

## **DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held at 7.30 pm on 18 March 2020

### **Present:**

Councillor Alexa Michael (Chairman)  
Councillor Yvonne Bear (Vice-Chairman)  
Councillors Vanessa Allen, Nicholas Bennett MA J.P.,  
Katy Boughy, Kevin Brooks, Peter Dean, Christine Harris,  
William Huntington-Thresher, Russell Mellor, Richard Scoates,  
Kieran Terry and Michael Turner

### **Also Present:**

Councillors Ian Dunn and Peter Fortune

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

Apologies were received from Councillors Brock, Fawthrop, Joel, Page, Owen, and Melanie Stevens. Councillors Bennett and Terry attended as respective substitutes for Councillors Joel and Page.

#### **62 DECLARATIONS OF INTEREST**

Councillor Dean declared a non-pecuniary interest as a social member of the National Westminster Sports Ground.

Councillor Scoates declared a non-pecuniary interest as an employee of the National Westminster Group.

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

No questions were received.

#### **64 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 28 JANUARY 2020**

**RESOLVED** that the minutes of the meeting held on 28 January 2020, be confirmed and signed as a correct record.

#### **65 MATTERS OUTSTANDING FROM PREVIOUS MINUTES**

##### **Report CSD20050**

The Committee noted that all actions outstanding from previous meetings had been completed.

Members noted the letter from the Secretary of State to the London Mayor (concerning the intent to publish a version of the London Plan and a number of directions the Secretary of State wanted the London Mayor to take) which had been circulated under separate cover.

## **CURTAILMENT OF THE AGENDA**

The Chairman reported that, in view of the Coronavirus, it had been suggested that the meeting be kept as short as possible and that only the planning applications be considered with any other items dealt with under delegation.

In accordance with the rules of procedure Councillor Dean moved that the Committee only considered the planning applications on the agenda and curtail the agenda to be considered by Planning Officers under delegation.

The motion was seconded by Councillor Bennett put to the vote and unanimously CARRIED.

### **66 PLANNING APPLICATION (19/01670/FULL1) - THE PORCUPINE, MOTTINGHAM ROAD, MOTTINGHAM SE9 4QW (MOTTINGHAM AND CHISLEHURST NORTH WARD)**

Description of application - Full planning permission for the demolition of the existing public house and erection of an A1 retail food store, with associated car parking, reconfigured site access, landscaping, servicing and other associated works.

The Chairman noted that a number of additional papers had been tabled for consideration by the Committee.

Oral representations from the applicant in support of the application included the following points:-

- The site had been the subject of a previous Lidl proposal in 2013 which was refused by the Council and dismissed at appeal in 2014. At that time the Planning Inspector accepted the important planning benefits that would be delivered by a food store on the site. It was concerns around highway safety that led to the dismissal of the appeal.
- The current planning application provided revised site access arrangements ensuring full visibility in both directions along Mottingham Road. The Council's Highways department approved the new design and raised no objection to the scheme.
- The proposed scheme therefore addressed all the concerns raised by the Planning Inspector in 2014.
- The applicant did not embark upon the decision to pursue a second application lightly. Time had been taken to explore alternative options to ensure that any new proposal was beneficial to the local community.

- The scheme had received support from local residents both prior to and during the application process. Almost 1500 residents had registered their support for the new proposals.
- Whilst it was clear that some local residents wished to see the site retained as a public house, the site had been marketed in 2016, with a 6 month period during which the community had the right to bid for the site. The site had also been the subject of open marketing since November 2018. No formal offers to return the site to its former pub use had come forward from local community groups or the open market. An independent report had confirmed that the site was no longer viable as a public house.
- It was not the case that the amendments to the footpath along Mottingham Road would endanger pedestrians. The footpath would be a standard width ensuring pedestrian access at all times.
- The proposal would have no impact on access to the library and would deliver benefits through improved crossing facilities along Mottingham Road.
- There were no adverse impacts associated with the development and no objections had been received from statutory consultees.
- The scheme would provide a range of benefits for the site and Mottingham as a whole, widening consumer choice, securing the redevelopment of a vacant brownfield site, creating up to 40 new jobs which would be available to the local community.
- The proposal was a sustainable form of development, accessible by foot and public transport.
- The application was in accordance with the Council's Development plan and there were no outstanding planning reasons why the current planning application should not be approved.

In response to questions raised by Councillor Huntington-Thresher, the applicant confirmed that the scheme achieved a 35% reduction in emissions and the applicant had done all it could to comply with the draft London Local Plan and achieve a sustainable development. Parking would be managed by an Automatic Number Plate Recognition system with vehicles being tracked on entry and exit to the car park. It was felt that the 90 minutes allowed would enable ample time to shop in the store and also visit shops in the vicinity. The 90 minute restriction had been included to prevent abuse of the car park.

In response to questions raised by Councillor Bennett, the applicant confirmed that the scheme had been tracked to enable an articulated lorry of up to 16.5m to be able to successfully and safely deliver to the site. The direction of access by service delivery lorries could be covered by one of the existing proposed conditions covering the service delivery strategy. Customer access to the site would be from both directions – turning right across Mottingham Road and coming from the Eltham direction and turning left into the site.

In response to a question raised by Councillor Terry, the applicant reported that the proposed design for this store was not in line with the standard specification for Lidl stores but was more in-keeping with the surrounding

area. It would be a new building built to up-to-date energy standards and therefore used modern, more sustainable materials which would look more modern compared to the surrounding period properties. The applicant highlighted that the fundamental element of the design of the building had been found to be acceptable by Planning Officers and were found to be acceptable by the planning Inspector in 2014.

In response to a question raised by Councillor Harris, the applicant confirmed that an agent who specialised in pub properties had been appointed to market the site. The site had been advertised in various pub commercial journals and publications. A marketing board was placed on site and there had been advertising on various social media outlets.

Oral representations (attached at Annex A) from local ward councillor, Councillor David Cartwright, raised the following issues

- Main traffic and road safety issues included: the width of the road and road markings, speed and density of traffic, and lack of local parking.
- Local ward councillors questioned the need for such a food store.
- The previous application, submitted over 6 years previously, was refused by the Council and the subsequent appeal was dismissed by the Planning inspector who cited significant road safety concerns. In the opinion of local ward councillors and local Mottingham residents, the road safety concerns identified with the previous application had not been addressed in the current application.
- The site was situated within a couple of meters of a busy roundabout with heavy traffic volumes, fast traffic speeds, and was a known 'hotspot' for road traffic accidents.
- The width of the road through the village was restricted with significant differing pavements widths.
- Roads leading to and including Mottingham Road were used daily as a cut through by local traffic trying to avoid the busy A20 which ran parallel. This caused significant traffic problems in the village during morning and evening rush hour with the close proximity of local schools exacerbating the problem.
- In terms of road safety, only two adjustments had been made to the 2013 scheme which had been refused. However, it was felt that these adjustments did not address the significant road safety concerns.
- The loss of a 6.6m street lamp which ensured full illumination of the refuge and roundabout was a serious road safety issue and had not been addressed in the report and was misrepresented in the artists impression of the development.
- The proposed realignment of the pavement could impact on local mains utilities which were sited under the pavement and at a depth less than normal. This could cause significant damage and disruption to the local area. This was drawn to the attention of Planners but had not been addressed in the report.
- There was little evidence that detailed consideration had been given to parking. The 33 parking spaces provided (10 of which were allocated

to disable drivers or parents with children) were inadequate for such as store and as a result the proposed parking restrictions would need to be strengthened to prevent indiscriminate parking.

- The proposal would have an adverse effect on the quality of life of residence living in the vicinity of the proposed store.
- The issues that had been raised were material and required detailed consideration.

[During Councillor Cartwright's presentation to the Committee the Director of Corporate Services highlighted to the Committee that whilst the time restrictions of three minutes imposed on public speakers were not applicable to ward councillors addressing the Committee, however Members were reminded that the usual speaking time without leave of the meeting was 5 minutes for Members for any presentation in any forum]

Oral representations from local ward councillor, Councillor Will Rowlands, raised the following issues

- Local ward councillors were disappointed with the handling of the application when it was due to be handled at the last meeting in January. The quality of the report was so poor that the application had to be withdrawn from the agenda.
- The proposed development was in contravention of both the Bromley Local Plan and the London Local Plan, specifically policies 20 and 23.
- The scheme would result in the loss of a community facility and no proposals had been put forward to replace the community facility of the public house, a key community facility until its closure.
- Surrounding properties would be affected by light pollution from the six 6m light columns that were proposed for installation in the car park.
- Other proposals for development had been put forward, including a small housing development with social housing and a micro pub.
- The Committee should remain consistent with the policy and objectives set out in the Local Plan.

Oral representations from local MP, Sir Bob Neill, raised the following issues

- The involvement of the local MP reflects the volume and level of concern raised by local residents which was far beyond the norm.
- This site had previously been registered as an asset of community value and the current application made no attempt to replace the community meeting facility or broader social benefit that would be lost.
- Consideration needed to be given to whether the previous marketing of the site had been adequate.
- For these reasons and the reasons set out by local ward councillors the application should be refused.

The Assistant Director of Planning summarised the report in a brief presentation to the Committee which included the following

- The report summarised the rationale behind the recommendation.
- The primary consideration was the previous appeal decision in 2014 for an almost identical proposal by the same applicant. The only issue the Planning Inspector had found relevant in the dismissal of that appeal was the access arrangements for the site. In that case in 2014 the Highway Authority had objected to the application.
- The proposed access arrangements were now found technically acceptable to the Highway Authority.
- There were no highway reasons to refuse the application and Highways Officers would not be able to support a refusal at appeal.
- Local concern about the application was fully appreciated but further grounds for refusal were unlikely to be able to be supported by Officers at appeal.
- The Local and Policy circumstances had not significantly changed since the previous appeal and any ground of refusal revisiting any of the matters previously considered to be acceptable ran the risk of the Council losing any subsequent appeal and a potential award of costs.

In noting the introduction from the Assistant Director, Councillor Huntington-Thresher considered that one material difference was that the London Plan had moved forward. In July Bromley Council had resolved to be carbon neutral for its own direct activities by 2029. The draft London Plan was a material consideration and Policy S 12 – minimising greenhouse emissions – was consistent with London Plan to be carbon neutral by 2050. The store would be there for some considerable time and Councillor Huntington-Thresher did not feel that the scheme was ambitious enough in terms of carbon reduction and instead the proposals should aim to meet new carbon reduction targets. Whilst it was not impossible for Lidl to meet the revised targets, Councillor Huntington-Thresher, felt that there should be an opportunity for the scheme to meet the new targets. On that basis Councillor Huntington-Thresher moved deferral on the grounds of providing the applicant with the opportunity to return with a detailed strategy setting out how the zero carbon target could be met within the energy framework to be in compliance with Policy S.12.

Councillor Terry understood both the concerns around the marketing of the pub which represented a material planning consideration and the concerns raised in relation to road safety and there were still some outstanding issues that required full consideration and if the Committee did resolve to defer the application these issues should also be given further consideration. In respect of the marketing, the Assistant Director of Planning confirmed that Officers considered that the policy requirements had been met in this case. The Assistant Director of Planning further confirmed that the Highways Authority had found the scheme acceptable.

Councillor Bennett noted that the pub had been closed for 7 years and in that time no progress had been made. There had been the opportunity to purchase the site as a community asset and this was not advance. In Councillor Bennett's issue the only issue the Committee could decide was on

the question of highways and traffic and from the evidence heard any of the issues could be addressed through conditions to the planning application. If the Committee failed to make a decision the Council could be at risk of losing an appeal as a result of non-determination. On that basis Councillor Bennett moved that the application was approved.

Councillor Boughey noted the presentations and endorsed the comments by Councillor Terry. As highways issues were possibly the only grounds on which the application could be refused the Committee needed to be very sure of its reasons for refusing the application on these grounds. If the application was going to be deferred on the basis of the carbon reduction issue the opportunity should also be taken to look specifically at the points raised by local ward Councillor Cartwright – i.e. access arrangements for the articulated lorries and the issue of the street lamp.

Councillor Allen noted that some of the conditions that had been raised, such as the traffic light, could be dealt with by conditions. It was difficult to classify the building as a community facility when it had been empty for 6 years with no one seeking to do anything with it. In relation to car parking, the proposed arrangements were the same as in most other supermarkets. Councillor Allen felt that there were limited planning reasons to refuse the application and on that basis was happy to second the motion to approve the application moved by Councillor Bennett.

The motion for deferral, moved by Councillor Huntington-Thresher and Seconded by Councillor Boughey was put to the vote and CARRIED. (Consequently the motion moved by Councillor Bennett and seconded by Councillor Allen fell)

Having considered the report, objections and representations, Members **RESOLVED that the application be DEFERRED** without prejudice to any future consideration to enable further consideration of the following issues:

- Carbon reduction
- Outstanding road safety issues
- Marketing of the property.

**67 PLANNING APPLICATION (19/04644/FULL1) - NATIONAL WESTMINSTER SPORTS GROUND, COPERS COPE ROAD, BECKENHAM BR3 1NZ**

Description of application – Erection of a covered full-size football pitch, creation of an artificial full-size pitch with floodlighting, and regarding of the site to create a full-size show pitch with spectator seating and six training pitches (two full-size, two ¾ size and two half size). External alterations and lobby and link extensions to the existing buildings. Installation of maintenance/store sheds, water tanks and under-pitch infrastructure. Associated highway and landscaping works.

Oral representations from the Chairman of North Copers' Cope Road Action Group in objection to the application included the following points:-

- The proposed indoor pitch building was huge and could not be justified within Metropolitan Open Land.
- The requirements for Category 1 and Category 2 academies were exactly the same as far as the indoor pitch size was concerned – Crystal Palace was currently Category 2 but it could equally be category 1. The size of the building would not influence Crystal Palace’s chance of being promoted in the category stage.
- The new development rules required a pitch to be a minimum of 55m x 35m – more or less the size of the current pitch being used at the national sports centre.
- There needs to be very special circumstances to erect any building on Metropolitan Open Land (MOL). Youth development rules may constitute very special circumstances if the new building met the minimum requirements laid down by the rules. However the significant harm caused to the openness of the MOL by the much larger building proposed would undermine or even eliminate these very special circumstances.
- The proposed building would enclose a full-sized pitch. However it was emphasised that a full-sized pitch was not a requirement but instead a recommendation. The proposed pitch of 160m x 81m was four times bigger than that required by the rules. The planning harm caused by the much larger pitch undermined the very special circumstances. The site in question was small and relatively open. Consequently any building would have an enormous impact.
- The building proposed by Crystal Palace was larger than any other Category 1 academy in the country.
- Fulham FC had reduced the height of their building in response to local concerns.

Oral representations from the Chairman of the Club in support of the application included the following points

- The aim was to create a Category 1 elite academy for up to 200 boys at any one time who received not only a football education but also mentoring and supervision – taking them through GCSEs and A-Levels.
- The club was the focal point of all the clubs in the area and as a result kept a lot of young men active, off the streets and learning about the benefits of team work.
- A great deal of effort had gone into identifying a site. The proposed site was very near the first team training ground. Efforts had been made to make the proposed design palatable to everyone in the area. The scheme primarily utilised existing buildings. The proposal did include a large indoor pitch but this was recommended by the Premier League and it was likely that a full-size indoor pitch would be a requirement in the future. Whilst a full-size pitch was a benefit to the boys using the facility it would also be a benefit to the local community



with the site being made available to schools, colleges and community groups out of hours.

- The current site was run down with poor security and these issues would be solved with the new site which would deliver a beneficial scheme for the community with better security and landscaping – delivering a scheme of which the local community could be proud.

In expressing support for the proposal, Councillor Bennett – as Design and Heritage Champion – questioned the extent to which the Edwardian façade of the pavilion would be retained. The applicant explained that the pavilion would be a focal point for the community of the academy and whilst the fundamental shape would be retained there would be some modernisation although this would not result in a significant impact on the overall look and feel of the building.

Councillor Harris noted that the Member site visit had provided good insight. In response to questions from Councillor Harris the applicant stated that he believed the scheme would deliver a genuine improvement for residents in term of traffic, impact of flood lighting, noise, and daytime deliveries. There would be a full-time security presence at the site and whilst there would be some deliveries it was anticipated that there would be far less than the traffic flow in and out of the current site. The vast majority of the boys visiting the site would be using public transport and other visitors to the site would be encouraged to use sustainable travel. The highways authority had given their support to the scheme.

Councillor Huntington-Thresher noted that there had been some concerns from residents regarding the height of the building and sought justification for the proposed design. In response, the applicant explained that the Club had looked at the other full sized covered pitches that other Premier League Teams had delivered since 2012 and the proposed scheme replicated the standard design that was used. The reason the building was so high was to prevent the ball from hitting the roof. There were no columns within the space and the roof therefore included a peak for structural reasons.

The Assistant Director of Planning summarised the report in a brief presentation to the Committee which included the following

- The site was an existing sports ground and was MOL. The majority of the proposals did not constitute inappropriate development however, the indoor covered pitch was inappropriate and harmful to the MOL by definition. Whilst not a requirement the size of pitch proposed was recommended by the Premier League.
- The report set out in detail why the application was recommended for approval.
- The Environment Agency had removed their objection and were now satisfied with the proposals.
- The Tree Officer remained content with the proposals and a Tree Preservation Order was being separately considered for the site and need not delay consideration of this application.

- The recommendation should also include an additional condition to include a buffer channel along the river and a noise condition relating to the proposed site plant.
- The proposal was considered to provide a positive sporting community facility which would protect the MOL into the future and was considered acceptable in all planning aspects.

In opening the debate, local ward member, Councillor Russell Mellor, explained that whilst he was not opposed to the recommendation although there were genuine concerns with several aspects of the application. The site was located in designated MOL also the intended use was permitted within the designation. The proposed building was too large and if allowed would be the largest in the Country. The destruction of an area covered by a Tree Preservation Order was a serious concern. The site proposal for 87 parking spaces, with 6 disabled bays, represented a net reduction of 35 spaces that existed presently. In the event of the minimum age of children attending falling below 9 would result in an increase in the number of cars accessing the site. Full details of the proposals for floodlighting needed to be submitted to ensure that there was no detriment to local residents. Consequently, Councillor Mellor requested deferral for the points of concern to enable them to be addressed and corrected.

Councillor Terry felt it was an interesting application with a lot in its favour but also a few sticking points. What was proposed was a high quality facility that would support young people in the local area. The main sticking point for Councillor Terry was the new building on MOL however Councillor Terry did feel that very special circumstances existed to justify the development. Councillor Terry noted that TfL had suggested that the car parking should be reduced and it would therefore be difficult to refuse the application on highway grounds. Overall, Councillor Terry felt that it was a positive scheme that was exciting for the Borough. As such Councillor Terry moved that planning permission be granted as recommended.

Councillor Bennett seconded Councillor Terry's motion on four grounds: 1. The purpose of the proposals were positive – to help local young people, 2. There were special circumstances to justify development in the MOL, 3. The large size pitch future proofed the development, and 4. For structural reasons the building had to be the proposed high to cover the proposed pitch size.

Councillor Huntington-Thresher expressed disappointment that designers were not able to be more imaginative to try and enable a lower height spanning the proposed area. However this was not sufficient reason not to welcome the proposal. Councillor Huntington-Thresher sought clarification concerning the s.106 contribution to achieve carbon zero targets and the Committee were informed that the proposed contribution was a one-off payment.

The motion to approve the application moved by Councillor Terry and seconded by Councillor Bennett was put to the vote and CARRIED.

Having considered the report, objections and representations, Members **RESOLVED that PERMISSION BE GRANTED SUBJECT TO THE PRIOR COMPLETION OF A SECTION 106 LEGAL AGREEMENT AND REFERRAL TO THE MAYOR OF LONDON as recommended and subject to the conditions and informatives set out in the report of the Assistant Director (Planning).**

Councillor Mellor left the meeting at 9.03pm, at the conclusion of consideration of this item.

**68 PLANNING APPLICATION (18/05599/FULL1) - LAND REAR OF TESCO STORES, EDGINGTON WAY, SIDCUP (CRAY VALLEY EAST WARD)**

Description of application – Construction of 13 units to be used for Use Classes B1(c), B2 and B8 together with access from Edgington Way, Sidcup and creation of access from the Fitzroy Business Park, car parking and associated works.

Oral representations from a neighbouring business owner in objection to the application included the following points

- Chancery Gate had perfectly good access and planning onto Edgington Way and there was no need to have access through the Fitzroy Estate.
- There were already issues with security and crime on the estate. A security gate, controlled by a key pad, secured the site when businesses were closed. The security gate would have to be removed and this would only result in higher levels of crime.
- There was insufficient parking and the proposed scheme removed three parking spaces.
- Sandy Lane, an already busy road, was unlikely to be able to cope with increased traffic flow.

Oral representations from the applicant's agent in support of the application included the following points

- Chancery Gate benefit from the same right of access for phase 2 of the development than the current occupiers of phase 1.
- Following deferral at the last meeting the applicant sought to provide as much clarification as possible regarding the concerns that had been raised.
- The proposed development would not cause a significant impact on the operation of the Fitzroy Business Park access onto Sandy Lane.
- Electric Vehicle charging points would be provided in excess of current requirements.
- Access arrangements had taken place with the owner of Fitzroy Business Park prior to the application being submitted.

- Application itself represents an opportunity to bring forward a site which had long be allocated for development.

In response to a question from Councillor Bear concerning security, the applicant's agent confirmed that an arrangement would be made with the owner of Fitzroy Business Park to provide secure access. The gate would remain in place and would close at 9pm with occupiers of the estate being given a code of the gate.

In response to a question from Councillor Huntington-Thresher regarding parking, the applicant's agent explained that they had been in discussion with TfL from the pre-application stage. When the Fitzroy Business Park was approved in 2005/06 there was no provision for parking as it was the logical way of accessing the site.

The Assistant Director of Planning summarised the report in a brief presentation to the Committee which included the following

- A similar application had recently been permitted where the primary difference was a single point of access.
- The primary matter for the Committee to consider following the previous deferral was the access arrangements.
- The highway authority had confirmed that it continued to raise no objection to the application.
- The issue of access rights was a private matter.
- Electric vehicle charging points were to be provided.
- Proposal was for a policy complaint use in a strategic industrial location.

In opening the discussion local ward member, Councillor Yvonne Bear, thanked officers for the additional work that had been completed prior to the previous deferral. Councillor Bear reported that residents and ward councillors remained concerned about the effects of the proposals on Sandy Lane and its ability to cope with the additional traffic.

Councillor Terry queried whether a condition could be added requesting that the gates open and close at certain times. In response the Assistant Director for Planning confirmed that the location of the gates, and the Fitzroy Business Park were not within the application site and consequently it would not be possible to impose a condition requiring them to be retained.

Councillor Bennett moved that planning permission be granted in line with officer recommendations. The motion was seconded by Councillor Dean, put to the vote and CARRIED. (Councillor Bear abstained from the vote)

Having considered the report, objections and representations, Members **RESOLVED that PERMISSION BE GRANTED as recommended and subject to the conditions and informatives set out in the report of the Assistant Director (Planning).**

**69 PLANNING APPLICATION (05/01919/HAZREV) - B G TRANSCO SITE, SEVENOAKS WAY, ORPINGTON (CRAY VALLEY WEST WARD)**

Description of application – Discontinued storage of natural gas (Hazardous Substances Consent Revocation application).

Councillor Michael moved from the Chair that consent be revoked, subject to confirmation that the site operator will not claim compensation and subject to referral to the Secretary of State. The motion was seconded by Councillor Terry, put to the vote and unanimously CARRIED.

Having considered the report, objections and representations, Members **RESOLVED that CONSENT BE REVOKED, subject to confirmation that the site operator will not claim compensation and subject to referral to the Secretary of State.**

**70 BECKENHAM TOWN CENTRE CONSERVATION AREA APPRAISAL**

This item was deferred to be considered under a future meeting of the DCC.

**71 TOWN CENTRE PLANNING POLICY STRATEGY: BROMLEY AND ORPINGTON**

This item was deferred to be considered under a future meeting of the DCC.

**72 FIRST HOMES CONSULTATION - SUMMARY AND KEY IMPLICATIONS**

This item was deferred to be considered under a future meeting of the DCC.

**73 AUTHORITY MONITORING REPORT 2017/18 AND HOUSING STATISTICAL UPDATE**

This item was deferred to be considered under a future meeting of the DCC.

**74 APPEAL DECISIONS - MAJOR APPLICATIONS**

This item was deferred to be considered under a future meeting of the DCC.

**75 PLANNING SERVICE IMPROVEMENTS**

This item was deferred to be considered under a future meeting of the DCC.

**76 COUNCILLOR PLANNING APPLICATION 'CALL-INS'**

This item was deferred to be considered under a future meeting of the DCC.

The meeting ended at 9.24 pm

Chairman

## LIDL PLANNING APPLICATION

I INTEND TO COVER, IN THE MAIN, ROAD SAFETY AND TRAFFIC ISSUES INCLUDING THE WIDTH OF THE ROAD AND ROAD MARKINGS, THE SPEED AND DENSITY OF TRAFFIC AND THE LACK OF LOCAL PARKING.

HOWEVER I WILL ALSO QUESTION THE NEED FOR SUCH A FOOD STORE AND ALSO COMMENT ON THE DETRIMENTAL EFFECT UPON LOCAL TRADE AND COMMERCE.

FURTHERMORE I WILL BRING TO YOUR ATTENTION, THE EFFECT UPON THOSE RESIDENTS LIVING CLOSE TO THE SITE.

JUST TO RE-CAP, LIDL SUBMITTED THE PREVIOUS APPLICATION OVER 6 YEARS AGO. THE COUNCIL REFUSED IT AND THE INSPECTOR DISMISSED APPEAL, CITING SIGNIFICANT ROAD SAFETY CONCERNS.

IN MY OPINION, AND IN THE OPINION OF HUNDREDS OF LOCAL MOTTINGHAM RESIDENTS, THOSE SAME ROAD SAFETY CONCERNS HAVE NOT BEEN DEALT WITH IN THIS CURRENT APPLICATION.

THE SITE ITSELF IS SITUATED WITHIN A COUPLE OF METRES OF A VERY BUSY ROUNDABOUT, THAT SEES HEAVY TRAFFIC VOLUMES, FAST VEHICLE SPEEDS AND MORE THAN ITS FAIR SHARE OF ROAD ACCIDENTS, THE MOST RECENT BEING LAST FRIDAY INVOLVING AN ELDERLY PEDESTRIAN ATTEMPTING TO CROSS THE BUSY ROAD. THIS WAS A SERIOUS/NEAR-FATAL ACCIDENT INVOLVING AN ELDERLY LADY WHO REQUIRED HOSPITALISATION.

THOSE MEMBERS OF THE COMMITTEE WHO HAVE VISITED THE SITE WILL HAVE SEEN FIRST-HAND THE HIGH TRAFFIC VOLUME AND THE SPEED OF TRAFFIC APPROACHING THE ROUNDABOUT, PARTICULARLY THOSE VEHICLES TRAVELLING NORTHBOUND ON THE MOTTINGHAM ROAD. MEMBERS WILL ALSO HAVE SEEN THAT THE WIDTH OF THE ROAD THROUGH THE VILLAGE IS RESTRICTED, WITH SIGNIFICANTLY DIFFERING PAVEMENT WIDTHS.

IT IS IMPORTANT FOR MEMBERS TO NOTE THAT THE ROADS LEADING TO AND INCLUDING MOTTINGHAM ROAD ARE USED DAILY AS A CUT THROUGH BY TRAFFIC TRYING TO AVOID THE VERY BUSY A20, WHICH RUNS PARALELL SOME 300-400m. AWAY. THIS CAUSES A SIGNIFICANT TRAFFIC PROBLEM IN THE VILLAGE DURING RUSH HOUR EACH MORNING AND EVENING. THE CLOSE PROXIMITY OF ELTHAM COLLEGE JUNIOR AND SENIOR SCHOOLS EXACERBATES THIS ALREADY SIGNIFICANT PROBLEM.

WITH REGARD TO ROAD SAFETY, IT WOULD APPEAR TO ME THAT THERE ARE ONLY 2 SIGNIFICANT AMENDMENTS TO THE ORIGINAL APPLICATION, WHICH WAS REFUSED, BOTH BY THE COUNCIL AND ALSO THE INSPECTOR ON APPEAL. THESE ARE - THE ALL-IMPORTANT RE-ALIGNMENT IN THE ROAD OUTSIDE THE ENTRANCE/EXIT TO THE PROPOSED STORE AND ALSO THE WIDENING OF THE EXISTING PEDESTRIAN REFUGE, CURRENTLY SITUATED ACTUALLY ON THE ROUNDABOUT, BY THE PROPOSED STORE EXIT IN MOTTINGHAM RD. THESE ADJUSTMENTS ARE SUPPOSED TO SIGNIFICANTLY IMPROVE ROAD SAFETY AT THESE CRITICAL POINTS.

WITH REGARD TO THE REALIGNMENT, WE ARE TALKING IN PLACES OF AS LITTLE AS 50 CM. (20 INCHES) OF PAVEMENT ALTERATION, AND WHEN CONSIDERING THAT WE WILL BE SEEING 44 TONNE ARTICULATED DELIVERY LORRIES, EACH MEASURING 16.5 METRES IN LENGTH (THAT'S SOME 55FT) AND DOUBLE WHEEL WIDTHS PROBABLY WIDER THAN THE 50 CM. ATTEMPTING TO ENTER AND EXIT THIS SITE, THEN YOU WILL SEE THAT THE ROAD SAFETY RISK, IN RESPECT OF SIGHTLINES, IS BEING TAKEN TO THE UTMOST AND (IN MY OPINION), DANGEROUS LIMIT.

INDEED, BY MY CALCULATION AND LOOKING AT PLAN No. 2316686, THE REAR OF ANY SUCH LORRY TURNING INTO THE SITE FROM THE WAR MEMORIAL ROUNDABOUT WILL NOT CLEAR THE ROUNDABOUT, IF IT IS FORCED TO WAIT TO TURN INTO THE SITE! THIS CANNOT BE ACCEPTABLE AND IS **NOT COVERED** IN THE HIGHWAYS REPORT.

FURTHERMORE, WITH REFERENCE TO THE CRUCIAL ISSUE OF VISUAL SIGHTLINES, THESE ARE THERE TO ENSURE THE DRIVERS OF THE DELIVERY LORRIES CAN SEE ONCOMING TRAFFIC FROM A SAFE DISTANCE. PLAN No. 2316686 SHOWS THAT DELIVERY LORRIES THAT WISH TO EXIT WILL HAVE TO CREEP OUT, ACROSS THE PEDESTRIAN PAVEMENT, STOP - TO JUDGE THE ONCOMING TRAFFIC FROM BOTH DIRECTIONS, BEFORE MOVING OFF. THESE LORRIES ARE 55ft. LONG, WHICH MEANS MOST OF THE LORRY-TRAILER AND ITS SETS OF REAR WHEELS WILL HAVE TO REMAIN IN THE PUBLIC CAR PARK. THIS HAS THE SERIOUS POTENTIAL FOR CHILDREN, DISABLED AND ORDINARY PEDESTRIAN SHOPPERS – PLUS CARS AND CYCLES - TO BE PUT AT UNREASONABLE RISK, AS THE LORRY DRIVER WILL HAVE TO MAINTAIN CLOSE SURVEILLANCE, NOT ONLY ON SPEEDING ONCOMING TRAFFIC FROM TWO DIRECTIONS, BUT ALSO MONITOR BOTH SIDES OF THE LORRY AT THE TIME OF MOVING OFF. AGAIN THE HIGH RISK ISSUE OF LARGE LORRIES MANOEUVRING IN PUBLIC CAR PARKS IS **NOT COVERED** IN THE REPORT .

WHILST I ACCEPT THE PROPOSED INCREASE IN WIDTH OF THE EXISTING TRAFFIC REFUGE IS TO BE WELCOMED, IT WILL ALSO HAVE THE EFFECT OF FURTHER NARROWING AN ALREADY RESTRICTED AND TIGHT ROAD AT A DANGEROUS ROUNDABOUT. I BELIEVE THAT HGVs WILL HAVE DIFFICULTY NEGOTIATING THE NARROWNESS OF THIS PART OF MOTTINGHAM Rd., WITHOUT SIGNIFICANT



FURTHER REALIGNMENT OF THE ROADWAY. THIS ALSO IS **NOT COVERED** IN THE HIGHWAYS REPORT.

IN MY OPINION AND ALSO THAT OF LOCAL RESIDENTS, THESE ROAD SAFETY RISKS ARE WAY TOO HIGH AND WE BELIEVE ANY INSPECTOR AT APPEAL WILL COME TO THE SAME CONCLUSION AGAIN!

ANOTHER ISSUE THAT IS NOT COVERED IN THE REPORT IS THE LOSS OF A VERY IMPORTANT 6.6m. STREET LAMP THAT IS CURRENTLY POSITIONED CLOSE TO THE PEDESTRIAN TRAFFIC REFUGE ON THE ROUNDABOUT. THIS ENSURES FULL ILLUMINATION OF THE REFUGE AND ALSO THE ROUNDABOUT ITSELF AND IS CRUCIAL IN TERMS OF PUBLIC SAFETY IN THE EVENINGS, NIGHTTIME, PARTICULARLY IN THE WINTER MONTHS, AT SCHOOL CLOSING TIME, WHEN ELTHAM COLLEGE STUDENTS ARE MAKING THEIR WAY THROUGH THE VILLAGE. THE ARTISTS IMPRESSION ON PAGE 23 DEPICTS THE STREET LAMP AS STILL IN POSITION; HOWEVER, AFTER THE PLANNED REALIGNMENT HAS TAKEN PLACE, BY MY CALCULATION THERE WILL NOT BE SUFFICIENT ROOM AT THIS POINT IN THE PAVEMENT FOR IT TO REMAIN. THIS IS A SERIOUS ROAD SAFETY ISSUE, **NOT ONLY NOT COVERED, BUT MIS-REPRESENTED** IN THE REPORT.

MAY I ALSO BRING TO YOUR ATTENTION A SERIOUS CONCERN I HAVE REGARDING THE SITING OF THE MAINS UTILITY SERVICES UNDER THE EAST SIDE PAVEMENT OF MOTTINGHAM ROAD, OPPOSITE THE LIDL SITE. I HAVE BEEN INFORMED BY LOCAL RESIDENTS AND ALSO A FORMER MOTTINGHAM WARD COUNCILLOR THAT IT IS UNDERSTOOD THE MAINS UTILITIES ARE SITED UNDER THIS PAVEMENT AND AT A DEPTH WHICH IS LESS THAN IS NORMAL. THIS IS DUE TO WHAT IS THOUGHT TO BE AN UNDERGROUND STREAM WHICH RUNS FROM "THE TARN" BY MOTTINGHAM STATION (SOME 500-600M AWAY), TO THE RIVER QUAGGY (SOME 800M AWAY TOWARDS LEWISHAM). THE REALIGNMENT OF THE PAVEMENT, WHICH WOULD, IN EFFECT, ALLOW 44Tonne LORRIES TO DRIVE OVER THESE UTILITIES, COULD CAUSE SIGNIFICANT DAMAGE AND DISRUPTION TO THE LOCAL AREA. I DID BRING THIS TO THE ATTENTION OF THE PLANNERS IN MY OBJECTION (SEE PARA 6.3 PAGE 26) BUT **CANNOT FIND REFERENCE TO THIS ISSUE BEING ADDRESSED IN THE BODY OF THE REPORT.**

ON THESE ISSUES, I AND MANY LOCAL RESIDENTS SERIOUSLY CALL INTO QUESTION THE QUALITY OF ADVICE AND RECOMMENDATIONS OF THOSE OFFICERS WHO COMPILED THE HIGHWAYS REPORT. INDEED, WHEN CONSIDERING THE NUMBER OF MISTAKES AND ERRORS IN THE ORIGINAL REPORT, WHICH REQUIRED IT TO BE WITHDRAWN BY THE CHIEF PLANNER IN JANUARY, IT COULD APPEAR THAT THERE IS A QUESTION MARK OVER THE ACTUAL COMPETENCY OF THE PLANNING OFFICERS INVOLVED.

TURNING TO PARKING, I NOTE THERE APPEARS TO BE 33 SPACES PLANNED, HOWEVER, 10 OF THESE ARE TO BE DESIGNATED SOLELY FOR THE DISABLED, THOSE WITH CHILDREN AND FOR ELECTRIC VEHICLES. THIS LEAVES A MEER 23 FOR ORDINARY SHOPPERS. THIS, I CONSIDER, IS TOTALLY INADEQUATE FOR SUCH A STORE. LIDL SHOPPERS WILL NOT WALK TO THE STORE, NOR WILL THEY USE BICYCLES. THEY WILL DRIVE!

AS THE REPORT CLEARLY POINTS OUT, PARTICULARLY UNDER THE SECTION ON *PARKING* ON PAGE 25 AND ALSO IN PARAS 9.41, 9.42 AND 9.49 ON PAGES 47, 48 AND 49 RESPECTIVELY, THERE IS A SEVER PAUCITY OF AVAILABLE PARKING IN THE SURROUNDING AREA AND DEMAND IS CURRENTLY HIGH, PARTICULARLY AS MANY COMMUTERS FROM KENT DRIVE INTO MOTTINGHAM AND LEAVE THEIR CARS TO TRAVEL TO CENTRAL LONDON BY TRAIN FROM MOTTINGHAM STN. DEMAND WILL THEREFORE BECOME EVEN HIGHER SHOULD THIS APPLICATION BE SUCCESSFUL.

**WITHIN THE REPORT I CAN FIND NO SOLUTION TO THIS PROBLEM**, NOR ANY MITIGATION. INDEED, IT IS CLEAR THAT THE CURRENT PARKING RESTRICTIONS IN MOTTINGHAM ROAD WILL HAVE TO BE SIGNIFICANTLY STRENGTHENED TO STOP INDICRIMINATE PARKING AND THIS WILL REDUCE LOCAL PARKING EVEN FURTHER. THE EFFECT OF THIS ON LOCAL STREETS WILL CAUSE SIGNIFICANT PROBLEMS FOR THE LOCAL COMMUNITY.

PARKING HAS CLEARLY NOT BEEN THOUGHT THROUGH BY OUR PLANNING OFFICERS. INDEED IT HAS BEEN KICKED INTO THE LONG GRASS BY THE OFFICERS' RECOMMENDATION TO DEFER DEALING WITH THESE MATTERS UNTIL AFTER THE DECISION IS MADE, BY MEANS OF THE POSSIBLE IMPOSITION OF CONDITIONS AND THE REQUIREMENT FOR SAFETY AUDITS ETC. TO BE CARRIED OUT.

THIS IS TOTALLY UNACCEPTABLE. THESE MATTERS ARE MATERIAL AND NEED TO BE DEALT WITH AS PART OF THE DECISION MAKING PROCESS.

LOCAL RESIDENTS KNOW ONLY TOO WELL HOW MANY VEHICLES UTILISE MOTTINGHAM ROAD, THEY KNOW FROM LONG EXPERIENCE, THE SPEED, THE VOLUME AND DENSITY OF TRAFFIC AND THE LACK OF LOCAL PARKING – AND WE ARE ALL AT TOTAL ODDS WITH THE UNBELIEVABLE VIEWS OF THE HIGHWAYS OFFICERS!

I TURN NOW TO THE NEED FOR YET ANOTHER FOOD STORE IN MOTTINGHAM VILLAGE. FOR INFORMATION, THERE IS ALREADY A LIDL STORE CLOSE TO MOTTINGHAM (ONE JUST OVER A MILE TO THE EAST IN ELTHAM – SERVED BY 3 BUS ROUTES FROM MOTTINGHAM VILLAGE) AND ANOTHER WE, UNDERSTAND PLANNED FOR THE OLD WAITROSE SITE IN BURNT ASH LANE (JUST OVER A MILE AWAY TO THE SOUTH WEST – SERVED BY 2 BUS ROUTES FROM MOTTINGHAM VILLAGE). TO ADD TO THIS WE ALREADY HAVE 3 ESTABLISHED MINI-SUPERMARKETS IN THE VILLAGE, THE CLOSEST BEING ONLY SOME 30M. AWAY, ON THE OPPOSITE SIDE OF THE ROUNDABOUT, PROVIDING A 24HR.

SERVICE. THE OTHER TWO ARE SITUATED 150M. OR SO TO THE SOUTH OF THE PROPOSED SITE AND BOTH OPEN DAILY FROM EARLY MORNING UNTIL 2200. THEY PROVIDE LOCAL EMPLOYMENT AND A CHOICE FOR LOCAL RESIDENTS. IF THIS APPLICATION IS GRANTED PERMISSION, THEN AT LEAST TWO OF THESE HAVE INDICATED THAT THEY WILL NOT BE ABLE TO SURVIVE. THE REPORT MAKES COMMENT THAT ONE OF THE BENEFITS OF A LIDL STORE WILL BE TO EXPAND CHOICE FOR LOCAL PEOPLE. IN FACT THE EFFECT WILL BE TO SIGNIFICANTLY REDUCE SUCH CHOICE. MARKET FORCES YOU MAY SAY, BUT DETRIMENTAL FOR THE LOCAL COMMUNITY!

MOTTINGHAM VILLAGE PARADE, LIKE MANY SHOPPING PARADES IN THE BOROUGH IS STRUGGLING TO SURVIVE AND SHOULD TWO OF THE MAIN SHOPS CLOSE, THE EFFECT OF THIS LOCAL OVER-DEVELOPMENT IS LIKELY TO BE CATASTROPHIC FOR THE VILLAGE.

FINALLY, TURNING TO THE MATTER OF THOSE LOCAL RESIDENTS, BORDERING THE SITE, THE PROPOSAL WILL, WITHOUT A SHADOW OF DOUBT, HAVE AN ADVERSE EFFECT ON THEIR QUALITY OF LIFE - PARTICULARLY IN TERMS OF PARKING, INCREASED TRAFFIC MOVEMENTS, NOISE POLLUTION, POORER AIR QUALITY AND LIGHT POLLUTION. THE REPORT APPEARS TO DISMISS EACH AND ALL OF THESE ISSUES AS "INSIGNIFICANT". I HAVE TO SAY THAT I, ALONG WITH HUNDREDS OF LOCAL OBJECTORS DO NOT AGREE. THEIR RIGHTS SHOULD NOT BE DISMISSED IN SUCH A DISRESPECTFUL MANNER. THEY ARE BROMLEY COUNCIL TAX PAYERS AND DESERVE TO BE PROTECTED FROM AN APPARENT, CALLOUS BIG BUSINESS, WHICH CLEARLY WISHES TO RIDE ROUGH-SHOD OVER THEIR INHERENT RIGHTS.

FOR THE SAKE OF THE LOCAL COMMUNITY, MADAM CHAIRMAN, I ASK THAT, WHEN COMING TO YOUR CONCLUSIONS, YOU GIVE MORE WEIGHT TO ALL THESE MATTERS THAN OFFICERS HAVE DONE.

TO FINISH, I HAVE THIS EVENING, POSED 6 QUESTIONS WHICH I DO NOT BELIEVE HAVE BEEN COVERED IN THE REPORT AND WHICH THE LOCAL COMMUNITY FEELS SHOULD BE ANSWERED **BEFORE** ANY DECISION IS TAKEN, AS THEY ARE CRITICAL AND MATERIAL:

1. THE REAR OF A LARGE DELIVERY LORRY STICKING OUT INTO THE ROUNDABOUT IN THE LIKELY EVENT THAT IT IS UNABLE TO IMMEDIATELY TURN INTO THE STORE.
2. LARGE DELIVERY LORRIES MANOEUVRING WITHIN THE PUBLIC CAR PARK AND ATTEMPTING TO EXIT THE SITE.
3. THE NARROWING OF THE ROAD WAY THROUGH WIDENING THE EXISTING PEDESTRIAN REFUGE
4. THE ISSUE OF THE DISAPPEARING STREET LAMP

5. THE ISSUE OF THE UTILITIES AND MAINS SERVICES UNDER THE PAVEMENT WHERE RE-ALIGNMENT WOULD TAKE PLACE.
6. THE EFFECT OF INCREASED DEMAND FOR PARKING AND THE POTENTIAL REDUCTION OF LOCAL PARKING SPACES.
- 7.

MADAM CHAIRMAN, I WOULD RESPECTFULLY ASK THAT YOU QUESTION THE HIGHWAYS AND PLANNING REPRESENTATIVES HERE THIS EVENING ON THESE ISSUES BEFORE YOU MAKE ANY FINAL DECISION