

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held at 7.30 pm on 26 November 2019

Present:

Councillor Alexa Michael (Chairman)
Councillor Yvonne Bear (Vice-Chairman)
Councillors Vanessa Allen, Katy Boughey, Mark Brock,
Kevin Brooks, Simon Fawthrop, Christine Harris,
William Huntington-Thresher, Charles Joel, Russell Mellor,
Tony Owen, Angela Page, Richard Scoates, Melanie Stevens
and Michael Turner

Also Present:

Councillors Neil Reddin FCCA

35 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillor Peter Dean.

36 DECLARATIONS OF INTEREST

In respect of Item 6 (Minute 40) - Planning Application: (18/01660/FULL1) - Track Pavilion, Norman Park, Hayes Lane, Hayes, Bromley – Councillor Alexa Michael declared that she had commented on the application as a Ward Member and the comments were cited in the report. Councillor Michael explained that she had also responded to emails from members of the public and had been advised by a Council legal officer that these comments did not amount to pre-determination. Councillor Michael confirmed that she remained open to listening to the all the arguments and being persuaded by them.

37 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions were received.

38 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 3 OCTOBER 2019

RESOLVED that the Minutes of the previous meeting held on 3 October 2019 be confirmed and signed as a correct record.

39 MATTERS OUTSTANDING FROM PREVIOUS MINUTES

All matters outstanding from previous Minutes had been completed.

RESOLVED that the report be noted.

**40 PLANNING APPLICATION: (18/01660/FULL1) - TRACK PAVILION,
NORMAN PARK, HAYES LANE, HAYES, BROMLEY**

Description of application – Demolition of the existing pavilion, construction of a part single and part two storey multi-sports facility to provide an indoor multi-sport hall, physio treatment rooms, multi-function rooms, café and function area and relocation of an existing floodlight.

Oral representations from Mr Chris Hilditch in support of the application included the following statements:-

- He was a Trustee of the Blackheath and Bromley Harriers who were proud to present the planning application for the provision of the new facility.
- The clubhouse was being sold in order to facilitate the funding for the new facility.
- No objections to the application had been received.
- Numerous letters of support had been received including letters of support from sporting bodies.
- Thanked Officers for the support that had been provided during the development of the application.
- This would potentially be a great facility for the community.
- There would be access to disabled toilets on both floors on the new facility.
- There would be increased usage through encouraging more groups to use the facilities for Pilates, yoga, strength and conditioning and buddy fit classes, as well as the Park Run.
- The public would be allowed to use the toilet facilities.
- There may be 3 or 4 social functions throughout the year which would require the facility to remain open beyond 6pm at the weekend if permitted.

Oral representations from Ward Member Councillor Neil Reddin in support of the application were received at the meeting. Councillor Reddin noted that the proposed facility had been a long time in development, with a great deal of work going on behind the scenes. Councillor Reddin acknowledged the impact on the Green Belt but suggested that the report may have overstated the impact on the Green Belt as any effect on openness would be marginal. Councillor Reddin did however concur with the report that very special circumstances existed. For the reasons set out, all three Ward Councillors supported the application.

The Head of Development Management summarised the report in a brief presentation to Committee and outlined the key considerations of the application and the reasons for the recommendation. The Head of Development Management explained that the development would constitute inappropriate development in the Green Belt but that officers considered that very special circumstances had been demonstrated. A document of site

photographs and key drawings from the application was circulated to Members.

In opening the debate, Councillor Bear proposed that permission be granted given the very special circumstances that existed and the mitigating circumstances.

The motion was seconded by Councillor Fawthrop who suggested that the following two additional conditions should be added:

1. With 28 days' notice, the facility be permitted to remain open until midnight up to six times a year for social events.
2. That the colour of the building blend in with the Green Belt.

The Head of Development Management confirmed that Condition 15 required details of materials to be submitted.

Councillor Huntington-Thresher highlighted the importance of local provenance of trees in relation to condition 20. It was noted that additional wording could be added to the condition to address this issue.

The Committee noted the requirement that a Servicing and Delivery Plan be submitted. The Head of Development Management also confirmed that additional wording could be added to the conditions to cover foul water drainage.

The Head of Development Management also confirmed that disabled toilets were proposed for the entrance lobbies of both the ground floor and the first floor.

Having considered and debated the application, the Committee unanimously **RESOLVED** that **PERMISSION BE GRANTED** subject to **Stage 2 referral to the Mayor of London and any Direction by the Secretary of state as recommended and subject to the conditions and informatives set out in the report of the Assistant Director Planning.**

The following conditions were amended as follows:-

11: The use hereby approved shall operate between the hours of 8am to 9pm Monday to Friday, and 8am to 6pm Saturdays and Sundays. On a maximum of 6 occasions per calendar year, the use shall operate up to 12.00am midnight, subject to written notice having been served on the Local Planning Authority no later than 28 days prior to the event.

20: Prior to commencement of development, details of replacement trees of sufficient quality and quantities shall be submitted to and approved by the Local Planning Authority in writing. Replacement trees shall be of local provenance where possible. The scheme as approved shall be carried out in the first planting season following the completion of each development phase. Any trees, shrubs or plants that die within a

period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species, unless the Local Planning Authority gives prior written permission for any variation.

Reasons: To maintain the biodiversity value of the site and compliance with London Plan Policies 7.19 and Bromley Local Plan Policies 73 and 79.

The following conditions were added as follows:-

Prior to the commencement of development, details of a foul drainage scheme to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall thereafter be implemented in accordance with the approved details.

REASON: There are no public foul sewers near the site and to ensure satisfactory drainage can be achieved to comply with Policies 115 and 116 of the Bromley Local Plan.

41 COUNCIL'S RESPONSE TO CONSULTATION ON PLANNING APPLICATION (19/03935/ADJ) - FORMER BROKE HILL GOLF COURSE, SEVENOAKS ROAD, HALSTEAD, SEVENOAKS, KENT TN14 7HR

Members considered the Council's proposed response to the consultation by Sevenoaks District Council on their planning application (19/03935/ADJ). As an Adjoining Authority Consultation, the Council was required to provide comments on the impacts of the development on the London Borough of Bromley.

Description of application – Outline application for residential development of up to 850 dwellings, incl. affordable housing units and self-build plots; up to 4.75 ha of retirement living; primary school hub with associated sports facilities/outdoor space; sports hub incl. rugby and hockey pitches with separate car park and clubhouse areas; 2 ha of commercial b1 use; local centre incl. commercial, retail and community facilities and undercroft car parking for Knockholt station; country park/open space incl. landscaping, infrastructure and ground works; with all matters reserved except for access (CONSULTATION BY SEVENOAKS DISTRICT COUNCIL).

The Head of Development Management advised Members that further comments had been received from the applicant in response to the issues outlined in the report.

In opening the debate, the Chairman noted that it was a substantial application and the site had not been allocated for housing in the emerging Local Plan. There were significant implications for infrastructure in the area

and a number of concerns had been raised about the impact on local roads. The Chairman further noted that the development would result in a requirement for increased medical facilities in the area and within the proposed application there was an absence of evidence concerning the impact of the development on local schools in Bromley borough. In conclusion, the Chairman stated that she considered the proposals to amount to inappropriate development in the green belt.

Councillor Page, as Ward Councillor for Chelsfield and Pratts Bottom stated that the report before the Committee comprehensively set out the various reasons for objection. Local Ward Councillors in Chelsfield and Pratts Bottom had already submitted objections to the proposals and Councillor Page proposed that the Committee raise objections for the reasons set out in the report. The motion was seconded by the Chairman.

In relation to the impact on schools, Councillor Huntington-Thresher queried the impact on Bromley schools questioning whether a one form entry school would be as popular as some of the larger schools in the surrounding area which would be able to offer a broader curriculum and better choice of extra-curricular activities.

The Committee noted that it was not yet clear what would be happening with Sevenoaks District Council's Local Plan. The site had not featured on the emerging Local Plan but that position could now change. The Head of Development Management advised Members that the decision of the Committee should focus on the issues within the application and be based on the information that was currently available.

Councillor Fawthrop raised the issue of 100% electric car charging facilities for the development and was advised that this was a matter for Sevenoaks District Council to consider.

Noting that the car park at Knockholt Station was comparatively small meaning that much of the parking was on-street, Councillor Bear suggested that LB Bromley's response should include comments about the impact on on-street parking around Knockholt Station.

Councillor Owen raised concerns about the impact on trains and delays that may be caused by commuters changing at Chelsfield Station.

RESOLVED that the Council's objections to the application be endorsed as set out in the report of the Assistant Director (Planning), subject to the inclusion of additional comments relating to on-street car parking around Knockholt Station and education impact.

42 PLANNING SERVICE IMPROVEMENTS

Report DRR000000

As part of on-going service improvements being made to the Planning Service, this report set out the current position in regard to timescales and updated action. Approval was sought for the new draft committee report template together with agreement to the proposed initial topic list for Member training.

The Chairman confirmed that the draft protocol would be presented to the Committee in January 2020. The protocol for site visit procedures for committee members would be included within the Protocol.

In response to a question, the Assistant Director (Planning) reported that recently there had been an improvement in Members providing reasons for calling in decisions but that there were still some call ins received without planning reasons.

A Member emphasised that substitutions at committee should be based on a member's ability to attend the meetings and where substitutions at meetings were required, the reasons for the substitution should be made clear.

Another Member highlighted that it would be much better if pictures relating to planning applications were projected on screen. It was suggested that a move to Committee Room 1 would better facilitate this. It was noted that where there was increased public interest in an application officers tended to know in advance and the meeting could be moved into the Council Chamber if necessary.

A Member also suggested that it would be helpful to monitor the outcome of appeals against the original officer recommendation.

In relation to the proposed changes to committee reports, Members noted that photos could be included in the body of committee reports to illustrate specific points. A Member expressed concern about the amount of paper that could be wasted and suggested that Members should be referred to particular planning applications and site plans to be viewed in their iPads.

Referring to the draft Committee report, Councillor Fawthrop suggested that the report should refer to 'conservation/area of special residential character (ASRC)'.

In response to a question from the Chairman, the Assistant Director (Planning) explained that work on training for Members was ongoing. Officers had received feedback that a variety of delivery methods would be appreciated and officers were investigating options for face-to-face and online training with a session on Probity in Planning being included in the training offer. The Assistant Director also confirmed that topics would be grouped

together where possible to minimise the number sessions members were required to attend.

The Assistant Director (Planning) also confirmed that nearly all the Planners in the Department were Chartered and were consequently required to attend regular training for the purposes of continuous professional development.

RESOLVED that:-

- 1. the timescales and updated actions set out in the report be noted;**
- 2. the new draft committee report template be agreed; and**
- 3. the topic list for Member training be agreed.**

**43 DELEGATED ENFORCEMENT ACTION (APRIL 2019 TO SEPTEMBER 2019)
Report ES19086**

Members were provided with details of action taken under authorised Delegated Authority for breaches of planning control during the period April to September 2019.

RESOLVED that the report be noted.

44 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.

**45 PLANNING APPEALS MONITORING REPORT - APRIL 2019 TO SEPTEMBER 2019
Report ES19087**

The report outlined Planning Enforcement performance against performance indicators agreed at a meeting of the Public Protection and Enforcement PDS Committee on 27 September 2018 (Report ES18069).

An update on appeal statistics previously reported in July 2019 together with additional information set out in a new format was also provided.

The aim of the report was to provide an analysis of appeals to support development of planning policy and activity.

A Member queried why the report had been classified as exempt from publication. The Head of Planning and Development Support Team explained that Members were being asked to agree a new format for the report. The new format adopted a more forensic approach detailing the current status of appeals and publication at this time could be detrimental to the Council's interests. It was noted that if the new format were agreed, any future reports would be considered in Part 1 of the agenda.

A Member raised concerns about Members calling decisions to Committee where the decision was subsequently overturned at appeal. It was noted that this issue had recently been raised at the Standards Committee. The Chairman highlighted that the Committee should be seeking to set a target of the decisions being overturned at appeal being no more than the national average. She added that this would link to the additional training that had been requested in respect of probity in planning.

A Member confirmed that he was happy with the new format which presented information that the Committee had not received before. The Member highlighted however that it was hard to compare one year to the next and that Members would need to consider trends over time.

The Vice-Chairman welcomed the more forensic approach to performance and noted that historical information had been included in the report for the purposes of demonstrating the proposed format to the Committee. At this point Members were being asked to comment on, and if appropriate, approve the new format. In time, further detail could be included in the reports which would enable the Committee to identify emerging trends.

In response to a question, the Head of Planning and Development Support Team confirmed that the new format would present all appeals for a given year.

RESOLVED that Members note the report and agree the new Planning Appeals format and contents.

The Meeting ended at 8.40 pm

Chairman