

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held at 7.30 pm on 10 January 2023

Present:

Councillor Alexa Michael (Chairman)
Councillor Keith Onslow (Vice-Chairman)
Councillors Jonathan Andrews, Peter Dean, Simon Fawthrop,
Christine Harris, Alisa Igoe, Charles Joel, Josh King,
Tony McPartlan, Tony Owen, Chloe-Jane Ross, Shaun Slator,
Alison Stammers, Melanie Stevens and Thomas Turrell

Also Present:

Councillors Yvonne Bear, Will Connolly, David Jefferys and
Michael Tickner

41 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Mark Brock and
Councillor Thomas Turrell attended as his substitute. Apologies for absence
were also received from Councillor Kevin Kennedy-Brooks.

42 DECLARATIONS OF INTEREST

Councillor Tony McPartlan declared that he was a Governor of King's College
Hospital NHS Foundation Trust.

Councillor David Jefferys, Guest Member declared that he was also a
Governor of King's College Hospital NHS Foundation Trust.

43 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions were received.

44 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 8 NOVEMBER 2022

RESOLVED: That the minutes of the meeting held on 8 November 2022
be agreed and signed as a correct record.

45 (22/00740/FULL1) - THE PRINCESS ROYAL UNIVERSITY HOSPITAL, FARNBOROUGH COMMON, ORPINGTON, BR6 8ND (FARNBOROUGH AND CROFTON WARD)

Description of Application: Erection of an endoscopy unit and a sub-station.

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 Chief Executive of the Princess Royal University Hospital (PRUH) who mentioned the time critical nature of decision making on the project and the need for an early decision if it was to proceed. He gave the following responses to Members' questions:

- Improved cancer diagnosis and treatment was a key priority in Bromley's Health and Wellbeing Strategy. One in two people would develop cancer in their lifetime. Although the cancer treatment standard of no more than two-weeks between GP referral and initial assessment was currently being met across King's College Hospital NHS Foundation Trust, targets for the diagnostic tool of endoscopy services were not being met. These services were often outsourced to other providers across South East London and the PRUH had to make significant use of its general operating theatres to deliver endoscopy procedures on a daily basis.
- While it was anticipated that artificial intelligence would improve clinical practice over the medium to long term, this would only be appropriate for a limited number of patients and the proposed unit was therefore considered an appropriate and necessary investment, particularly as an increasing number of patients required return surveillance. Councillor Simon Fawthrop asked whether the PRUH would be prepared to accept a planning condition that the proposed unit could only be used for endoscopy with any change of use requiring a further planning application and the Chief Executive confirmed that this would be acceptable.
- The PRUH had worked with the Council for over 18 months to review and develop options for the new endoscopy unit and had provided all necessary and requested documents. The Chief Executive drew Members' attention to an inconsistency in the Planning Officer's report which did not reflect the cycle storage that was included in the design scheme. The new unit would deliver six additional endoscopy facilities with one existing facility in the main PRUH building to be retained for critical emergency endoscopies. This was anticipated to provide sufficient capacity to 2036, based on the current trend of 3% annual growth. The five endoscopy theatres at the Denmark Hill site would also be retained, reflecting the high demand for this clinical area which was divided equally between active interventions and diagnostic procedures.
- A range of sites had been considered across Bromley and the wider King's Group. However, due to the invasive nature of endoscopic tests and procedures, the proposed unit could only be based at Denmark Hill or the PRUH which had the necessary co-located critical services. Government funding was only being made

available for units that met all technical clinical standards under the Joint Royal Colleges. A service offer divided across multiple sites would not meet these standards and would have additional cost and efficiency implications. There was no scope to co-locate services with the Guys and St Thomas' NHS Foundation Trust or the Lewisham and Greenwich NHS Trust as both Trusts already had set plans for the expansion of their endoscopy services.

- It would not be possible to move the proposed unit within the identified development space due to limitations with the physical land available and high voltage services being routed through the area which would increase the total cost of the scheme by more than £4M and was considered unaffordable. Following concerns raised by local residents, the flood risk of building the unit on the proposed site had been fully investigated and both the PRUH and Council flooding experts had concluded the proposed development would not create an added flood risk. There was no possibility that the PRUH would be able to purchase any residential properties affected by the proximity of the unit.
- With regard to the proposed site for development:
 - Information had been provided to the Local Authority in December 2022 with regard to the badger sett located in the area for development, including video evidence which captured a single badger foraging in the area during a 20-day period. While the Local Authority was concerned that the evidence provided did not identify the type of badger sett, the licensed ecologist acting on behalf of the applicant had identified the main badger sett as being located in the Darrick Wood area and Natural England had advised that a badger sett could be moved if it was unoccupied.
 - The 49 trees within the area for development had been assessed by the Council's Tree Officer as being of low or moderate quality and highly replaceable. The finished planting scheme would replace all but six trees within the curtilage of the hospital site and discussions were underway with the Local Authority to replace the remaining six trees at another location within the Borough or alternatively a set unit fine could be paid.
 - Revisions had been made to the building design in response to the consultation response, including a 15% reduction in the overall building footprint and the lowering of the building height by two metres. Further reductions in scale were not possible due to the design requirements for six operating theatres but all windows facing residential properties had been removed or would be masked with security filming, and a sealed curtilage would create a secure area. The hospital would have a net increase in 36 car parking spaces by the end of the build.

However, as the number of patients treated by remote consultation continued to increase, a net gain in reduced transport carbon effect would be achieved.

Oral representations objecting to the application were received from a local resident representing Starts Close who gave the following responses to Members' questions:

- Local residents were very concerned about the planning application which was inaccurate and lacking in detail. The proposed building was of inappropriate size and scale and a staff exit point had been placed close to residential properties. The design would remove a security wall built in 2001 at the direction of the Chief Planner with a condition that it be maintained 'as such thereafter' in the interest of the amenities of the residents of Starts Close. There would be no space for a replacement wall under the proposed scheme.
- The proposed unit would cause a loss of biodiversity in a unique site, negatively impacting protected species including badgers and bats. The West Kent Badger Group had advised that the dry summer was likely to have reduced badger activity during the 20-day monitoring period but despite this, a badger had been recorded as entering and staying in the badger sett which indicated it was active. The mature trees in this area contributed towards the Borough's Carbon Strategy and also fully screened the residential properties in the summer months in a way which could not be replicated by saplings. Local residents had significant concern that the loss of tree roots and the garden space would create an increased flooding risk in an area prone to historic flooding.
- Local residents had expressed concerns about the robustness of the consultation undertaken by the PRUH on the proposed development. Although representatives had met with local residents, there had been no follow-up meeting and the proposed building was now bigger than that consulted on. Summercroft GP Surgery had not been approached by the PRUH at all and had provided a consultation response explaining how the proposals would disrupt the surgery.

Councillor David Jefferys, Guest Member (authorised by the Chairman in light of his special expertise in health), addressed the Committee and gave the following responses to Members' questions:

- Due to the Borough's older demographic, cancer was the top priority in the current Joint Strategic Needs Assessment. The Government funding on offer presented a unique opportunity to deliver a new endoscopy unit to improve cancer treatment and diagnosis in Bromley and would impact positively both individual patient care and wider public health. Due to the set criteria of the Joint Royal Colleges regarding training, it would not be possible to

split the unit across multiple sites and any such service model would also be far less efficient than the single location proposed. It should be noted that the Government funding was time-limited, and it was unlikely another planning application could be successfully submitted in time to apply for this one-off funding opportunity.

- The role of a Governor of King's College Hospital NHS Foundation Trust was to appoint the Chairman and represent local areas at the Council of Governors and associated committees. Governors could also raise questions with the Trust Board on wider financial and governance matters.

The Chairman invited Councillor and Ward Member Charles Joel to open the debate. Councillor Charles Joel advised that while mindful of the growing demand for endoscopic services in Bromley, he had a number of concerns over the proposed site. When the PRUH had been designed, this area was designated as an open space to be used as a meadow and the later addition of a high brick wall provided security and privacy to local residents. The proposed development would be out-of-scale and have an adverse impact on local residents due to its siting, layout and proximity to the rear boundary. A proposed footpath access along the rear of the building would also lead to further loss of privacy and additional security and noise concerns for local residents. The applicant had not provided adequate information regarding the impact of the development on protected species and biodiversity or on replacement cycle storage and parking spaces, and there was also insufficient information to confirm the planning obligation needed to mitigate the impact of the development. Councillor Joel highlighted Paragraph 6.1.15 of the report which raised the possibility of relocating the unit within the PRUH site and stressed the need to find an alternative to the proposed scheme.

In considering the application, Councillor Peter Dean recognised the proposed development would impact both local residents and wildlife and did not meet all planning conditions. However, there was a need for the proposed endoscopy unit which represented very special circumstances and the planning issues raised were relatively minor. Councillor Tony McPartlan similarly acknowledged the planning issues raised during the debate, but these were not insurmountable and could be addressed with the applicant. This view that the benefits of the scheme outweighed the drawbacks was echoed by Councillor Shaun Slator and Councillor Alisa Igoe. Councillor Thomas Turrell observed that the submission deadline for Government funding had not been provided but was minded to support the scheme in light of the wider benefit of the new unit to Bromley residents.

As the report was recommended for refusal, the Chairman reminded Members that grounds of permission would be needed for any approval. Councillor Peter Dean proposed that the grounds of permission be based around the very special circumstances of the scheme transcending deficiencies within the planning application. Councillor Tony McPartlan suggested a planning condition be applied to limit the use of the building for the purposes of endoscopy, as any change of use could impact local

residents, and further recommended that ongoing discussions be held between the Local Authority and the King's College Hospital NHS Foundation Trust to secure any outstanding information. Authority should also be delegated to Planning Officers to impose necessary planning conditions.

Councillor Peter Dean moved that the planning application be approved, subject to the above proposed grounds of permission. The motion was seconded by Councillor Christine Harris.

Councillor Keith Onslow spoke of his personal experience with the excellent clinical care at the PRUH but underscored that there was a need to consider the application as a planning matter. The quality of the planning application had been very poor with insufficient and inconsistent information provided of which some information was still outstanding. Councillor Onslow was concerned that the timescales to secure the Government grant would pressure Members to approve the application when a more workable alternative could be identified on the same or another site. Councillor Onslow expressed reservations at the level of consultation undertaken with local residents who would be affected by the new unit.

Councillor Charles Joel moved that the planning application be refused. The motion was seconded by Councillor Keith Onslow.

Councillor Simon Fawthrop highlighted many areas within the planning application which had been unacceptable beyond the stated grounds of refusal including principle of development; design; residential amenity; trees; green infrastructure; urban greening factor; biodiversity; and highways. While there was a clinical need for a new endoscopy unit, Councillor Fawthrop suggested the planning application be deferred to allow time for a new or amended application to be developed that addressed all planning concerns while also securing Government funding. Councillor Melanie Stevens suggested consideration be given to siting part of the unit below surface level to reduce the above-ground mass. Councillor Chloe-Jane Ross underlined the potential for the King's Group to look across its estates for alternative sites and Councillor Jonathan Andrews similarly agreed with deferral.

Councillor Simon Fawthrop moved that the planning application be deferred. The motion was seconded by Councillor Melanie Stevens.

In summation, the Chairman observed that three valid motions had been proposed and seconded and these would be taken in the order in which they were put forward. The motion that permission be granted was put to the vote and CARRIED for the REASONS THAT, in the overall planning balance, the harm identified in the officer's report which would arise from the development was relatively minor in comparison with and was outweighed by the benefits of the application and that the benefits to public health in terms of improved cancer diagnosis and treatment that would result from the scheme were such as to amount to a very special circumstance in favour of permission.

RESOLVED: That PERMISSION BE GRANTED, subject to a condition limiting the use of the building for the purposes of endoscopy, and that the Assistant Director, Planning be given delegated authority to decide whether any other conditions should be imposed.

Councillor Charles Joel requested that his vote in objection to the application be recorded.

46 (22/03013/FULL1) - CLIFFORD HOUSE, 1 CALVERLEY CLOSE, BECKENHAM, BR3 1UH (BECKENHAM TOWN AND COPERS COPE WARD)

Description of Application: Demolition of existing buildings and phased redevelopment comprising 275 residential homes in buildings ranging from 3 to 7 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.

Oral representations in support of the application were received from the Agent who gave the following responses to Members' questions:

- In developing the proposals for the future of the estate, a full life cycle assessment had been completed which demonstrated that the necessary improvements could only be delivered through redevelopment of the site. Extensive engagement had been undertaken with residents who were in favour of the proposed redevelopment. The majority of homes on the redeveloped site would be wheelchair accessible and additional residential units would also be created. The proposed parking provision was supported by the Council and Transport for London and strong public transport links were also in place.
- The duration of the redevelopment scheme was 10-years and would provide a single decant option to existing residents to enable them to remain within their settled community throughout the construction period, although the option of moving to alternate accommodation with the right to return would also be available. Riverside had partnered with Countryside for the scheme which had a proven track record in development as well as a strong interest in delivering the private residential units at the end of the redevelopment scheme. Riverside was confident that the recent increases in building materials costs were levelling out.

Councillor Michael Tickner, visiting Ward Member, addressed the Committee, underlining that the planning application referred to the redevelopment of the entire estate and not just Clifford House. This 1970s housing estate had been well-built but poorly designed and would benefit from the proposed redevelopment. The Member had some reservations about parking provision

as Outer London residents were more reliant on cars and a reduced number of parking spaces could create issues with on-street parking, particularly when events were held at Beckenham Place Park. Councillor Tickner concluded that the scheme was acceptable, particularly in the light of a possible reduction in car use in the medium to long-term as car ownership declined. Any other arising issues could be addressed by planning conditions.

Councillor Will Connolly, visiting Ward Member, addressed the Committee and listed a number of positive factors about the proposed scheme including: the creation of new homes; the reduced height of the development; new play spaces; and improvements to pathways and lighting that would help maintain the low crime rates on the estate. There were some concerns around increased HGV use of the site as well as potential issues for cyclists traversing the three new access roads. The Planning Officer advised that use of the site by HGVs would be managed via the Construction Environmental Management Plan and that the developer had agreed to contribute £50k to a new pedestrian/cyclist crossing to support road safety. In response to further questions, the Planning Officer explained that there was no requirement to provide over-55 years accommodation and that a recent marketing campaign had demonstrated no demand for this type of property on the estate. A condition could be added to the planning application to plant additional trees on site if it was felt necessary, and Tree Protection Orders could be used to protect existing trees where appropriate. The planning application demonstrated the developer was meeting all required policies in terms of energy and ecology, and Thames Water had confirmed that the existing water infrastructure was sufficient to meet additional demand.

The Chairman invited Councillor and Ward Member Chloe-Jane Ross to open the debate. Councillor Chloe-Jane Ross expressed support for the scheme as it met planning criteria; maximised the available space; and, delivered affordable homes. The redevelopment would also address heating issues affecting the existing housing. With a net increase of 71 homes, there would be a need to lobby Transport for London to ensure public transport was sufficient for increased demand. Councillor Ross further observed that estate residents should not be disadvantaged should a Controlled Parking Zone be introduced in the surrounding streets. In response to a question from Councillor Charles Joel, the Planning Officer explained that a vehicle swept path analysis had been completed and it was identified that there was suitable access for larger vehicles which would be supported by a condition on servicing logistics.

Councillor Chloe-Jane Ross moved that the planning application be approved as recommended. The motion was seconded by the Chairman, put to the vote and CARRIED.

RESOLVED: That PERMISSION BE GRANTED as recommended, subject to conditions, a S106 Legal agreement and any direction by the Mayor of London, as set out in the report of the Assistant Director: Planning.

**47 LOCAL PLAN REVIEW: ISSUES AND OPTIONS CONSULTATION
Report HPR2023/004**

The Committee considered a report providing details of the proposed 'Issues and Options' Local Plan consultation.

In response to a question from a Member, the Head of Planning Policy and Strategy confirmed that the public consultation on the 'Issues and Options' Local Plan was likely to commence in Spring 2023. In considering the example section provided at Appendix 1, a Member observed the challenge inherent to optimising the capacity of housing sites in the Borough while preserving the character of its communities.

RESOLVED: That:

- 1) Details of the proposed Local Plan 'Issues and Options' consultation be noted, including the example section provided at Appendix 1; and,**
- 2) It be noted that the final decision to approve the 'Issues and Options' draft for public consultation will be for the Director of Housing, Planning, Property and Regeneration, in discussion with the Portfolio Holder for Renewal, Recreation and Housing.**

**48 COUNCILLOR PLANNING APPLICATION 'CALL INS'
Report HPR2023/005**

The Committee considered a report outlining Councillor 'call-ins' for planning applications between 5 May 2022 and 31 October 2022 alongside an updated Figure 1 - Planning application 'call ins' for applications determined within period May – Oct 2022 which included the ultimate method of decision.

The Chairman noted that 96-97% of planning applications were now decided under delegated powers and that the majority of planning applications considered at Plans Sub-Committees during the 6-month period had been call-ins by Members. Another Member welcomed the close working of Members and Planning Officers which had increased the proportion of planning applications decided under delegated powers. The Member who had requested the updated Figure 1 underlined the importance of putting into context how many call-ins were considered by the Plans Sub-Committees or under delegated authority and requested that the same format be used for future reporting.

RESOLVED: That the report be noted.

The Meeting ended at 9.52 pm

Chairman