

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held at 7.30 pm on 30 April 2019

Present:

Councillor Alexa Michael (Chairman)

Councillors Vanessa Allen, Yvonne Bear, Katy Boughey, Mark Brock, Kevin Brooks, Peter Dean, Nicky Dykes, Simon Fawthrop, Colin Hitchins, Charles Joel, Kate Lymer, Russell Mellor, Michael Rutherford, Richard Scoates, Melanie Stevens and Michael Turner

Also Present:

Councillors Gareth Allatt, Nicholas Bennett J.P., Peter Fortune, Colin Smith and Michael Tickner

55 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Kira Gabbert and Will Harmer; Councillors Russell Mellor and Michael Rutherford attended as their respective substitutes.

An apology for lateness was received from Councillor Brooks.

56 DECLARATIONS OF INTEREST

No declarations of interest were received.

57 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions were received.

58 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 4 APRIL 2019

RESOLVED that the Minutes of the meeting held on 4 April 2019 be confirmed and signed as a correct record.

59 MATTERS OUTSTANDING FROM PREVIOUS MINUTES

RESOLVED that the report be noted.

**60 PLANNING APPLICATION (19/00370/FULL1) - ST HUGH'S
PLAYING FIELDS, BICKLEY ROAD, BICKLEY, BROMLEY -
BICKLEY WARD**

Description of application – Stationing and temporary use of a modular building for educational purposes for a one-year period with associated access and parking.

The Planning Officer gave the following update:-

Comments received from the Greater London Authority raised no objections to the application. The Council could, therefore, determine the application without the need to refer back to the Mayor of London.

Following receipt of an Energy Assessment, the application was deemed to be policy compliant. A condition to ensure continuing compliance would be added should Members decide to grant permission.

The final paragraph under the heading 'Trip Generation' on page 24 of the report was amended to read:-

'- 70 pupils vehicles trips and 20 staff vehicle trips are anticipated for a future higher capacity in 2020, if required and subject to planning permission.

A further 70 letters of support, similar to those already contained in the report had been received.

Representations in support of the application were received from Mr Matthew Blythin, DHA Planning.

Mr Blythin outlined the application as follows:-

- The temporary structure would accommodate 360 pupils for a one year period whilst the school's permanent building was under construction.
- Vehicular access would be gained via Chislehurst Road and vehicles would exit via the existing access onto Bickley Road thereby limiting the impact of noise and disturbance.
- There was adequate parking provision for staff.
- A breakfast club would be available for pupils and after school clubs would take place until 15:20 with sports activities continuing later.
- It was anticipated that the permanent school would be completed in December 2020. Should the need arise to extend the current temporary accommodation, a further application for this would be submitted.

In response to a Member question concerning the possibility of providing 100% electric vehicle charging points, Mr Blythin stated that this would need to be explored and if feasible, he assumed the applicant may be willing.

Committee Member and Ward Member Councillor Lymer spoke on behalf of Ward Members past and present. A full copy of her representations can be viewed as Annex A to these Minutes.

The Chairman acknowledged that the Planning Inspector had granted permission on appeal for the permanent school having concluded that the risk to pedestrian and driver safety was acceptable and that there would be limited impact on the road network. However, in regard to this application, the Chairman could find no grounds for refusal – the building was compact and would not be situated on the playing field or in close proximity to local residents. She therefore moved that the application be granted. Councillor Dykes formally seconded the motion.

Councillor Fawthrop moved that 100% electric vehicle charging points be provided. The motion was seconded by Councillor Brock. The vote fell at 6-7.

RESOLVED that PERMISSION BE GRANTED subject to the conditions and informatives set out in the report of the Chief Planner with the addition of a further condition to read:-

24. The development shall be implemented and maintained thereafter in full accordance with the approved Energy Statement & LZC Report (12th April 2019), including measures to provide a reduction in expected carbon dioxide emissions of at least 35% above that required by the 2013 Building Regulations, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to seek to achieve compliance with the Mayor of London's Climate Change Mitigation and Energy Strategy and to comply with Policy 5.2 and 5.7 of the London Plan 2015 and Policy 124 of the Bromley Local Plan.

61 PLANNING APPLICATION (18/05236/FULL1) - FOOTZIE SOCIAL CLUB, STATION APPROACH, LOWER SYDENHAM, LONDON SE26 5BQ - COPERS COPE WARD

Description of application – Demolition of the existing buildings and redevelopment of the site by the erection of a four to eight storey development with basement parking comprising 151 residential units (63 one bedroom; 80 two bedroom and 8 three bedroom) together with the construction of an estate road and ancillary car and cycle parking and the landscaping of the east part of the site to form open space accessible to the public.

Supplemental Updates Following Publication of the Report

The following paragraphs were deleted as they referred to content within Planning Practice Guidance which had been superseded by updated guidance:-

1. Page 120 – final paragraph; and
2. Page 121 – third paragraph, final sentence.

Despite these deletions, the conclusions of the report and the officer recommendation remained as set out in the main agenda.

The labelling of sub-paragraphs a) and b) on page 103 of the report were amended to read c) and d) respectively.

Visiting Ward Member Councillor Michael Tickner spoke in objection to the application. As the Council's housing targets were being met, he could see no validity to issues in the report concerning the need for housing and affordable housing. The residential block on the neighbouring site was constructed on brownfield land. However this application was for redevelopment of what was a former sports and social club and residents were concerned about the loss of such sites. Ideally, the land should be restored to playing fields. This was precious Metropolitan Open Land (MOL) and there were no very special circumstances arising from the application to merit permission. Councillor Tickner urged Members to refuse the application and to consider initiating enforcement action in the future.

Committee Member and Ward Member Councillor Russell Mellor agreed that the proposal amounted to inappropriate development of MOL and would create a strain on local infrastructure. There was no GP surgery in the area, limited public transport and a lack of immediate shopping facilities and schools. If the application was granted, specific conditions relating to infrastructure should be included. Councillor Mellor moved that Members refuse the application.

Councillor Fawthrop seconded the motion for refusal.

RESOLVED that the application be refused subject to any necessary referral to the Mayor of London and Secretary of State as recommended, for the reasons set out in the report of the Chief Planner.

62 HERITAGE AT RISK UPDATE

Report DRR19/026

Members were provided with information on Historic England's Heritage at Risk Register and Bromley's entries on the register. The report also outlined the approach taken by the Council to seek repair, restoration or reuse of the listed structures.

As Heritage and Design Champion, visiting Councillor Nicholas Bennett JP addressed the Committee.

Members were informed that of the 23 entries on the At Risk Register, the Old Town Hall, the Royal Bell Hotel, the Klinger Factory and Scadbury Manor had either been granted permission or would be submitting applications to bring these sites back into use.

Four sites were associated with Crystal Palace Park, four were sited at the Civic Centre and four located at Biggin Hill.

Councillor Bennett's concerns centred on the four sites at Biggin Hill owned by a lessee of the Council. These were barrack blocks built in the late 1930s, which were vacant and deteriorating. Councillor Bennett considered they should be made the subject of a Compulsory Purchase Order so they could be restored and brought back into positive use.

In regard to Crystal Palace Park, the terraces had been crumbling for years and were in need of repair. If the subway was brought back into everyday public use, a good standard of security would be required to guard against vandalism.

As a result of the Council selling the 'Y' blocks at the Civic Centre, Councillor Bennett suggested that income from this be used to restore the 'at risk' buildings located at the Civic Centre.

Councillor Stevens urged the Council to seek actively a collaboration with the owner to bring the camps at Biggin Hill back up to standard.

The Principal Conservation Officer (PCO), confirmed the updates given by Councillor Bennett on the various at risk heritage sites. The barrack buildings at Biggin Hill had been vacant since the 1990s and the owner was not motivated to seek new uses for them. At one stage, the Council did have a plan to work with Bromley College to bring forward educational use; unfortunately this did not come to fruition. Discussions had taken place with Historic England who considered that Urgent Works Notices should be issued on the buildings to seek emergency repairs. Members would receive an update on this matter towards the end of May.

It was important to bear in mind that the nature of some of the assets owned by the Council, meant they could not easily be adapted for new use i.e. the terraces at Crystal Palace required a multi-million pound investment but they had no obvious use. There is, however, an on-going regeneration plan for the park and it was envisaged that the terraces would be repaired as part of that plan.

The PCO had recommended that as part of any planning proposals put forward for the 'Y' buildings, the repair of assets should be imposed either by

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condition or a Section 106 Agreement. This was accepted by interested parties.

Members were invited to contact the PCO should they have any queries concerning sites on the At Risk Register.

Members were informed that all possibilities would be explored to restore use or carry out repairs to heritage assets whether they be Council owned or privately owned.

RESOLVED that the report be noted.

The meeting ended at 8.13 pm

Chairman

ITEM 6 – ST HUGH’S PLAYING FIELDS REPRESENTATIONS FROM COMMITTEE MEMBER AND WARD MEMBER COUNCILLOR LYMER

Madame Chairman

I thank you for the opportunity to address this evening’s Committee on behalf of not only myself, but the other Bickley Ward Councillors, past and present.

Madame Chairman, going back to January 2017 and beyond, when an application for a school on St Hughs Field first came to Committee we were very clear, as the Minutes will confirm, and have remained consistent throughout, that we would base our support or otherwise for a School at this location, solely on proven facts and Planning matters.

That is a position we maintain to this day.

We argued that the bulk, size and density of the Sports Hall was aesthetically displeasing and diminished the amenities of nearby residents living on Chislehurst Road.

Bizarrely this matter never even received meaningful planning scrutiny, drowned out as it became, by a secondary debate concerning the need or otherwise for school places in the Borough.

We found that quite remarkable at the time and still do in hindsight given the primary function of the Development Control Committee, but there we are.

We argued that the applicant paid mere lip service, or even pretence, to finding an alternative site for their school, and that their document in question merely went through the motions to tick that planning box, such was the intent of the Department for Education and their Funding Agency to ram their project through against all manner of objections on their preferred site, irrespective of logically worries and concerns to the contrary. We stand strongly by those assertions.

The Education Funding Agency’s ‘consultation’ process has been an absolute disgrace throughout, however we took some small solace that both Bob Neill MP and indeed, even Members of the applicant’s Governing body came to see, understand and agree with us on that narrow point over time.

We repeatedly pointed out that even if there were a shortfall in future school places in the Borough (which we all accept there was) that there was minimal local need for additional school places **at this location**.

In September 2018, 16 Bickley children enrolled at BWB, for September 2019 26 are due to do so.

Less than 1 form of entry in each year.

In September 2018, 50 out of Borough children enrolled at BWB, in September 2019, 42 are set to do so.

Posed with those figures, members of the Committee will form their own views.

We are nevertheless told that most will be walking in to avoid even more excessive traffic build up on a junction already technically running at over-capacity in the morning rush hour. We remain extremely sceptical to put it mildly.

But most of all, and above all else, we urged colleagues to consider the serious concerns raised by Road Safety experts. Over road safety in particular, we thank the majority of colleagues who supported that view both at the time and since.

Our concerns remain about road safety, and our profound hope in this regard, looking to the future, is that the Government Inspectorate's view proves to be sound, and our own views are conclusively disproved.

All off this is however of historical context. Wrongly or rightly the Inspectorate has spoken, local decision making has been set aside and their defining will and opinion has now been imposed, meaning that the school will, unfortunate as it is in our view, now be built at St Hughs notwithstanding the additional traffic and pollution issues that local Bickley Residents will now have over coming years.

Madam Chairman, moving to the head of this statement, you will recall as part of my preamble that I advised you that Bickley Members would base our support, or otherwise for a school at this location, solely on proven facts and Planning matters. The same applies for the temporary application set before us this evening.

We continue to dispute that a fair number of facts have been proven or even properly considered, but given the Inspector's decision have to reluctantly accept, in planning terms, that that conversation is now redundant.

On Planning matters however, based on this evening's report and the advice contained therein, there is nothing which we can see which amounts to a substantive planning issue to object to.

Madam Chairman, in closing, I shall therefore be abstaining from this evening's vote to mark both my own and my colleagues' collective dismay at the manner in which this entire process has been handled from the outset, and I would encourage anyone else who has travelled the same journey and agrees, to consider doing similarly themselves.

On a brighter note to finish, I would also like to take opportunity to convey and place on record, Bickley Ward Councillors' immense thanks and gratitude to the professionalism of the numerous Council Officers who have played their part in the processing of this unprecedented saga and in particular, the work of the Council's Deputy Chief Planner, Mr Tim Horsman for his outstanding work under intense pressure over many months.

It would also, of course, be churlish in the extreme, mindful of where we now find ourselves, not to also take this moment to wish the school itself, every success and best wish moving to the future.