

DEVELOPMENT CONTROL COMMITTEE
11 JANUARY 2022

THE FOLLOWING QUESTIONS HAVE BEEN SUBMITTED FOR ORAL REPLY

1. From Mr Stuart Mayer (to be asked by Ms Tara Swift on Mr Mayer's behalf)

The London Plan states that a developments density should be proportionate the sites connectivity to jobs and service. The Walnuts site has a PTAL rating of 4 while Lewisham and Croydon have PTALs 6b. Would the committee agree that any development of a similar density to these towns would be inappropriate here?

Reply:

A planning application for the redevelopment of the Walnuts has been submitted.

The application has not yet been validated and is not therefore yet subject of any formal view or decision by Officers or Development Control Committee and this stage will come much later following consultation and assessment when an Officer report will be presented to the committee for their consideration of the application.

This and any other application for redevelopment in Orpington Town Centre will be considered with regard to current planning policies at that time including those in the London Plan and the Bromley Local Plan relating to density and its relationship to transport accessibility.

Supplementary Question:

During the consultation with the applicant, questions have been raised concerning the number of towers and their heights and varying answers have been provided or none at all. In accordance with the plans, how many towers will there be and what are their heights?

Reply:

The plans will be uploaded onto the Planning Portal when the application has been validated and that will show exactly what has been submitted – everything will be available to view including floor plans and elevations. The Committee has not yet had sight of the plans.

2. From Mr John Pead

Would the 19 story buildings in the proposed Walnuts development impinge on the 2 "views of local importance" listed in the local plan at Crofton Road and at Chelsfield Green?

Reply:

A planning application for the redevelopment of the Walnuts has been submitted.

The application has not yet been validated and is not therefore yet subject of any formal view or decision by Officers or Development Control Committee and this stage will come much later following consultation and assessment when an Officer report will be presented to the committee for their consideration of the application. This will include assessment against current planning policies including those relating to views of local importance.

Supplementary Question:

The Local Plan requires that building development in Orpington enhances the local view. How is it envisaged that buildings significantly higher than any others nearby will enhance the local view? In the Newshopper something was put forward for local response – for those who live in the immediate area of the development. How does that fit into the responses that have been provided this evening as something is being processed, something is acknowledged?

Reply:

The assessment has not yet been undertaken to determine whether this will create harm or not create harm but that assessment will be part of processing this application. There have been a number of consultations and the developer has undertaken their own consultation – there has been a roadshow throughout Orpington and the surrounding area. The Newshopper may have done something as well, there is awareness that the local MP is currently doing something, but the bottom line is that the public consultation which will be taken into consideration in the assessment will open once the application has been validated and has been uploaded onto the Planning Portal

3. From Ms Paula Peters

1. The current lift access in the walnuts Car park is not accessible for disabled people using mobility equipment like power wheelchairs and mobility scooters which require a turning circle to enter & reverse safely. Are the plans going to provide bigger accessible lifts for the walnuts car park?
2. To comply with Fire Safety Regs and the Equalities Act of 2010 will the developers install fire exit signs and buttons in British Sign Language as there are disabled people where BSL is their first language for the Saxon day centre and residential buildings?

Reply:

Redevelopment proposals would need to accord with the current legislation in respect of accessibility, disability, equalities and fire safety, however planning policies and decisions do not exist to duplicate the requirements of other legislation and therefore these issues may not be planning considerations, however where they are they will be assessed against the development plan once the application is validated and ready to be considered.

4. Mr Andrew Stotesbury

Will this committee provide full disclosure and details of any: contracts, contact, arrangements, and accommodations between anyone within Bromley Council and Areli including: anyone within their payment or influence? To include: meetings and records, details of any 'ad-hoc' contacts, discussions, and documentation. If not then provide comprehensive details why?

Reply:

Such a request would need to be handled in line with the Freedom of Information Act 2000 on receipt of a valid Freedom of Information Request.

Supplementary Question:

The local councillors in the Orpington area have given this development their blessing and their acceptance. How can this be done when there has not been a formal application on the table?

Reply:

We are all entitled to our own individual opinions but of the three Orpington councillors only one is a Member of this committee and able to vote on this committee and it is essential that all Members of the Committee, consistent with our Planning Protocol approach every application on its merits and do not predetermine that application. Until such time as we actually see the application, we should not be forming an opinion. I am confident that the one colleague on this committee who is an Orpington councillor will abide by the Planning Protocol.

Councillor William Huntington-Thresher (Orpington Ward), confirmed that , depending on when the application was presented to the Committee for consideration and should he remain a councillor and still be on the committee, he would remain, as was required under Probity in Planning, open to persuasion all the way through the process and including at the Committee meeting where the application was considered.

THE FOLLOWING QUESTIONS HAVE BEEN SUBMITTED FOR WRITTEN REPLY

1. From Mr Paul Summers

Is and if so how is Bromley Council paying due regard to safe accessible cycling and walking routes, good quality public transport sited close to key services when it comes to housing development planning policy?

Reply:

The Bromley Local Plan and the London Plan set out a range of planning policies which aim to ensure good access to sustainable transport. For example, policy 31 of the Local Plan which states that any new development likely to be a significant generator of travel should be located in positions accessible or capable of being made accessible by a range of transport modes, including public transport, walking and cycling; and policy T2 of the London Plan which requires development proposals to deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling. The Local Plan and London Plan are the key documents used to assess planning applications in the Borough.

2. From Mr Steve Wehrle

Are the Committee aware of the amount of opposition to the current plans for the Walnuts, with various petitions and a Facebook group with nearly 900 locals, who do not want what is on offer from Areli?

Reply:

A planning application for the redevelopment of the Walnuts has been submitted. Once validated, this application will be subject to public consultation. Any objections received will be considered by officers in making a recommendation and the committee as part of the determination of the application.

3. From Ms Lucy Fairbairn

Why are you determined to make Orpington another Croydon? What is the benefit of High rises to the local population?

Reply:

A planning application for the redevelopment of the Walnuts has been submitted. Once validated, this application will be subject to public consultation. Comparisons to other town centres are not part of any established planning policies, however the application will be considered against current policies in the Bromley Local Plan as well as the London Plan which include specific policies around tall buildings and other aspects of redevelopment. The committee has not yet considered this application.

4. From Mr Peter Noorlander

1. Manufacturing and construction contribute 12% of UK greenhouse gas emissions, with cement, iron, steel, and energy intensive machinery required to construct with those materials representing a significant proportion. Will the committee consider adopting the retainment of all existing building frames and foundations, unless faults can't be remedied?
2. The Royal Institute of British Architects has advocated halting demolition in order to lower greenhouse gas emissions. It reports that 50,000 buildings are demolished in the UK every year, producing 126 million tonnes of waste - two-thirds of the UK's total. Will the committee consider a policy of repurposing existing structures over demolition?

Reply:

The Bromley Local Plan (2019) does not currently include such policies. Any policies promoting retrofit first would need to be adopted as part of the Local Plan review. Work on the review is underway and there will be several rounds of public consultation of draft documents as part of the preparation process.

5. From Ms Carol Pitman

How is Committee monitoring the number of unoccupied properties (including new-builds), and using this (current and reliable data) to inform its Orpington decisions - ensuring permission for residential building is not just a tick-box process for meeting housing targets, but demonstrably meets housing demand by area and by type?

Reply:

The London Plan sets out borough housing targets which all boroughs must meet. Where targets are not met, this can trigger various punitive measures as part of the Government's housing delivery test, which is monitored using information on additions to housing supply and includes annual figures on the net change in vacant properties - <https://www.gov.uk/government/statistical-data-sets/live-tables-on-dwelling-stock-including-vacants>. The evidence which underpins the Local Plan and the London Plan does have regard to need for specific types of housing, and there are policies in place in the Local Plan and the London Plan which aim to deliver homes for which there is an evidenced need, e.g. relating to different housing tenures and housing size mix. These policies will form part of the assessment of planning applications for new housing, alongside the housing target and a range of other policies.

6. From Ms Kelly Lee

As a resident of Uplands Road I am extremely concerned about Areli's proposals. Such overbearing structures would have a devastating impact on me and my neighbours through overshadowing and loss of privacy. Will the committee ensure that planning policy is correctly adhered to regarding loss of amenity to all immediate neighbours?

Reply:

A planning application for the redevelopment of the Walnuts has been submitted. Once validated, this application will be subject to public consultation. Current planning policies in respect of the amenity of neighbouring properties will be assessed in the officer report to the committee and the committee will ultimately consider the application with regard to these and other relevant policies.

7. From Ms Gill Georgeson

Can the committee confirm that they will ensure that planning guidelines will be followed and that due consideration is given to loss of amenity to those homes in the immediate vicinity e.g. loss of light/overshadowing and privacy?

Reply:

A planning application for the redevelopment of the Walnuts has been submitted. Once validated, this application will be subject to public consultation. Current planning policies in respect of local character and impact will be assessed in the officer report to the committee and the committee will ultimately consider the application with regard to these and other relevant policies.

8. Ms Jean Seager

How can the council even consider building two 19 storey skyscrapers close to each other in the middle of the Walnuts shopping centre in Orpington when they will clearly be out of character with the existing area, as stated in the Local Plan? The visual impact in terms of height and density of these and the other 16 high rise blocks will be enormous and represents an overdevelopment of such a small area.

Reply:

A planning application for the redevelopment of the Walnuts has been submitted. Once validated, this application will be subject to public consultation. Current planning policies in respect of local character and impact will be assessed in the officer report to the committee and the committee will ultimately consider the application with regard to these and other relevant policies.

9. From Jamie Devine

1. To avoid additional congestion and pollution, improve residents' health and encourage active travel, new residential developments should remove all barriers to habitation without private transport. Will the committee consider a requirement for all new residential developments to be accessible to a suitably sized supermarket within a 10 minute walk?
2. High energy consumption and wastage are inherent in the design and construction of a building. The Local Plan cites the London Plan's ambition to reduce carbon dioxide emissions by at least 20%. Will the committee consider a much more ambitious and necessary requirement for all new developments to be passive?

Reply:

There are existing planning policies which relate to the provision of services for new residential development and health, pollution and travel and additionally energy and waste. Any new policy requirements would need to be adopted as part of the Local Plan review. Work on the review is underway and there will be several rounds of public consultation of draft documents as part of the preparation process.

10. From Mr David Morrison

1. How many meetings between Councillors and/or Council Officers have taken place with Areli/Tikehau (Walnuts owner) in connection with the proposed development of the Walnuts Centre?

Background: In the Local Government Association "Probity in Planning" advice on pre-planning application discussion it states "a written note of such meeting should be placed on file as a public record. If there is a legitimate reason for confidentiality regarding a proposal, a note of the non-confidential issues raised or advice given should be placed on file to reassure those not party to the discussion"

Please can you direct me to those notes? Would Montagu Evans who are advising the Council be subject to the same standards?

Reply:

This question amounts to a Freedom of information Request and has therefore been referred to the relevant section for response. Any response will be provided in line with the Freedom of Information Act 2000.

11. From Mr David Swift

Areli have told me that the new development will replicate existing facilities but haven't provided layout details. Can you confirm that the new public leisure facilities will have the same floor space as current leisure centre and if not could you advise the relative sizes?

Reply:

This information will be in the public domain once the newly received planning application has been through the validation process and public consultation has commenced.

12. Ms Kerry Sanders

Given the substantial number of apartments proposed in each block, I would like to know how highway safety will be maintained, particularly in light of the generation of additional traffic in the immediate area and taking into consideration the additional parking/loading, turning of vehicles, plus the noise and disturbance resulting from this?

Reply:

Highway safety and the impact of vehicular movements are matters which will be considered in the planning application process and the Highway Authority will be consulted on the application.

13. From Mr David Marshall

1. Does the Council have a dedicated officer monitoring the development at Calverley Close and if so can details be provided?
2. Does the Council have a view on what constitutes good and poor consultation with regards to the development of a tenanted site, and what powers does it have to enforce best practice?

Reply:

There is no current planning application or permission for the redevelopment of Calverley Close. If and when an application is submitted this will have an allocated planning case officer.

From a planning point of view consultation will be conducted in line with the Council's Statement of Community Involvement which can be accessed via the Bromley Council website. This is required to demonstrate that the views of the

local community have been sought and taken into account in the formulation of development proposals.

14. From Ms Sarah Fisher

I would like to ask a question at DCC on 11th Jan. Can the committee promise that residents of Homefield Rise will not be blighted by loss of light or privacy by the proposed development of the Walnuts. Will they also ensure that local roads are able to cope with the increased traffic that up to 1,000 new residents will create.

Reply:

A planning application for the redevelopment of the Walnuts has been submitted. Once validated, this application will be subject to public consultation. Current planning policies in respect of the amenity of neighbouring properties including loss of light and privacy and highway matters will be assessed in the officer report to the committee and the committee will ultimately consider the application with regard to these and other relevant policies.

15. From Ms Chloe-Jane Ross

1. Is the DCC concerned about the height of the proposed development at Calverley Close which overlooks Beckenham Place Park which is used by many Beckenham residents, and does the Council have any powers to limit the height?
2. Some of the residents of Calverley Close have raised concerns about the development and the consultation processes of Riverside - what statutory and/or non statutory role does Bromley Council have in protecting residents?

Reply:

There is no current planning application or permission for redevelopment at Calverley Close. If and when an application is received it will be assessed against the Development Plan (which includes tall building policies) and any other material considerations. Developers are required to submit a statement of community involvement that demonstrates that the views of the local community have been sought and taken into account in the formulation of development proposals. Bromley Planning will also carry out public consultation as outlined in the Council's Statement of Community Involvement which is available on our website.

16. From Ms Lara Suths

Why is the Areli development contrary to the Bromley local plan (section 4 transport and accessibility Policy 30 Residential Parking Standards) which states that provision of parking should be 0.7 - 1.5 for tower blocks providing 1-2 bedroom to 3 bedroom

properties respectively? The current plan proposes an allocation of 0.3 parking spaces per household.

Context: Please see below.

FROM THE BROMLEY LOCAL PLAN SECTION 4

4.1.5 Bromley has one of the highest car ownership levels in London (1.2 per household, Census 2011) and an average public transport accessibility level (PTAL) score of 2.7 (Transport for London, 2010)

Parking standards in Table 1 reflect these local circumstances.

2*-6a	1-2 bed 0.7 (min) - 1 (max)	3 bed 1 (min) - 1.5 (max)	4 bed 1.5 (min) - 2 (max)
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Minimum levels of parking for new residential developments are required in order to ensure new developments do not generate additional intrusive or obstructive on-street parking as a result of inadequate on-site provision.

Reply:

A planning application for the redevelopment of the Walnuts has been submitted.

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17. From Mr Derek Archer

Background: At present residents of the Walnuts Estate, and further afield, enjoy Digital TV and Radio services from the Crystal Palace transmitter. These signals radiate in straight lines and go very close to the current tower block at Orpington College. Any new high rise developments in this vicinity would adversely affect, if not totally block, reception to Walnuts Estate residents.

Would the Development Control Committee please give an assurance that any developments near to the Walnuts Centre would not affect TV and Radio reception to Walnuts Estates residents?

P.S: Please note that in similar situations developers have suggested they might support the roll out of fibre TV services. This would not be a suitable alternative as the Walnuts Estate is already fully fibred by both BT and Virgin. Their services are not supplied free of charge, as the existing transmissions are from Crystal Palace, so would cause residents additional costs in perpetuity.

Reply:

The Local Planning Authority will consult Arqiva, who are the transmission company used by broadcasters to distribute and transmit their programmes on the proposal if there is reason to believe it will interfere with reception. At this point in the application process it is not possible to say whether the proposal will affect reception or how this could be addressed and it is recommended that this matter be raised in formal representations to the application once it has been validated and consultation has commenced.

18. From Ms Sheila Brown

Context: I understand that the Developers are intending to carry out their proposals in phases. Phase one involves demolition of the Walnuts Leisure Centre, to construct one of the 19 storey towers. I object most strongly to this demolition of a perfectly usable, serviceable building, leaving residents without this highly valued and well used amenity. Given Bromley's target of reducing emissions, it has been shown that emissions from demolition of buildings are a huge contributory factor, and in light of discussions at the recent COP26 it flies in the face of all common sense to embark on a huge programme of demolition in a town centre.

1. How does Bromley Council, plan to protect nearby residents and business employees from pollution and emissions resulting from the demolition process? Surely any procedure of this kind would have to have a Health and Safety procedure established? I urge Bromley Council to think long and hard about this and to seek professional advice before making any decision to proceed.

Reply:

No planning permission yet exists for this proposal, however planning permissions for large scale redevelopment would normally include planning conditions aiming to minimize pollution and emissions from the construction phase. In addition, the Council's Environmental Health team has a published Code of practice for the control of noise from demolition and construction sites.

19. From Ms Alsia Igoe

Item 6: Planning Application (21/03231/FULL1) – 70 High Street, Bromley BR1 1EG

1. Q: Documents for this application, an extremely large development, were not included with the agenda when it was published. The papers were eventually added on 5 January, and Democratic Services confirmed the extension of the 48 hour public agenda question deadline until 7 January. Were the many residents who had supported/objected to this application notified of the deadline extension for public questions?

Reply:

The complexity of the reports for this meeting combined with officer workloads and the Christmas break unfortunately led to unexpected delays in finalising the planning application reports for the January Development Control Committee and the reports were not ready as anticipated but needed to be added late. Due to the gaps in between meetings and the timescales involved in these cases deferring to a later committee was not possible / desirable.

The Planning Department do not routinely notify interest parties of the deadlines for questions to Committees, the deadlines are published on the Council's website. However, when the supplementary agenda was published on 5 January 2022, details of the revised question deadline were included on the agenda front sheet.