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DATE: 27 January 2011

To: Members of the  
**DEVELOPMENT CONTROL COMMITTEE**

Councillor Alexa Michael (Chairman)

Councillor Charles Joel (Vice-Chairman)

Councillors Reg Adams, Douglas Auld, Eric Bosshard, Katy Boughey,

Lydia Buttinger, Peter Dean, Simon Fawthrop, Peter Fookes, Will Harmer, John Ince,

Russell Jackson, Paul Lynch, Mrs Anne Manning, Russell Mellor and

Richard Scoates

A meeting of the Development Control Committee will be held at Bromley Civic Centre on **TUESDAY 8 FEBRUARY 2011 AT 7.00 PM**

MARK BOWEN

Director of Legal, Democratic and  
Customer Services.

**ALL MEMBERS ARE INVITED  
TO ATTEND THIS MEETING**

Public speaking on planning application reports is a feature at meetings of the Development Control Committee and Plans Sub-Committees. It is also possible for the public to speak on Contravention Reports and Tree Preservation Orders at Plans Sub-Committees. Members of the public wishing to speak will need to have already written to the Council expressing their view on the particular matter and have indicated their wish to do so to Democratic Services **by no later than 10.00 a.m.** on the working day before the date of the meeting.

The inclusion of public contributions, and their conduct, will be at the discretion of the Chairman. Such contributions will normally be limited to two speakers per proposal, one for and one against, each with three minutes to put their point across.

For further details, please telephone **020 8313 4745**.

## A G E N D A

**1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS**

**2 DECLARATIONS OF INTEREST**

**3 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 13 JANUARY 2011** (Pages 3-12)

**4 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

To hear questions received in writing by the Legal, Democratic and Customer Services Department by 5pm on Wednesday 2 February 2011 and to respond.

**5 PRESENTATION - WORK OF THE PLANNING INSPECTORATE**

*Presented by Mr Ben Linscott, Assistant Director of the Planning Inspectorate*

**6 FORMER BLUE CIRCLE SITE: JOINT USE EDUCATION PAYMENT 106 CONTRIBUTION** (Pages 13-18)

**7 LOCAL REQUIREMENTS FOR THE VALIDATION OF PLANNING APPLICATIONS** (Pages 19-32)

**8 CONSULTATION ON MAYORAL COMMUNITY INFRASTRUCTURE LEVY - DRAFT CHARGING SCHEDULE**

*Report to follow*

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## DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held at 7.30 pm on 13 January 2011

### Present:

Councillor Alexa Michael (Chairman)  
Councillor Charles Joel (Vice-Chairman)  
Councillors Reg Adams, Douglas Auld, Nicholas Bennett J.P.,  
Katy Boughey, Lydia Buttinger, Peter Dean, Simon Fawthrop,  
Peter Fookes, Ellie Harmer, Russell Jackson, Kate Lymer,  
Paul Lynch, Mrs Anne Manning and Richard Scoates

### 63 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS

Apologies for absence were received from Councillors Eric Bosshard, John Ince and William Harmer; Councillors Nicholas Bennett J.P., Kate Lymer and Ellie Harmer attended as their alternates respectively. An apology for absence was also received from Councillor Russell Mellor.

### 64 DECLARATIONS OF INTEREST

There were no declarations of interest.

### 65 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 23 NOVEMBER 2010

Page 8, second bullet point - response to question 3

This was an inaccurate record of the reported comment. Members agreed that the wording be deleted.

**Subject to the above amendment, Members RESOLVED that the Minutes of the meeting held on 23 November 2010 be confirmed and signed as a true record.**

### 66 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions had been received.

**67 PLANNING REPORTS**

The Committee considered the Chief Planner's report on the following planning application:

1. CRYSTAL PALACE WARD Conservation Area	(10/02629/FULL2) Change of use of public house (Class A4) and car showroom to a 2 screen cinema with ancillary foyer and café/bar provisions at <b>Grape And Grain, 2 Anerley Hill, Anerley, London SE19.</b>
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Oral representations in objection to the application were received at the meeting. Members were informed that the proposed cinema would have a 254 seat capacity.

Comments from the architects in support of the application were circulated to Members.

Mr Tony Stewart, Development Control Manager, informed Members that numerous objections to the application had been received concerning the loss of the public house together with suggestions that the cinema be located elsewhere. Mr Stewart stipulated that the Local Authority must consider the application from a planning point of view only (primarily whether the use is an appropriate one for the site) and could not take into account style of management or alternative locations for the cinema.

It was reported that further letters in objection to and in support of the application had been received.

The applicant had agreed to the hours of operation set out in the report.

Mr Stewart informed Members that concerns relating to the intensification of the site and forecourt parking could be dealt with by conditions. A 'Secure By Design' condition had also been recommended.

Councillor Fookes commented that the report contained no information about parking in the surrounding area and questioned whether a bar facility would be provided. In light of the above, Councillor Fookes proposed that the application be deferred to consider the issues further.

Several Members voiced their concern with regard to on site parking, in particular the inadequacy of disabled parking where only one space would be made available. Councillor Fawthrop seconded the proposal for deferral to consider the parking issue further.

Other Members referred to the excellent public transport facilities available and had no objection to the application. Councillor Joel proposed permission of the application. This was seconded by Councillor Mrs Manning who was pleased to note that the former car showroom building would be in use again.

Members having considered the report, objections and representations, voted on the motion to defer the application. The motion fell at 4-11 against.

Members then voted on the motion to permit the application and **RESOLVED that PERMISSION BE GRANTED (10-3 in favour)** as recommended, subject to the following conditions:-

1. The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.  
REASON: Section 91, Town and Country Planning Act 1990.

2. Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.

REASON: In order to comply with Policy T7 and Appendix II.7 of the Unitary Development Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

3. The existing access shall be stopped up at the back edge of the highway before any part of the development hereby permitted is first occupied in accordance with details of an enclosure to be submitted to and approved in writing by the Local Planning Authority. The approved enclosure shall be permanently retained as such.

REASON: In order to comply with Policy T11 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

4. The use shall not operate before 09.00 am and after 11.30 pm on any Sunday to Thursday or any Bank Holiday, nor before 9.30 am and after 11.30 pm on any Friday to Saturday.

REASON: In the interests of residential amenities.

5. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission and there shall be no subsequent changes to the external elevations or internal layout of the building without the prior written approval of the Local Planning Authority.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of surrounding residential properties and the character and appearance of the area.

6. The premises shall be used as a 2 screen cinema and ancillary café bar only and for no other purpose without the prior written approval of the Local Planning Authority.

REASON: In the interest of the amenities of nearby residential property.

7. Details of the soundproofing measures within the building to achieve a reasonable resistance to airborne sound shall be implemented before the use hereby permitted commences in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and shall be permanently retained thereafter.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and to ensure a satisfactory standard of amenity for adjacent properties.

8. Details of the forecourt layout to include 2 (possibly 3), disabled parking spaces and the location and layout of the motorcycle parking shall be submitted to and approved by the Local Planning Authority and the forecourt

shall be arranged in accordance with the approved details before commencement of the development hereby approved and thereafter shall be kept available for such use.

REASON: In order to comply with Policy T3 and T18 of the Unitary Development Plan and to avoid development without adequate parking provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

**68 FORMER BLUE CIRCLE SITE: JOINT USE EDUCATION PAYMENT (JUEP) 106 CONTRIBUTION**

**The report was withdrawn from the agenda to be considered at a meeting of the Executive on 2 February 2011.**

The report would subsequently be submitted for consideration by DCC Members at a meeting to be held on 8 February 2011.

**69 HERITAGE ASSETS**

Members considered a report which outlined the work of the Property Division in respect of the care and maintenance of Council-owned Statutory Listed Buildings and locally listed buildings.

The report outlined the conditions (Grades A-D) and priority classifications (Grades 1-4) awarded to each element of a building during inspection by a surveyor/engineer. The grading criteria, set down in accordance with Government guidelines, was used to form the basis of a 5-year planned maintenance programme from which future works were established. Due to current financial pressures, only work identified under conditions C or D and priorities 1-3 would be considered for inclusion on the plan.

The report also contained a list of sites/buildings where refurbishment or maintenance work had recently been undertaken.

Although Members were pleased to receive the report, Councillor Mrs Manning was disappointed to note that a more comprehensive list of the assets owned by the Council and the condition of the buildings/sites, including those that are statutorily listed, locally listed and within Conservation Areas had not been included. For this reason, Councillor Mrs Manning proposed a motion for deferral. Councillor Russell Jackson seconded the motion.

The Chairman said she would have preferred to see a list of the buildings/sites which required work, together with the priority grading attributed to each one and requested that this information be provided in the future report.

Councillor Bennett J. P. suggested that a future report contain a list of heritage street furniture, i.e. post boxes, telephone boxes etc. Mr Peter Martin, Head of Strategy and Renewal, confirmed that there was a limited amount of listed street furniture; however, there is potentially a significant

amount of unlisted street furniture that may have some heritage merit. Members made several suggestions on ways in which the public and Ward Members could be encouraged to report street furniture within their area. Mr Martin agreed to look into the matter further.

Councillor Adams suggested (and Members agreed), that the report to be submitted to the Committee on Council owned buildings contained information on the methods used by the Council to ensure that buildings/sites are removed from the Heritage at Risk Register.

**RESOLVED that the report be DEFERRED pending the submission of a fuller and more comprehensive list of the assets owned by the Council (including buildings that are statutorily listed, locally listed and within Conservation Areas), outlining their current condition and priority rating of work to be carried out. Consideration will also be given to including heritage The report to be submitted to a future meeting of the DCC.**

## **70 PLANNING LEAFLETS AND INFORMATION FOR THE PUBLIC**

Members considered the Planning Division's 9-month strategy to review and update all planning leaflets and fact sheets which were currently available to the public in paper format. In line with the policy of reducing avoidable contact, members of the public would, in future, be encouraged to visit the Council's website where the information required would be available to view or download online.

The report set out a list of existing documents which required updating together with a list of new topics and a brief description of the type of information to be included. A draft copy of one updated planning leaflet had been circulated to Members.

The Chairman was pleased to see the report as a large number of leaflets needed to be updated. The process should be completed by the end of September 2011.

Councillor Fawthrop questioned the statement within paragraph 3.6 that hard copies of leaflets could be made available at the Civic Centre. As one of the objectives was to reduce the amount of paper-based information, Councillor Fawthrop suggested (and Members agreed), that the wording should be more clearly defined. The statement should therefore be amended to read:-  
"....A downloadable version of the information will be available online and hard copies will be available on demand".....

Councillor Mrs Manning welcomed the report and offered to assist the Planning Department with any advice on the topics to be included for information purposes. Councillor Mrs Manning suggested (and Members agreed), that the following two topics should also be included:

- information on front gardens and drives; and
- guidance on the type, position and size of structures in back gardens.

Members agreed that priority should be given to those listed at the top of the list in the report and that the following leaflets should also be given priority:

- Enforcement Planning Control;
- Areas of Special Residential Character;
- Conservation Areas; and
- Listed and Locally Listed Buildings.

Councillor Adams suggested that a full set of leaflets should be made available in every library.

**RESOLVED that Member comments be noted and that the 9-month strategy to replace current fact sheets be agreed.**

## **71 PLANNING ENFORCEMENT - MONITORING REPORT 2010**

Members considered a report which provided an update on planning enforcement, primarily for the final quarter of 2010. The report also provided an overview of enforcement activity and highlighted a number of cases which were successfully concluded throughout the year. Staffing levels were also reported.

Referring to paragraph 3.8, the Chairman voiced her concern that there would only be two investigating officers after the retirement of the third officer in March 2011 (not May as reported). The Chairman was also disappointed to learn that back-up work was being undertaken by the Appeals Section since the Technical Clerk retired in July 2010 and the vacancy had not been filled.

Councillor Auld agreed with the Chairman; he proposed (and Members agreed), that all avenues should be explored to bring the enforcement section up to a better level of staffing.

Councillor Scoates commented that the Enforcement Section played an integral role in the work of the Local Authority.

Councillor Scoates also referred to the action being taken on Archies Stables, Cudham Lane North and enquired how much money the Local Authority had spent on legal proceedings to date. Mr Stewart replied that he was unaware of the total spent so far and reported that action had been delayed due to an appeal being lodged.

**RESOLVED that the report be noted and that all avenues should be explored to bring the enforcement section up to a better level of staffing.**

## **72 PLANNING APPEALS - MONITORING REPORT 2010**

The report provided an update on planning appeals statistics for the period October-December 2010. As requested by Members at the previous DCC



meeting held on 23 November 2010, the report also addressed concerns about the operation of the Householder Appeals Service ('fast track' appeals) and provided a summary of the various methods for determining appeals.

Referring to page 51, paragraph 3.7, Mr Martin informed Members that only the following information was sent to the Planning Inspectorate:-

- questionnaire containing the applicants details;
- a copy of the appeal file, including third party and other correspondence, drawings and forms; and
- the officer's report with grounds of refusal.

As the Inspectorate does not accept any documents subsequent to refusal, Members agreed that grounds of refusal should be elaborated within the reasonings of the report and that visiting Ward Members who speak to applications at Committee should be encouraged to let Planning Officers have a written copy of their speech before the meeting which could then be placed on file and submitted to the Inspectorate.

It was reported that the Chief Planner had written to the Planning Inspectorate outlining the Council's concerns that under the FTA process members were not permitted to contact the Inspectorate and that the Council could no longer submit a written statement to accompany the reason(s) for refusing an application. To date, no response had been received. Councillor Fawthrop suggested that a further letter be sent to the Planning Inspectorate.

With reference to paragraph 3.12, Members agreed that it would be interesting to receive a report giving statistical information of applications which had gone to appeal when Members had voted against officer recommendations.

**RESOLVED that the report be noted and a further report giving statistical information on applications which had gone to appeal when Members had voted against officer recommendations be submitted to a future meeting of the Committee.**

## **73 THE LOCALISM BILL**

The Localism Bill was published on 13 December 2010. Members were asked to comment on specific parts of the Bill (listed below) which involved changes to the planning system:

- Part 1, Chapter 4 - Predetermination;
- Part 5 - Planning;
- Part 7 - London.

The following comments were made by Members:-

Page 55, paragraph 3.3 - Part 1, Chapter 4, Predetermination

Having noted that Councillors would be free to campaign, express views on issues and vote on matters without fear of being unjustly accused of having a closed mind on a particular issue, Members were nonetheless still aware of the need to be seen to take a decision fairly and to be wary of what was said in front of members of the public. One Member stated that Councillors had a quasi-judicial role and as such, an expressed intention to oppose an application could leave a Councillor open to legal challenge.

Page 55, paragraph 3.4, Part 6 Planning - Local Plan Reform

Clarification was sought on the meaning of the final sentence. Mr Martin informed members of the proposal to streamline monitoring documents i.e. the Annual Monitoring Report which would no longer need to be submitted to the Department of Communities and Local Government but would still need to be published and made available to the public.

Page 55, paragraph 3.4, Part 5 Planning - Neighbourhood Planning

The words 'communities' and 'neighbourhood' should be clearly defined. One Member wished to know what exactly constituted a community and whether a residents association could be deemed as such. The Chairman was concerned about the extra resources, both human and financial, which would be needed to draw up neighbourhood plans and hold referenda when necessary.

Page 56, paragraph 3.6, Part 7 London

In response to a Member question of what was the role of a Mayoral Development Corporation (MDC), Mr Martin explained that the role of the MDC was to bring about the regeneration of an area. The Mayor could designate an area to become a Mayoral Development Area anywhere in London and he would have extensive planning powers for that site.

**RESOLVED that the comments above be noted.**

**74 PROPOSALS FOR CHANGES TO PLANNING APPLICATION FEES CONSULTATION**

At a meeting of the Executive Committee held on 8 December 2010, Members endorsed the responses to a consultation document outlining proposals for changes to planning application fees, namely to decentralise the responsibility of setting fees to local planning authorities. The Chairman of DCC had attended the Executive meeting and had spoken in support of decentralisation. As the consultation ended on 7 January 2011, there had

been insufficient time for Members of Development Control Committee to consider the document first.

Members were asked to note the report and contents of the attached appendices.

The Chairman was pleased to note that the local planning authority supported the higher fee charge for retrospective applications.

Referring to the response to Question 1 (page 63), Councillor Joel asked how the Council would define the words 'non-profit making'. Mr Stewart explained that the Council had to cover the cost of an application from start to finish. A record was kept by the Planning Division including time spent by Highways and other regular consultees so an idea of the total cost of an application could be established.

**RESOLVED that the report and contents of the appendices be noted.**

#### **75 DRAFT ANNUAL MONITORING REPORT: 2009/10**

The Planning and Compulsory Purchase Act 2004 requires an Annual Monitoring Report to be submitted to the Secretary of State through the Department of Communities and Local Government (DCLG), by the end of December each year. A draft Annual Monitoring Report for 2009/10 had been submitted to the DCLG which Members were asked to endorse.

The Head of Planning Strategy and Projects, outlined the contents of the report and informed Members that the introduction of the Localism Bill would remove the Council's requirement to submit future annual monitoring reports to the DCLG although a report would still need to be published and made available to the public.

The Chairman was informed that a new housing supply document would be published to take account of the revised housing build target as outlined in the London Plan.

Councillor Mrs Manning queried why the report did not cover the full breadth of the planning department's work. Officers advised that the Annual Monitoring Report is prepared to specifically meet the requirements of the Secretary of State to detail progress made against the Local Development Scheme and the monitoring of policies. It was not intended to be a report of planning work in the Borough which would be far more extensive.

Concern was raised that the retail spectrum was broader than just the town centres listed within the report. Members were informed that the list contained only those centres which were specifically designated within the Unitary Development Plan. However, as part of the preparation of the Core Strategy, a review of all local parades would be undertaken and the information could be made available to Members as the review progressed.

*Development Control Committee*  
*13 January 2011*

**RESOLVED that the draft Annual Monitoring Report 2010 be endorsed for formal submission to the Secretary of State to meet the requirements of the Planning and Compulsory Purchase Act 2010.**

The Meeting ended at 8.55 pm

Chairman

# Agenda Item 6

Report No.  
DRR 10/00144

London Borough of Bromley

PART 1 - PUBLIC

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**Decision Maker:** Executive Committee  
Development Control Committee

**Date:** 2<sup>nd</sup> February 2011  
8<sup>th</sup> February 2011

**Decision Type:** Non-Urgent                      Non-Executive                      Non-Key

**Title:** FORMER BLUE CIRCLE SITE : JOINT USE EDUCATION  
PAYMENT 106 CONTRIBUTION

**Contact Officer:** Bob McQuillan, Chief Planner,  
Tel: 020 8313 7718 E-mail: bob.mcquillan@bromley.gov.uk

**Chief Officer:** Bob McQuillan, Chief Planner

**Ward:** All wards

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1. Reason for report

- 1.1 To appraise members of a proposal put forward by Asprey Homes regarding the Blue Circle site. In response to the impact of the economic downturn, Asprey Homes have offered a guaranteed single payment of £200,000 Joint Use Education Payment, irrespective of the viability of the development on occupation of the first market dwelling. This would be in place of potential phased payments, of up to £750,000, provided by the 106 agreement. The contribution payable under the existing 106 agreement, whilst potentially greater, was offered on the basis of the scheme reaching a certain level of viability, which is currently not achieved.

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2. **RECOMMENDATIONS**

**Executive:**

- 2.1 Members views are sought regarding the proposed payment for consideration by Development Control Committee on 8<sup>th</sup> February;

**Development Control Committee**

- 2.2 Members are asked to determine whether the proposal for an upfront payment is acceptable in the light of the information about current market viability and the views of the Executive

### Corporate Policy

1. Policy Status: Existing policy.
  2. BBB Priority: Quality Environment.
- 

### Financial

1. Cost of proposal: N/A No additional cost to the Council potential reduced 106 resources
  2. Ongoing costs: N/A.
  3. Budget head/performance centre: Section 106 Deposits
  4. Total current budget for this head: £NIL from this s106 agreement as no monies have been received to date
  5. Source of funding: Section 106
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### Staff

1. Number of staff (current and additional): 3
  2. If from existing staff resources, number of staff hours: N/A
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### Legal

1. Legal Requirement: Statutory requirement. Planning and Compulsory Purchase Act 2004
  2. Call-in: Call-in is not applicable.
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Users of local education services
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

#### 3.1 Background

In 2007 planning permission was granted on appeal for a “Mixed use development comprising erection of new medical centre/ nursing home / affordable housing and open market housing at a density of between 50 -80 dwellings per hectare / children’s playground / consolidation of allotments / bus interchange / associated public open space / access roads and car parking” (03/02319)

- 3.2 The permission is subject to a section 106 agreement. The agreement provided for a bus interchange, landscape restoration, affordable housing, a travel plan, a joint use educational payment, the provision of land for a doctor’s surgery, a linear park and for miscellaneous targeted contributions. The Joint Use Education Payment is calculated by reference to the developable area of the developers land. The agreement contains a provision for the Chief Planner to agree to a variation of the planning obligations.
- 3.3 The original outline permission 03/ 02319 was granted permission on appeal on 19<sup>th</sup> September 2007 on condition that application for approval of the reserved matters be made within three years from the date of this permission.
- 3.4 To accord with the reserved matters condition there are currently three detailed applications lodged with the Council covering the remaining site in Asprey’s control (and a full application for part of the area identified for a medical centre).
- 3.5 Since 2007 there has been a major shift in economic circumstances, impacting significantly on the delivery of development on the site. However, the economic situation is such that development taking place on the site to date consists solely of affordable housing and extra care housing. The affordable housing for the site as a whole has been met in full & no more is planned.

#### Development Viability and the affordable housing provisions

- 3.6 National planning policy, set out in Planning Policy Statement 3 (PPS3) “Housing”<sub>1</sub> (and its accompanying document – Delivering Affordable Housing<sub>2</sub>) makes clear that local authorities must consider development economics. In December 2008 Turner Morum were appointed by Asprey Homes to undertake a viability study for consideration of the provision of affordable Housing Grant. The viability assessment used the Bespoke Property Group and GVA Grimley Toolkit.
- 3.7 The Council agreed the viability study and a re assessment mechanism to ensure that should the housing market significantly recover the Council would be able to require Asprey to re-assess the viability position through a simple Index check The index was the “Non-Seasonally Adjusted House Price Index” (South East) (HHPI) which was 494.5 at the time, giving a predicted a developer profit of 9.53% on GDV, significantly below the industry accepted standard. Turner Morum indicated that for developer profits to reach a “fair and reasonable” level, agreed as 16.9% on GDV, the Index would need to reach 562.5. Thus by a simple check of the HHPI it would be possible to roughly assess the viability of the development. Should the HHPI reach this level a further viability assessment would take place to establish the “actual” level of developer profit.

Turner Morum advise that the “Non-Seasonally Adjusted House Price Index (South East)” (HHPI) has since been replaced by the “All Homes Non-Seasonally Adjusted House Price Index

(South East England)” and the comparable index point to achieve a 16.9% “fair & reasonable” profit would be 599.2, a level not seen since the second quarter of 2008 as indicated in the extract below taken from Lloyds Banking Group website. Financial viability assessments for other schemes across London & the South East, carried out for developers and their funders, assume a level of gross developer profit of between 20% and 25 %.

All Homes Non-Seasonally Adjusted House Price Index (South East England)  
(Quarterly Index and %Change)

	SOUTH EAST	
	Index	%
2006 Q2	568.6	6.5
2006 Q3	574.9	7.7
2006 Q4	595.4	8.8
2007 Q1	606.1	11.9
2007 Q2	648.0	14.0
2007 Q3	653.4	13.7
2007 Q4	637.3	7.0
2008 Q1	625.9	3.3
2008 Q2	601.3	-7.2
2008 Q3	573.8	-12.2
2008 Q4	526.8	-17.3
2009 Q1	500.0	-20.1
2009 Q2	519.1	-13.7
2009 Q3	542.9	-5.4
2009 Q4	552.3	4.9
2010 Q1	551.1	10.2
2010 Q2	569.7	9.7
2010 Q3	559.8	3.1

<http://www.lloydsbankinggroup.com/media/excel/2010/HPIQ3/221010RegionalHistoricalHousePriceData.xls>

- 3.8 The level of the Index at its current level, using the agreed formula, shows the development to be below the agreed industry accepted level of developer profit.

S106 “Joint Use Education Payment”

- 3.9 The legal agreement included a “Joint Use Education Payment” of £1.3m. The section 106 agreement requires payment of the JUEP over 3 years. 33% is required to be paid before the sale of the first market dwelling, 33% on the first anniversary of the initial payment and the balance being paid on the second anniversary of the initial payment.
- 3.10 The Joint Use Education Payment figure was divided into Phase 1 and Phase 2. Phase 1 being the land available for development by Asprey Homes, and Phase 2 being developable land in the Council’s ownership. At the time the Joint Use Education Payment formula for the Phase 1 (Asprey Homes) element of the scheme produced a contribution in the region of £1m. As detailed applications came forward the nature of the development changed to incorporate a significant proportion of Extra Care housing, for which it would not be appropriate to seek such a contribution, leading to a reduction in the Joint Use Education Payment to around £750,000.

Educational Issues

- 3.11 The original outline permission for the entire Blue Circle was based on a density range rather than precise number of units but an indicative figure of 788 units was provided. The 788 figure



has already been included with the Council's Housing Trajectory and incorporated, by the GLA, within the current school roll projections, and as such have been taken into consideration in school place planning in advance of monies having been received.

- 3.12 The inclusion of 120 extra care housing units and the reduction in the area of land to be developed (Council land excluded) reduces the number of units producing a child yield to around 655 units. Assessing child yield (using the method set out in the Council's recently adopted Planning Obligations SPD) the revised units suggest a child yield of between 93 - 127 primary school aged children and 66 - 69 secondary school aged children.
- 3.13 Were the development viable, the £750,000 (derived pro rata from the sum required by the existing legal agreement) would assist in meeting the educational pressures created by the development although this contribution has not yet been factored into the education spending plans. This funding would have provided a significant proportion of the capital costs associated with expanding an existing Primary School to meet the demand for additional places in this area.

#### Asprey's offer

- 3.14 In line with the PPS3 approach to development economics and affordable housing policy, consideration should also be given to the viability implications of planning obligations. The recently adopted Planning Obligations Supplementary Planning Document (Dec 2010) also emphasises the need to consider the viability of development.
- 3.15 The viability assessment index was agreed for the specific purpose of determining whether Housing Grant would be payable. It is reasonable to accept that the agreed approach should also be used to consider the impact on the development viability of the Joint Use Education Payment.
- 3.16 The original viability assessment for housing purposes did not take account of the Joint Use Education Payment requirement. If a Joint Use Education Payment of £1.07m had been included the viability of the development would have been further diminished, and Turner Morum advise that the agreed level of viability would not therefore be achieved until the "All Homes Non-Seasonally Adjusted House Price Index (South East England)" reached 608.6, a level not seen since the first quarter of 2008, as is clear in the table above. Whilst the Joint Use Education Payment would now be reduced (as outlined above) the resulting index would still be somewhere above 600.
- 3.17 Asprey Homes also highlight a number of additional costs not reflected within the original viability assessment which would further worsen the viability position, namely
- £270,000 extra build costs for completing the second extra care facility by March 2010-12-16
  - The quantum required to ensure an appropriately sized extra care facility.
- 3.18 Asprey Homes have indicated their intention to be marketing the first of the private dwellings by May 2011. Should the timetable for the first market dwelling be met, the full Joint Use Education Payment would be due by May 2013. Asprey Homes, however, believe that the evidence submitted to the Council demonstrates that the scheme is not viable with the Joint Use Education Payment and that viability is unlikely to be achieved over the timescale during which the payment becomes due. They believe that an independent assessment will show they should be discharged from this obligation. However in view of the costs if an agreement is not reached (including if necessary in taking the matter to appeal to the Secretary of State) and to achieve certainty they are suggesting a single payment of £200,000, on occupation of

the first market dwelling, irrespective of viability, to release them from the requirements of the legal agreement relating to the Joint Use Education Payment

#### 4. FINANCIAL IMPLICATIONS

4.1 The Council needs to consider the advantages of accepting the £200,000 offered upfront, compared with potentially forgoing a larger sum of up to approximately £750,000. The Council has agreed the use of the Index as an indicator of viability. Given the difficult economic environment the index may well not sufficiently recover for the Council to argue that viability has returned. Members may wish to consider, on the basis of the historic house price index, whether the agreed level of viability is likely to be achieved within 3 years of the sale of the first market dwelling. If the developer can demonstrate the non viability of the scheme there is a risk that no joint use education contribution may ultimately be payable. To date no monies have been received.

#### 5. LEGAL IMPLICATIONS

5.1 Section 106A of the Town and Country Planning Act 1990 provides that a planning obligation may not be modified or discharged except by agreement with the Council or by an application made after the period of 5 years from the date of the agreement.

5.2 The section 106 agreement does not contain an express provision for the joint use education payment to be reassessed in the event of a reduction in the viability of the development. There are provisions which reflect that the Council can agree to vary the planning obligations contained in the agreement. There are also provisions for any dispute to be referred to a surveyor for determination. However the legal view is that this does not empower Asprey to challenge by a reference to the surveyor the planning obligation it freely entered into.

5.3 It is open, for Asprey to submit a fresh application for planning permission for the development of the land. The section 106, as is usual, was restricted to the development authorised by the permission granted under reference 03.03219. Accordingly it will open on a new application for Asprey to argue both to the Council and on any appeal to the Secretary of state that any new permission should be granted without contributions on the basis of non-viability. If a new application is received the Council would be required to take the viability of the proposal into account when making the assessment of what planning obligations should be sought.

<b>Non-Applicable Sections:</b>	Policy & Personnel
Background Documents: (Access via Contact Officer)	Former Blue Circle Sports Ground Planning Appeal Report to the Secretary of State and Section 106

Report No.  
DRR 11/005

## London Borough of Bromley

### PART 1 - PUBLIC

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Decision Maker: **Development Control Committee**

Date: **8 February 2011**

Decision Type: Non-Urgent Non-Executive Non-Key

**TITLE: LOCAL REQUIREMENTS FOR THE VALIDATION OF PLANNING APPLICATIONS**

Contact Officer: Chris Evans, Major Developments Team  
Tel: 020 8313 4554 E-mail: [chris.evans@bromley.gov.uk](mailto:chris.evans@bromley.gov.uk)

Chief Officer: Bob McQuillan, Chief Planner

Ward: N/A

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1. Reason for report

Revised central government guidance regarding local information requirements for the validation of planning applications was considered by the Committee on 23<sup>rd</sup> November. Members agreed to carry out consultation on a revised list of requirements/documents that may be needed to properly assess particular applications and the responses are reported here.

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2. **RECOMMENDATION(S)**

Members adopt the local information requirements set out in the matrix attached to this report.

## Corporate Policy

Existing policy:

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## Financial

1. No cost
  2. <please select>
  3. Budget head                                  Planning Division Budget
  4. Total budget for this head    £3.8M
- 

## Staff

1. Number of staff (current and additional) – 103.89ftes
  2. If from existing staff resources, number of staff hours – N/A
- 

## Legal

1. Statutory requirement: Town and Country Planning Act 1990 (as amended) including power of local planning authority to require submission of material with planning and other applications as set out in Government Legislation/Guidance.
  2. Call-in is not applicable:
- 

## Customer Impact

Estimated number of users/beneficiaries (current and projected) - All residents of the Borough as well as those who make planning applications for development in the Borough.

### 3. COMMENTARY

- 3.1 On 8 July 2008 the Development Control Committee adopted the use of 'local lists' of requirements / documents that may be needed to properly assess various types of applications. The lists give officers the ability to invalidate applications that are not accompanied by relevant material to assess the impact of certain effects and put forward mitigation. The Committee's decision was preceded by consultation with statutory consultees, residents associations, agents and others. The lists adopted closely followed the suggested requirements set out in the Department of Communities and Local Government document "The Validation of Planning Applications - Guidance for Local Planning Authorities" dated December 2007.
- 3.2 The discretionary power to require such additional material has been used sparingly by officers, typically to request tree surveys on sites where there are existing trees, and also in relation to major planning applications (as defined in the Town and Country Planning Development Management Procedure Order 2010) e.g. to request a Flood Risk Assessment, Transport Assessment, Biodiversity Survey and Report, Statement of Community Involvement etc. Generally the need for such material has been identified during pre-application discussions between applicants, agents and Council officers and in these cases there has been no delay to processing and consideration of applications.
- 3.3 In March 2010 The Department for Communities and Local Government published the following documents:
- Guidance on information requirements and validation
  - Development Management Policy Annex: Information requirements and validation for planning applications.

These state that where a local planning authority has a published local list, it should review it, the starting point being statutory requirements, national and local plan policies and published guidance that explains how adopted policy should be implemented.

- 3.4 On 23 November 2010 the Development Control Committee considered a report on a proposal revised local requirements list, and agreed that consultation be carried out on it. This report sets out the responses received from the statutory consultees, residents associations, agents and others which were consulted.
- 3.5 Comments received during the consultation can be summarised as follows.
- (i) English Heritage comment that it is not clear that a Heritage Statement would address Scheduled Ancient Monuments or archaeological matters in respect of Archaeological Priority Areas.
  - (ii) the Railway Heritage Trust welcomes the requirement for a Heritage Statement for applications concerning listed buildings and buildings in Conservation Areas.
  - (iii) the Council for British Archaeology (CBA) (one of the 6 national amenity Societies which local planning authorities have the notify applications for listed building consent that involve demolition or alterations involving partial demolition) has set out the material they consider should be included in a Heritage Statement regarding a listed building consent application. It considers that a Heritage Statement may be required for a Hedgerow Removal application (where it forms part of a historic landscape or area of archaeological potential) and for planning applications in areas of archaeological significance, and it states that the document should be prepared by a qualified historic environment professional.

- (iv) the Advisory Panel for Conservation Areas (APCA) also make comments in respect of applications which affect “heritage assets” as defined in PPS5 Planning for the Historic Environment. One of its main concerns is that photos should be submitted of the site and surroundings to assist the Panel’s consideration of applications, as officer’s photos are rarely available in time for its meetings. The “local list” should include Photographs/Photographic Images, Landscape/Townscape and Visual Impact Assessment, and Listed Building/Conservation Area Assessment (the latter rather than Heritage Statement), and the submitted document(s) should include a response to relevant policies. The Council should provide advice notes on the content of Design and Access Statements and the “local list” documents. APCA’s comments also mention validation checklists on other Council websites and an “Assessment of Significance” checklist/proforma provided by some local planning authorities regarding applications which affect heritage assets – it considers that such a checklist could form part of a Heritage Statement (or other similar document) to assist in identifying the material necessary for the specific proposal. It considers that Design and Access Statements submitted with applications often include insufficient detail.
- (v) The Crystal Palace Community Association (CPCA) makes comments similar to APCA – the need for photos to be submitted (as part of the Design and Access Statement or Heritage Statement), also for guidance on preparation of these documents (including by links from the Council website). On a related matter CPCA suggest that the Conservation Area Supplementary Planning Documents be provided on the Council website [note – this will be done in near future].
- (vi) Transport for London has no comment to make.
- (vii) The Metropolitan Police Crime Prevention Design Advisor makes no comments, but asks that consultation on the types of applications agreed by the Committee on 26/10/04 be continued.
- (viii) The Theatres Trust is a statutory consultee regarding development on any land on which there is a theatre, it has no comment on the list, but would expect to see justification in a Planning Statement for change of use from or to a theatre.
- (ix) The Coal Authority has no specific comments to make.
- (x) A member of the LBB Biodiversity Partnership has commented on the need for relevant documents regarding bats on or near development sites – “sites where protected species may be present” in relation to Biodiversity Survey and Report is too vague, and reference should be made to the Bat Conservation Trust website for advice regarding “triggers” and guidelines to indicate presence of bats e.g. where demolition of buildings is proposed, conversion of roofspaces, barn conversions. Regarding the Lighting Assessment document, “adjacent to water bodies and along river corridors” should be included as locations where this information is required, as certain bats are clearly associated with water bodies and are very sensitive to light pollution.
- (xi) The West Wickham Residents Association considers that flood risk should be taken into account on all sites, not just those of 1ha or more.
- (xii) The Aperfield Road Green Belt Action Group supports the Council’s actions to protect the Green Belt, and inclusion of the proposed Landscape and Views Impact Assessment document in the “local list”.

3.6 In response to these comments-

- (i) It is agreed that “Scheduled Ancient Monument Consent” be added in respect of the Heritage Statement, but it is considered that defined thresholds of sites of over 0.4ha and Areas of Archaeological Significance address the need for documentation in respect of archaeological matters (English Heritage’s comments).
- (ii) It is agreed that “Hedgerow Removal Application” be added in respect of the Heritage Statement (CBA’s comments), and suggestions regarding material to be included in a Heritage Statement be considered by officers in drawing up advice regarding the local list documents.
- (iii) Regarding APCA’s comments-
  - a) it is agreed that the Landscape and Visual Impact Assessment document could include “Townscape”.
  - b) Regarding the concern that photographs should be available for its meetings, these are not always provided as part of Design and Access Statement or other documentation. Heritage Statements will be required for certain Conservation Area applications, and if photographs have not been provided as part of the submission, it is agreed that requesting them before validation of minor developments like householder applications would be reasonable, representing a lesser requirement than a Heritage Statement.
  - c) The relevant national and English Heritage guidance is to require a Heritage Statement for all applications affecting “heritage assets”, and as such Listed Building/Conservation Area Assessments would not be appropriate. As stated above, officers will be preparing guidance notes to assist applicants by setting out what information should be included in the local list documents, and where further information can be found, including website links to relevant information and national guidance e.g. PPGs and PPSs.
- (iv) Regarding the comments about biodiversity issues/information about bats,
  - a) most demolition is outside planning control, but conditions can be imposed on larger developments that include demolition to make way for new buildings. Other legislation protects bats and as such there is no requirement for the planning system to provide comprehensive control regarding this issue
  - b) it is agreed that lighting can affect wildlife and lighting can have impacts outside application sites. As such for Biodiversity etc. Reports, locations where they will generally be required will include “where protected species be present on the site or adjacent land”. It is considered that this would capture “adjacent to water bodies etc” in relation to the Lighting Assessment, and it is agreed that nature conservation policies are relevant to lighting proposals, and the entry in the matrix needs to reflect this
- (v) regarding the West Wickham Residents Association’s suggestion that flood risk should be taken into account for sites of all sizes, this is done to the extent that-
  - a) large sites of over 1ha are referred to the Environment Agency (EA), which requires a Flood Risk Assessment (FRA)
  - b) likewise any development in Flood Zones 2 and 3 has to be referred to the EA, and an FRA will be required

c) all planning applications require that the forms state how foul and surface water will be drained, and the local list also includes the Foul Sewage and Surface Water Drainage Assessment document that can be required at officers' discretion.

3.7 To reflect the subject matter of PPS9, which includes geological and geomorphological features, as well as biodiversity interest, the title of Biodiversity etc Reports has been amended. Also the proposed World Heritage Site should be referred to in the matrix regarding Biodiversity etc. Reports and Heritage Statements.

3.8 The consultation indicates that there is general support for the principle of continuing to have a "local list" of requirements/documents needed to properly assess applications. This will ensure that applications are only validated after applicants have provided adequate information and material for proper consideration of their proposals. Many of the local list requirements concern reports that assist officers and committee members in assessing technical matters that come within the ambit of the planning system.

3.9 Not all of the information will be required in every case. The adoption of the lists gives officers the discretion to request the particular statement, report or assessment if it is relevant to the specific proposal, and the application will not be validated until the information has been received. If the documentation is inadequate, permission can be refused on the basis of insufficient information. If information is needed about a matter not on the local list, this can be requested post-validation – this may be necessary as a result of consultees' comments.

3.10 The matrix included in the previous report setting out the local list documents has been amended to reflect the comments made in paras. 3.6 and 3.7 above.

#### 4. POLICY IMPLICATIONS

4.1 The continued ability to require applicants to submit additional material with applications will assist in assessing them against UDP policies and help to maintain the quality of decisions.

<b>on-Applicable Sections:</b>	Financial, Legal and Personnel Implications
Background Documents: (Access via Contact Officer)	DCLG Guidance on information requirements and validations, March 2010 DCLG Guidance Management Policy Annex: Information requirements and validation for planning applications, March 2010 Responses to consultation on local requirements list matrix



<u>Additional Information Required</u>	<u>Relevant Policy or Statutory Provision</u>	<u>Types of Application That May Require This Information</u>	<u>Locations Where This Information May Be Required</u>
Affordable Housing Statement	UDP Policies H2 & H3 Affordable housing PPS3 Housing	Major residential developments	Borough-wide
Air Quality Assessment	LP Policy 4A.19 Improving air quality PPS23 Planning and Pollution Control	Major developments & other potentially polluting & traffic generating development	Air Quality Management Area and adjacent to it
Biodiversity and Geological Survey and Report	UDP Policies NE1, 2, 5 and 6 Nature Conservation and Development, Protected Species and World Heritage Site PPS9 Biodiversity and Geological Conservation Wildlife and Countryside Act and related legislation	Major developments Non-Major Developments in relevant locations	Within or adjacent to SSSI, LNR, SINC and proposed World Heritage Site, and where protected species may be present on or adjacent to the site
Daylight/Sunlight Assessment	UDP Policy BE1 Design of New Development	Major developments	Opportunity Sites in Bromley Town Centre
Economic Statement	UDP Policies EMP1, 4, 5 & 7 Office & Business Development	Major developments >2000 sq m or >1ha Redevelopments where loss of employment may arise	Business Areas Town / District Centres Biggin Hill Airfield

Energy Statement	LP Policies 4A.3, 4 & 7 Sustainable design, Energy assessment, Renewable energy	Major developments	Borough-wide
Financial Viability Assessment	UDP Policies H2 & H3 Affordable housing & IMP1 Planning obligations SPD Planning Obligations	Major developments that do not offer planning obligations Major residential developments that include < 35% affordable housing	Borough-wide
Flood Risk Assessment	LP Policies 4A.12, 13 & 14 Flooding, Flood risk management & Sustainable drainage. PPS25 Development and flood risk. TCP(DMP)Order 2010	Sites of 1ha or more	Any development in Flood Zones 2 & 3, except “minor development” as defined by Environment Agency
Foul Sewage and Surface Water Drainage Assessment	LP Policies 4A.14 & 18 Sustainable drainage & Water and sewerage infrastructure	Developments that will increase site coverage with buildings and hard surfaces. Sites traversed by public sewers	Borough-wide
Flat Conversions – floor plans and other detailed drawings	UDP Policies H11(ii) & H12 Residential conversions	Conversion of residential buildings into flats, and conversions of non-residential buildings to residential use, incl basement & roofspace accommodation	Borough-wide

<p><b>Heritage Statement</b></p>	<p>UDP Chapter 6 Conservation &amp; the Built Environment, in particular Policies BE8 – 16          UDP Policy NE6 World Heritage Site          PPS5 Planning for the historic environment</p>	<p>Planning applications in Conservations Areas, and affecting the setting of a Listed Building          Conservation Area          Consent Listed Building          Consent          Scheduled Ancient Monument Consent          Sites &gt; 0.4ha          Hedgerow Removal</p>	<p>Conservation Areas          Listed Buildings          Historic Parks &amp; Gardens          Proposed World Heritage Site          Scheduled Ancient Monuments          Areas of Archaeological Significance</p>
<p><b>Land Contamination Assessment</b></p>	<p>UDP Policy ER7 Contaminated land.          PPS23 Pollution &amp; planning control</p>	<p>Any redevelopment in relevant locations, in particular where the proposed use is sensitive eg residential, schools</p>	<p>On and near former landfill sites          Sites that have a history of commercial use or where previous uses are unknown</p>
<p><b>Landfill and Waste Transfer Statement</b></p>	<p>UDP Policy ER2 Waste management facilities.          Mayor's Waste Strategy.          PPS23 Pollution &amp; planning control</p>	<p>All proposals for transfer, treatment and deposit of waste</p>	<p>Borough-wide</p>
<p><b>Landscape/Townscape and Views Impact Assessment</b></p>	<p>Policies in UDP Chapters 6 Conservation and the Built Environment &amp; 8 Green Belt and open space.          BTC AAP Policy BTC19 Building height</p>	<p>Development that may affect the openness of protected open spaces, important local views, or views of landmarks or major skyline ridges.          Proposals for high buildings</p>	<p>Borough-wide incl Town Centres, Conservation Areas, Historic Parks and Gardens, Green Belt / MOL, Urban Open Space</p>

<b>Lifetime Homes / Wheelchair Housing Statement</b>	UDP Policy BE1 Design of New Development LP Policy 3A.5 Housing Choice and LP SPD Accessible London: achieving an inclusive environment	Lifetime Homes Checklist – all new residential developments. Wheelchair Housing proposals for major residential developments	Borough-wide
<b>Lighting Assessment</b>	UDP Policies BE1 Design of new development, ER10 Light pollution and NE1, 2, 5 and 6 Nature Conservation and Development, Protected Species and World Heritage Site	Floodlights and other lights that may impact on visual or residential amenity or nature conservation interests on or adjacent to an application site	Borough-wide, particularly near residential property and in / close to Green Belt / MOL Within or adjacent to SSSI, LNR and SINC, and where protected species may be present on or adjacent to the site
<b>Marketing Evidence</b> (including means and period of marketing, and justification for departure from policy)	UDP Chapter 10 Business & Regeneration, in particular Policies EMP3, 4 & 5, also C1 Community facilities, H12 Conversion of non-residential buildings & S4 / S5 Local and neighbourhood centres	Development / reuse of business premises for non-business purposes Loss of community facilities Change of use of retail shops to non-retail purposes	Business Areas, business sites outside designated Business Areas Shopping centres
<b>Noise and Vibration Impact Assessment</b>	LP Policy 4A.20 Reducing noise. Mayor's Ambient Noise Strategy. PPG24 Planning & noise	Noise-sensitive development (incl residential) close to noise generating activities. Proposals that incl noise generating activities & equipment / machinery	Alongside transport links (railways and busy roads) Business Areas Town & District Centres

Parking Provision for Cars and Bicycles	UDP Policies T3 & T7 Parking & Cyclists	Residential development, places of employment, education & entertainment / leisure	Borough-wide
Planning Obligations – Draft Head(s) of Terms	UDP Policy IMP1 and SPD Planning obligations. DCLG Circular 05/05 Planning obligations	Major developments. Certain Non-Major developments eg in town centres	Borough-wide
Photographs	UDP Policy BE1 Design of New Development	Applications not accompanied by photographs in other documents	Borough-wide including Conservation Areas and other applications affecting heritage assets
Planning Statement	Wide range of UDP Policies incl G1, G2, G8 Green Belt, MOL & Urban Open Space & those in Chapter 10 Business & Regeneration. BTC AAP	Major developments which raise a wide range of planning issues, incl justification of “very special circumstances” regarding Green Belt / MOL	Borough-wide incl applications in Green Belt / MOL / Urban Open Space and Town Centres
Refuse and Recycling Storage	UDP Policy BE1 Design of New Development	Residential development, places of employment, education & entertainment / leisure	Borough-wide
Section Drawings and Levels	UDP Policy BE1 Design of New Development	Proposals that involve a change in levels. On sloping sites	Borough-wide
Statement of Community Involvement (SCI)	LDF Statement of Community Involvement	Major developments	Borough-wide

Structural Survey and Rebuilding Method Statement	UDP Policies BE8, 9 &10, G1 & G2 Listed Buildings, Green Belt & MOL	Listed Building Consent. Demolition of Statutory & Locally Listed Buildings. Conversion / reuse of buildings in Green Belt /MOL	Borough-wide
Telecommunication Development – supplementary information	BE22 Telecommunications Apparatus	Telecommunications masts, base stations & related apparatus	Borough-wide
Town Centre Uses and Retail Impact Assessment	Policies in UDP Chapter 11 “Town Centres & Shopping”. PPS4 Planning for sustainable economic growth	Major developments Non-Major developments incl changes of use of retail premises	Commercial floorspace within and outside retail centres
Transport / Traffic Impact Assessment	UDP Policies T1, T2, T3 & T18 Transport demands, Transport effects, Parking & Road safety PPG13 Transport	Major developments	Borough-wide
Travel Plan	UDP Policy T2 Transport effects PPG13 Transport	Major developments	Borough-wide
Tree Survey and Arboricultural Implications Report	UDP Policy NE7 Development & trees	Development on sites where there are existing trees	Borough-wide

Ventilation/Extraction Statement	UDP Policies ER9 & S9 Ventilation & Food & drink premises LP Policy 4A.19 Improving air quality	Restaurants, cafes & hot food takeaways (Classes A3, A4 & A5) and other commercial extraction flues	Borough-wide
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Key / Definitions

BTC AAP	Bromley Town Centre Area Action Plan
DCLG	Department For Communities and Local Government
LDF	Bromley Local Development Framework
LNR	Local Nature Reserve
LP	London Plan (the Mayor of London's Plan)
MOL	Metropolitan Open Land
PPG	Planning Policy Guidance (by DCLG)
PPS	Planning Policy Statement (by DCLG)
SINC	Site of Importance for Nature Conservation
SSSI	Site of Special Scientific Interest
TCP(DMP)Order	Town and Country Planning (Development Management Procedure) Order
UDP	Bromley Unitary Development Plan

28/01/11

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