The process for establishing conservation areas could be quite lengthy due to the Council's decrease in staff resources. APCA itself was not involved in the setting up conservation areas.

APCA did not receive feedback on the outcome of planning applications so were unaware of decisions being made against their views or recommendations.

Various questions were raised by members and responded to.

The Chairman thanked Mr Wood for his interesting and informative presentation.

40 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006, AND THE FREEDOM OF INFORMATION ACT 2000

The Chairman moved that the Press and public be excluded during consideration of the item of business listed below as it was likely in view of the

nature of the business to be transacted or the nature of the proceedings, that if members of the Press and public were present, there would be disclosure to them of exempt information.

41 PLANNING APPEAL

Report DRR000000

Members considered confidential information in relation to a planning appeal.

The meeting ended at 8.40 pm

Chairman