

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held at 7.30 pm on 9 March 2022

Present:

Councillor Alexa Michael (Chairman)
Councillor Yvonne Bear (Vice-Chairman)
Councillors Vanessa Allen, Julian Benington, Katy Boughey,
Peter Dean, Simon Fawthrop, Christine Harris, Colin Hitchins,
Charles Joel, Josh King, Tony Owen, Kieran Terry,
Pauline Tunncliffe and Michael Turner

Also Present:

Councillor Christopher Marlow

91 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillor William Huntington-Thresher, Councillor Samaris Huntington-Thresher and Councillor Richard Scoates. Councillor Pauline Tunncliffe attended as alternate for Councillor William Huntington-Thresher.

92 DECLARATIONS OF INTEREST

There were no additional declarations of interest.

93 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

Four questions for oral reply and four questions for written reply were received. These are attached at **Appendix A**.

94 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 11 JANUARY 2022

The minutes of the meeting held on 11 January 2022, were agreed and signed as a correct record.

95 (20/04838/FULL1) - UNIT 2A FARNBOROUGH WAY, ORPINGTON, BR6 7DH

Description of application - Demolition of existing buildings on site. Redevelopment to provide a food store (Class E) and associated access, car parking, and landscaping works.

The Planning Officer gave a brief presentation, providing an overview of the amendments proposed and update on the report.

Oral representations in support of the application were received from the applicant who gave the following responses to Member questions:-

- The pedestrian access from residential roads had been closed off as a result of consultation with local residents but if necessary, pedestrian access could be opened up.
- It was not considered that a new Aldi Store would have a significant impact on the existing local stores in Farnborough Village. The main competition would be with other supermarkets in the locality.
- It was considered that traffic through Farnborough Village would be limited and although there may be a modest increase, there would not be a significant impact on the Village. The figures for traffic through the Village (accepted by TfL) were 22 (weekday peak) and 37 (Saturday peak). Calculations had indicated that in any one hour there would be 70 departures and 70 arrivals to the store (with 22 of these travelling through the Village).
- For traffic heading south from Bromley, it would not be possible to turn right into the store, so traffic would have to make a u-turn at the roundabout to access the store.
- A large proportion of staff, if not all, would be recruited from the local area and would therefore not be parking in the local area. The store was also on a bus and cycle route. While some staff may drive to the store, this would be a small number and it would be wrong to assume that all staff had access to a car.

Oral representations in objection to the application were received from a neighbour.

Councillor Marlow, local Ward Councillor, addressed the Committee explaining that, in his view, the Officer's report provided an excellent assessment of the application, and he supported the Officer recommendation of refusal for 4 key reasons:

1. The application was balanced in terms of support and opposition. However, it was noticeable that those opposed to the application provided extensive details of the grounds for their opposition, while no such detail was provided by those in support. It was also noticeable that residents in support of the application lived on the other side of the A21 and were therefore less affected by the proposals.
2. A number of residents had expressed concerns around traffic to the site.
3. TfL had proposed a pedestrian walkway to residential roads but local residents had expressed concerns about this proposal on the grounds of safety.
4. Due to the current policies being pursued by TfL, it was unlikely that a new bus route would be introduced. Consequently, the site was likely to remain car dependant.

As a result of the above, Councillor Marlow encouraged the Committee to support the Officer recommendation and refuse the application.

Committee Member and Ward Member Councillor Joel thanked the Members of the Committee who had attended the site visit. All three Ward Members supported the Officer recommendation of refusal. It was the view of the Ward Members that the building would be detrimental to the area due to the size, mass and bulk, together with the traffic movement in and out of the car park. It was also noted that the roots of the large oak tree could be damaged during the land excavation to create the lower ground floor steel sheeting. There would also be a gap in the central island in Farnborough Way and visitors to the site may use this to turn right when coming out of the car park. There appeared to be no provision for waste/food disposal bins or storage on the plans. The proposed location of the manager's office, meeting room and staff room, together with the cycle racks on the lower ground floor, may allow employees to make use of the side door access, with staff perhaps parking their cars in nearby roads. Although it could be a condition with any consents for foul and surface water disposals, it was the view of Councillor Joel that these should have been shown in the plans. Consequently, Councillor Joel supported the Officer recommendation and moved that the application be refused. Councillor Fawthrop seconded the motion for refusal.

Councillor Benington explained that he had lived in Farnborough Village for a number of years and was therefore familiar with the Village. The proposed opening hours (8am to 10pm) were long and would be a disturbance to local residents. Delivery times were also long and there would be consequent noise affecting local residents. It was unlikely that staff would cycle to work and as a result of shift patterns, the majority of staff were in fact likely to travel by car. As a result, Councillor Benington supported refusal.

Councillor Terry queried how, with the pedestrian access now closed, local roads would be congested with parked cars. It was also noted that market competition was not a material planning consideration. There were a number of benefits to the application such as increased employment, greater choice and reduced travel to other supermarkets.

Members having considered the report and objections, RESOLVED that PERMISSION BE REFUSED as recommended, for the reasons set out in the report of the Assistant Director, Planning and the additional reason:-

1. The proposal would add to traffic in the locality.

96 (21/03190/FULL1) - THE PRINCESS ROYAL UNIVERSITY HOSPITAL, FARNBOROUGH COMMON, ORPINGTON, BR6 8ND (FARNBOROUGH AND CROFTON)

Description of Application - Erection of a 197 spaces parking deck.

The Planning Officer gave a brief presentation, providing an overview of the application and update on the report.

Oral representations in support of the application were received from the applicant who gave the following responses to Member questions:-

- The existing surface level car park would be realigned to provide 195 shared parking spaces with 40 electric vehicle charging points.
- An additional parking deck further than the current proposal could provide more parking spaces. However, a further floor would be level above the existing tree lines and would create disturbance to neighbours on Barkway Drive which did not exist with the current proposal. There was existing accommodation for staff at two locations and staff had indicated that they preferred to leave the site for their rest breaks.
- An acoustic assessment had been undertaken and had passed due consideration. A single deck was being proposed. The deck would be fully constructed off site with in-situ construction estimated to take around 90 days. The foliage around the extremity of the site would also mitigate against noise.
- If approved, the car park would be fully constructed and open by November 2022.

The Chairman reported that she had received an email in support of the application from Councillor David Jefferys, Chairman of the Health and Wellbeing Board.

Committee Member and Ward Member Councillor Joel reported that the total figure of 773 spaces included 51 spaces for the proposed new Endoscopy Unit that had not yet been given approval under Town and Country Planning Acts. The Council had a policy to allow on-street parking in areas throughout the Borough and the surrounding roads in close vicinity of the hospital. In the view of Councillor Joel, this would not change once the new car park deck had been completed. A number of concerns had been raised by local residents concerning the impact of flood lighting, car headlights and the need to ensure that additional landscaping was provided to the perimeter of the site. The Planning Department were encouraged to take all measures to ensure that the points were fully addressed. Councillor Joel supported the Officer recommendation and moved that approval be granted. The motion for approval was seconded by Councillor Peter Dean.

The Chairman expressed the view that the application would assist with parking provision and reduce pressure on parking in residential roads near the hospital. She therefore welcomed and supported the application.

Councillor Fawthrop suggested that an additional condition for swift bricks and sustainability measures should be included, and it was agreed these would be included in the future endoscopy unit application.

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

It was further RESOLVED that a condition be added regarding renewable energy on site to be agreed between the Hospital Trust and Officers.

97 (21/03622/FULL1) - BURNT ASH HEIGHTS, PIKE CLOSE, BROMLEY, BR1 5BN (PLAISTOW AND SUNDRIDGE)

Description of Application - Demolition of existing buildings and phased redevelopment comprising 170 residential units in buildings ranging from 2 to 13 storeys. Associated landscaping, car and cycle parking and ancillary development

The Planning Officer gave a brief presentation, providing an overview of the application and update on the report. The applicant had agreed the outstanding heads of terms, the bus contribution had been paid and the condition concerning the pedestrian crossing had been amended to require the pedestrian crossing improvements being carried out within 2 years of completion of the development.

Oral representations in objection of the application were received from a local resident.

Oral representations in support of the application were received from the agent who gave the following responses to Member questions:-

- The points that had been raised concerning overlooking were fully understood and the current proposals were the optimum solution to the competing challenges of delivering units and protecting residential amenity.
- Time and effort had gone into ensuring the flow of the building and protecting the landscape and environment.
- A variety of measures were being applied in terms of renewable energy. The cost of living for residents would be significantly less.
- The proposals would meet electric charging requirements.
- The number of additional units being proposed ensured the viability of the scheme.
- The scheme was consistent with Tall Building Policy. Different permutations had been considered and the proposals before the Committee were the optimum balance.

The Chairman reported that she had received an email from Ward Councillor Peter Morgan in support of the application.

Committee Member and Ward Councillor Turner reported that while he supported redevelopment of the site, he was not in favour of the current

proposals which included more high-rise building. While there had been a ballot of residents and the majority had been in favour of redevelopment, they had not been in favour of this particular scheme. The proposals represented an overdevelopment of the site and many grounds of objection had been put forward. The proposals replaced one 13-storey block with a number of other high-rise blocks. There was insufficient parking and this would burden surrounding roads which were already under pressure. It was also disappointing that there was no increase in social housing units. Councillor Turner also highlighted that the proposal did not accord with London Policy D9. Consequently, Councillor Turner moved refusal on the grounds of overdevelopment, visual impact on surrounding areas and failure to comply with London Policy D9. Councillor Owen seconded the motion for refusal.

Councillor Peter Dean recognised the constraints of developing urban areas and while acknowledging the loss of amenity, there was a shortage of housing supply and this was the overriding factor. As such Councillor Dean moved approval. The motion was seconded by Councillor Christine Harris.

In response to a question from Councillor Terry, Officers confirmed that this site was not included in the 5-year housing land supply which had included only deliverable sites (i.e. those with planning permission) and at the time Officers had not been in a position to include this site.

The Planning Officer reported that, were the Committee minded to approve the application, an energy condition would be included. The Planning Officer also confirmed that a Biodiversity condition was recommended and that the wording should be amended to require the condition details prior to 'above-ground works'. The Planning officer also clarified that any permission granted would be subject to any additional conditions as advised by the Assistant Director of Planning and Building Control.

Councillor Fawthrop requested that an additional condition concerning ridge height be added.

Members having considered the report, objections and representations, RESOLVED that PERMISSION BE GRANTED SUBJECT TO LEGAL AGREEMENT AND ANY DIRECTION BY THE MAYOR OF LONDON as recommended and subject to the conditions and informatives set out in the report of the Assistant Director, Planning.

It was further RESOLVED that the following additional conditions be added:

- 1. Energy**
- 2. Ridge height**

**98 (21/04667/FULL1) - 62 HIGH STREET BROMLEY BR1 1EG
(BROMLEY TOWN)**

Description of Application - Proposed conversion of existing building and 3-storey roof extension to accommodate Class E commercial space on the ground floor and 30 residential flats on the upper floors. Cycle and refuse storage to be provided at ground floor level.

The Planning Officer gave a brief presentation, overview of the application and update on the report.

Oral representations in support of the application were received from the applicant who gave the following responses to Member questions:-

- Due to the constrained town centre site, it was very difficult to accommodate disabled parking spaces. Census data demonstrated that car ownership for people in a wheelchair living in a town centre location was relatively low.
- The current empty unit had been marketed for some time and had received approaches from the likes of second-hand stores. The proposals before the Committee were about sustaining the high street.

The Chairman reported that she had reviewed the application which met what the Council was looking for in planning terms. The proposed design was in keeping with the existing building and 30 units was about right for the site, although it was regrettable that there were no affordable units. The Chairman moved that permission be granted. The motion was seconded by Councillor Fawthrop who expressed disappointment that about the lack of disabled parking and requested an additional condition concerning ridge height.

Councillor Allen noted the emails from Bromley Civic Society that had previously been circulated and expressed the view that the way the original building design had been preserved worked well.

Members having considered the report, objections and representations, RESOLVED that PERMISSION BE GRANTED SUBJECT TO A LEGAL AGREEMENT as recommended and subject to the conditions and informatives set out in the report of the Assistant Director, Planning.

It was further RESOLVED that a condition be added concerning ridge height.

**99 CONFIRMATION OF ARTICLE 4 DIRECTIONS TO REMOVE PART 1, CLASS B AND C PERMITTED DEVELOPMENT RIGHTS IN PETTS WOOD ASRC AND CHISLEHURST ROAD CONSERVATION AREA
Report HPR2022/012**

The report recommended that the Council confirmed two non-immediate Article 4 Directions to withdraw permitted development (PD) rights which

allowed various alterations to the roof of a dwellinghouse without planning permission. These Directions would withdraw Part 1, Class B and C PD rights in the Petts Wood Area of Special Residential Character as shown in the Bromley Local Plan (January 2019); and withdraw Part 1, Class C PD rights in the Chislehurst Road Conservation Area (based on the boundary prior to recent changes). The Direction would replace an existing Direction which removed these PD rights on front roof slopes only. In line with the requirements of legislation, representations on the proposed Directions were sought. The Council must take into account any representations made before it confirmed the Article 4 Directions. No representations were received. If confirmed, the Directions would come into force on 19 July 2022.

The Committee noted that the new Conservation Areas (The Thrifts and The Covert) were covered by the Direction. The Head of Planning Policy and Strategy also confirmed that the Chenies Conservation Area was already covered by a similar Direction.

RESOLVED: That

- 1. The confirmation of two non-immediate Article 4 Directions to withdraw Part 1, Class B and C PD rights in the Petts Wood Area of Special Residential Character; and withdraw Part 1, Class C PD rights in the Chislehurst Road Conservation Area be endorsed. These PD rights are currently granted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (“the GPDO”). The areas covered by the Directions are shown on the maps at Appendix 1 and Appendix 2.**
- 2. The making of a direction to cancel the existing Article 4 Direction which removes Part 1, Class B and C PD rights on front roof slopes in the Petts Wood ASRC be endorsed. The timing of this cancellation will be aligned with the date when the new direction comes into force, so as to avoid any gap in coverage of the directions.**
- 3. The Committee notes that the matter will be considered by the Renewal, Recreation and Housing Policy Development and Scrutiny Committee for pre-decision scrutiny.**

**100 CONFIRMATION OF SIX ARTICLE 4 DIRECTIONS TO REMOVE PERMITTED DEVELOPMENT RIGHTS FOR USE CLASS E TO RESIDENTIAL USE
Report HPR2022/011**

The report recommended that the Council confirmed six non-immediate Article 4 Directions to withdraw permitted development (PD) rights which allowed premises in Use Class E to change to residential use. These Directions applied to three Business Improvement Areas and three Office Clusters as set out in the Bromley Local Plan. The Directions would replace existing Directions which removed office to residential PD rights in these

areas; these existing Directions would lapse on 31 July 2022. In line with the requirements of legislation, representations on the proposed Directions were sought. The Council must take into account any representations made before it confirms the Article 4 Directions. No representations were received on the six proposed Directions. If confirmed, the Directions would come into force on 27 July 2022.

RESOLVED: That

- 1. The confirmation of six non-immediate Article 4 Directions to withdraw Part 3, Class MA PD rights in Bromley's Business Improvement Areas and Office Clusters, as designated in the Bromley Local Plan and shown at Appendix 1 be endorsed. These PD rights are currently granted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("the GPDO").**
- 2. The Committee notes the matter will be considered by the Renewal, Recreation and Housing Policy Development and Scrutiny Committee for pre-decision scrutiny.**

101 HOUSING DELIVERY TEST UPDATE
Report HPR2022/013

The report provided an update on the 2021 Housing Delivery Test results and the implications for Bromley. The results triggered the requirement to prepare an action plan to assess the causes of under-delivery and identify actions to increase delivery in future years; this should be published within six months of the 2021 Housing Delivery Test results being published (i.e. by July 2022).

RESOLVED: That the report be noted.

102 DELEGATED ENFORCEMENT ACTION (OCTOBER 2021 TO DECEMBER 2021)
Report HPR2022/014

The report set out the enforcement action authorised under delegated authority for alleged breaches of planning control.

Members noted that an additional table (setting out the information in Ward order with a glossary) had been circulated and published on the website.

The Committee requested that in future the recommendation column should appear in plain English to make it more understandable for members of the public reading the report.

Councillor Terry highlighted that there had been some delays with enforcement of the Untidy Site Notice for Victoria Road, Chislehurst. The

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Assistant Director for Planning and Building Control agreed to look into the matter further and provide an update following the meeting.

RESOLVED: That the report be noted.

The Meeting ended at 9.43 pm

Chairman