



THE LONDON BOROUGH  
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BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333

CONTACT: Lisa Thornley  
*lisa.thornley@bromley.gov.uk*

DIRECT LINE: 020 8461 7566

FAX: 020 8290 0608

DATE: 28 March 2013

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

Councillor Peter Dean (Chairman)  
Councillor Alexa Michael (Vice-Chairman)  
Councillors Graham Arthur, Douglas Auld, Eric Bosshard, Katy Boughey,  
Lydia Buttinger, Nicky Dykes, Simon Fawthrop, Peter Fookes, John Ince,  
Russell Jackson, Mrs Anne Manning, Russell Mellor, Tom Papworth,  
Richard Scoates and Harry Stranger

A meeting of the Development Control Committee will be held at Bromley Civic Centre on **TUESDAY 9 APRIL 2013 AT 7.30 PM**

MARK BOWEN  
Director of Resources

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 SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 28 FEBRUARY 2013 (Pages 1-8)**

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

In accordance with the Council's Constitution, questions to this Committee must be received in writing 4 working days before the date of the meeting. Therefore please ensure questions are received by the Democratic Services Team by 5 pm on Wednesday 3 April 2013.

**5 GLA SPG CONSULTATION (Pages 9-12)**

**6 PROPOSED PERMITTED DEVELOPMENT RIGHTS FOR CHANGE OF USE FROM COMMERCIAL TO RESIDENTIAL: RESPONSE TO GOVERNMENT REQUEST FOR EXEMPTIONS (Pages 13-40)**

**7 PLANNING PERFORMANCE AND IMPROVEMENTS (Pages 41-48)**

**8 PLANNING APPEALS - COSTS DECISIONS 2012 (Pages 49-58)**

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## DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held at 7.30 pm on 28 February 2013

**Present:**

Councillor Peter Dean (Chairman)  
 Councillor Alexa Michael (Vice-Chairman)  
 Councillors Graham Arthur, Douglas Auld, Eric Bosshard,  
 Katy Boughey, Lydia Buttinger, Nicky Dykes, Simon Fawthrop,  
 Peter Fookes, John Ince, Russell Jackson, Mrs Anne Manning,  
 Russell Mellor, Richard Scoates and Harry Stranger

**Also Present:**

Councillors Nicholas Bennett J.P., Will Harmer, David Jefferys,  
 Charles Joel and Diane Smith

**41 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

An apology for absence was received from Councillor Papworth.

**42 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**43 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 29 JANUARY 2013**

**RESOLVED** that the Minutes of the meeting held on 29 January 2013 be confirmed and signed as a true record.

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

No questions were received.

**45 PLANNING REPORTS**

**45.1 1 WESTMORELAND ROAD, BROMLEY**

Members considered the following planning application report:-

Item No.	Ward	Description of Application
5.1 (page 9)	Bromley Town	(12/02385/OUT) - Demolition of existing building and erection of a 4 to 11 storey building comprising a 110 bedroom hotel (Class C1, 49 residential units (Class C3) and 592 sqm retail use (Class A1-A5) with associated landscaping, servicing, 41 car parking spaces and bicycle parking OUTLINE ADDITIONAL PLANS RECEIVED.

Oral representations were received from the applicant's agent, Mr Robert Clarke. Mr Clarke submitted the following points in support of the application:

- The scheme conformed with parking standard requirements.
- No objections to the application had been received from the Highways Authority.
- The applicant was disappointed with the planning officers' recommendation to refuse the application and appalled at the reasons given for refusal.
- Information requested from the Council had not been received until 48 hours prior to this meeting.
- The DTZ Retail and Office Study (2012) had been released only 24 hours prior to this meeting.
- The date of the application report preceded that of the advice given by planning officers.
- The reasons for refusal, as set out in the report, would be unlikely to withstand scrutiny.
- Based on the information contained within the briefing note circulated to Members, the application should not be refused.
- With regard to the impact on the view of Keston Ridge from the town centre, the application report contradicts itself; Keston Ridge would remain visible from Bromley High Street.

Councillor Michael questioned how the development of a low budget hotel could overcome the Council's policies regarding affordable housing. Mr Clarke responded that the need for a hotel was in direct response to site specific policy and the residential element of the application would subsidise the hotel. There was no flexibility within the current finance package for a Section 106 element.

Oral representations were also received from local resident Mr Zameel Syed. Mr Syed submitted the following points in objection to the application:-

- The height of the design was taller than the existing building.
- The proposal was out-of-character with the surrounding area.
- As one hotel had already been permitted on an adjacent site, there was no requirement for a second.



- Residents in Pinewood Road and Sandford Road would suffer a loss of privacy.
- Residents living to the rear of the development would suffer a loss of natural light.
- The proposal would have a negative impact on road safety, particularly as there were two schools in the immediate vicinity. There would also be an increase in traffic and parking issues.
- The development would have an environmental impact on the area with regard to noise, drainage, waste collection and removal of trees.

Mr Syed urged Members to take into account the needs of the local community when considering the application.

In reply to a question from Councillor Dykes, Mr Syed reported that the only time the applicant had engaged with local residents was during an open evening. E-mails sent to the applicant had remained unanswered.

Officers informed Members that as a result of further consultation, an additional 11 letters of objection had been received, most of which iterated objections already reported.

Subsequent to a site visit on 21 February, officers had received two requests for information from the applicant and some officer comments had been provided in response.

Ward Member Councillor Dykes and her Ward Member colleagues had engaged with local residents. She commented that although the Town Centre Area Action Plan identified the site as land suitable for a tall building, the proposal raised the following planning issues.

- The view of Keston Ridge (as identified in the Development Plan) would be compromised.
- The view of St Mark's Church Tower would be adversely affected.
- The proposal would result in an intensification of car parking.
- The visual amenity of Bromley High Street would be compromised.

Councillor Dykes commented that this was a premium site for office space and should be utilised as such. Councillor Dykes moved that the application be refused.

The Chairman stated that the principle for redevelopment was set within the Area Action Plan which maintained that the site should provide replacement of existing office space, an element which the present application did not

contain. Councillor Dean seconded the motion for refusal on the grounds set out within the planning report.

Councillor Ince queried the robustness of the financial viability assessment as he preferred to see affordable housing incorporated within the proposed 49 flats. The Deputy Chief Planner reported that the assessment had been undertaken by an independent consultant and the evidence therein could be relied upon.

Councillor Bosshard stated that as the cost to the Council for providing bed and breakfast was significantly high, the erection of a hotel would not compensate for the lack of affordable housing. Councillor Bosshard also commented that the provision of 40 car parking spaces was insufficient; there should be at least 70-80 available spaces. As a result, there would be an overspill of parking into the surrounding area. This was a prime opportunity to redevelop the site to provide office space, a much needed element within Bromley Town Centre.

Councillor Michael commented that the site was a gateway into the town centre and development of office space as identified in the Area Action Plan would attract companies and workers into the Borough and thereby promote economic growth.

Councillor Fawthrop stated there could never be enough parking spaces in the Borough. Sufficient parking was an important element of a vibrant town centre. Councillor Fawthrop also sought clarification of Mr Clarke's statement that the requested reasons for the objections to the hotel had been received just 48 hours prior to this meeting. The Deputy Chief Planner responded that all issues relevant to the application were conveyed to the applicant at the pre-application stage of the planning process, including the issue around replacement of office floorspace. The onus was on the applicant to decide how much detail they wanted to submit. Issues represented in the report were indicated to the applicant prior to an informal presentation in February.

**RESOLVED that PERMISSION BE REFUSED as recommended, for the following reasons:-**

- 1 The proposed development is not acceptable, by reason of the absence of a robust and well evidenced Financial Viability Statement, resulting in failure to meet the requirements for the provision of S106 contributions for the purposes of affordable housing, education and health contrary to Policies IMP1 and H2 of the Unitary Development Plan and the Supplementary Planning Guidance relating to Planning Obligations and Housing and Policies 8.2 and 3.12 of the London Plan.**
- 2. In the absence of a robust and well evidenced appraisal of the office market in Bromley, the proposal is unacceptable, by reason of the lack of suitable replacement office development, contrary to Policies BTC 5 and OSL of the Bromley Town Centre Area Action Plan.**

3. The indicative proposal, by reason of its scale and height, would detrimentally impact on protected long distance views of the Keston Ridge contrary to Policies BTC 19 and OSL of the Bromley Town Centre Area Action Plan and Policies BE17 and 18 of the Bromley Unitary Development Plan.

It was FURTHER RESOLVED that refusal of the application was subject to a possible direction of the Mayor of London in accordance with the powers under the Town and Country Planning (Mayor of London) Order 2008.

#### 45.2 LAND AT SOUTH SIDE OF RINGERS ROAD

Members considered the following planning application report:-

Item No.	Ward	Description of Application
5.2 (page 29)	Bromley Town	(12/03088/FULL1) - Erection of 1x11 storey (plus upper basement) and 1x9 storey (plus lower and upper basement) building comprising 148 flats (48x1 bedroom and 100x2 bedroom), 460 sqm commercial unit (Class A3/A4), 77 car parking spaces, cycle parking, refuse and recycling stores, ancillary works including plant and equipment on ground floor and roof, together with vehicular access to Ravensbourne Road and Ringers Road and associated landscaping.

Oral representations were received from Ms Debbie Aplin, Managing Director of Crest Nicholson Regeneration Ltd who submitted the following points in support of the application:-

- The planning officers' recommendation contained in the report caused surprise and disappointment.
- As reported on pages 33 and 34 of the report, no objections had been received from consultees.
- The proposal was in accordance with the objectives and policies of the Area Action Plan.
- Through consultation, local residents' views had been taken into consideration with regard to commercial use of the ground floor.
- If Members approved the application, the applicant would be willing to accept the Section 106 Agreement and conditions imposed at the time the extant permission was granted in 2008.

Councillor Mrs Manning asked Ms Aplin why the public access route was placed in a position contrary to that advised. In response, Ms Aplin said that Crest did not own the adjoining site at the point advised by the Council. Using their experience, Crest had looked at the most practical place to position the access route and chose one which they thought complied with the Area Action Plan.

Councillor Fawthrop asked why the applicant had not built the development that was previously granted planning permission in January 2008. Ms Aplin responded that the site was bought through a former section of the Crest Nicholson company which had since suffered financial difficulties. Ms Aplin managed a separate section of the company and specialised in partnering local authorities to develop mixed use housing. She viewed the current proposal to be an improvement upon the application previously permitted.

It was reported that no issues had been raised with regard to the provision of affordable housing and no further comments had been received from the Greater London Authority.

Councillor Dykes commented that this was an important site for Bromley Town Centre. She raised concerns that the application conflicted with the Area Action Plan, specifically in regard to the Churchill Theatre site and immediate surrounding area. Having visited the site and spoken to representatives, Councillor Dykes stated that the development would be out-of-character with the surrounding area, overdominant and harmful to the amenities of local residents due to the loss of natural light and the development would result in an impact on traffic and parking. Councillor Dykes moved that the application be refused.

The Chairman commented that the vision of the Area Action Plan was for the development of a bright and vibrant town centre. The application before Members did not lend itself to the objectives and aims of the Area Action Plan, particularly in respect to the provision of retail space, the height and bulk of the tower block and the design of the development. Councillor Dean suggested (and Members agreed), that should the application be refused, the second reason for refusal should be amended to incorporate 'design' as a contributing factor for refusal. Councillor Dean seconded the motion for refusal.

Councillor Ince was disappointed to note that as a result of the financial viability assessment, the provision for affordable housing was 10% lower than the 35% required by Council policy. The Deputy Chief Planner confirmed that an independent consultant had undertaken the financial viability assessment and the reasons given for the lower affordable housing provision were not deemed to be unreasonable.

Councillor Michael stated that the development would undermine the aims and objectives of the AAP in particular with the need to attract retail development to Bromley. The height of the development was taller than the

previous proposal granted in January 2008 and the design was unsuitable and bulky.

**RESOLVED that PERMISSION BE REFUSED as recommended, for the following reasons:-**

- 1 The proposed development would conflict with the Area Action Plan objectives for opportunity Site G, particularly in terms of the delivery of retail floorspace, permeability, the phasing of comprehensive development and the creation of a secondary street through the site and is thereby contrary to Policy OSG and Policy BTC 30 of the Bromley Town Centre Action Plan.**
- 2. The proposed development, by reason of the design and excessive height and bulk of the blocks, would be unduly harmful to the character and appearance of the area and appear dominant and overbearing when viewed from nearby residential properties contrary to policy BE1 of the Unitary Development Plan and policy BTC17 of the Bromley Town Centre Area Action Plan.**

**It was FURTHER RESOLVED that refusal of the application was subject to a possible direction of the Mayor of London in accordance with the powers under the Town and Country Planning (Mayor of London) Order 2008.**

**46 APPEALS BY CAPITAL SHOPPING CENTRES LTD (CSC)  
AGAINST THE COUNCIL'S DECISION TO REFUSE PLANNING  
AND LISTED BUILDING CONSENT FOR DEVELOPMENT AT  
QUEEN'S GARDENS, BROMLEY**

**Report DRR13/041**

This report was deferred from the previous DCC meeting in January 2013.

In June 2012, Members refused an application for planning permission and an application for listed building consent to extend The Glades Shopping Centre. In January 2013, Members considered whether the ground of refusal relating to the impact on residential amenity should be defended at appeal. The report was subsequently deferred to this meeting to enable officers to undertake further analysis of new information received and for a complete copy of an appeal to be appended.

Councillor Mrs Manning was pleased to receive a complete copy of the Inspector's report and pointed out that the only residents in the vicinity were people living on the opposite side of Kentish Way. Councillor Mrs Manning moved that the ground for refusal be withdrawn.

Contrary to that stated in the report (page 49), Councillor Dykes was aware that objections to the development had been received from local residents.

In determining the application for the proposal, Councillor Michael had voted against permission but not on the grounds of loss of amenity to residents. Councillor Michael thought it prudent, therefore, to withdraw that reason for refusal.

The Planning Officer confirmed to Councillor Fawthrop that no objections concerning the loss of amenity had been received.

Councillor Mellor voted against the application because he believed residential amenity would be affected and the development would take place in a conservation area. He urged Members to bear in mind that the Abbaye application had not involved any construction work. This application, however was a new construction which constituted an overdevelopment. Councillor Mellor urged members to continue to maintain all grounds for refusal.

**RESOLVED that the ground for refusal relating to the impact on residential amenity be withdrawn.**

The meeting ended at 8.30 pm

Chairman

# Agenda Item 5

Report No.  
DRR13/056

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** DEVELOPMENT CONTROL COMMITTEE

**Date:** Tuesday 9 April 2013

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

**Title:** GLA SUPPLEMENTARY PLANNING GUIDANCE  
CONSULTATION

**Contact Officer:** Louisa Bruce, Planner  
E-mail: louisa.bruce@bromley.gov.uk

**Chief Officer:** Jim Kehoe, Acting Chief Planner

**Ward:** (All Wards);

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## 1. Reason for report

- 1.1 The Mayor of London has produced two draft Supplementary Planning Guidance documents (SPG) on Town Centres and Shaping Neighbourhoods. The SPGs are available for consultation until 12th and 31<sup>st</sup> May 2013 respectively. The next Development Control Committee meeting is not until June and to enable a considered response on behalf of the Council, Members are being asked to agree that officers prepare a draft response to be finalised by the Chief Planner in consultation with the Chairman to meet the May deadlines.

## 1. RECOMMENDATION(S)

Members are asked:

- (i) that the Council's response to this public consultation on the GLA Town Centres Draft Supplementary Planning Guidance (2013) & GLA Shaping Neighbourhoods: Character and Context Draft Supplementary Planning Guidance (2013) be prepared and be submitted by the Chief Planner (taking into account any relevant Financial or Legal implications) in consultation with the Chairman of the Committee.

1. Policy Status: Existing Policy
  2. BBB Priority: Vibrant, Thriving Town Centres:
- 

#### Financial

1. Cost of proposal: N/A
  2. Ongoing costs: N/A
  3. Budget head/performance centre: N/A
  4. Total current budget for this head: £ N/A
  5. Source of funding: N/A
- 

#### Staff

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

#### Legal

1. Legal Requirement: Non-Statutory - Government Guidance:
  2. Call-in: Not Applicable:
- 

#### Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
- 

#### Ward Councillor Views

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



### 3. COMMENTARY

- 3.1 Two draft Supplementary Planning Guidance Notes that have recently been published by the Mayor of London. The first of these is the Town Centres Draft Supplementary Planning Guidance and the second Shaping Neighbourhoods: Character and Context Draft Supplementary Planning Guidance.
- 3.2 The draft Town Centres SPG which is available for consultation does not set out new policies but provides guidance to supplement the town centre policies in the 2011 London Plan (LP). It has been informed by the Government's National Planning Policy Framework (NPPF) which was published in April 2012.
- 3.3 This provides guidance on the implementation of London Plan Policy 2.15 Town Centres and its associated Annex, and guidance on other policies in the Plan with specific reference to town centre development and management. It also provides guidance on Policy 2.16 Strategic Outer London Development Centres and their potential to be developed as business locations.

The draft SPG includes guidance to:

- promote the vitality and viability of London's town centres, including neighbourhood and local centres
  - support a vibrant mix of uses in town centres including retailing, leisure, culture, tourism, business, social infrastructure and housing
  - accommodate growth in demand for new town centre floorspace within centres or in well integrated edge of centre sites
  - bring back into use vacant or under-used properties
  - promote inclusive access by public transport, shop mobility, walking and cycling to the range of goods and services in town centres
  - advance the role of town centres in promoting safe, healthy, sustainable neighbourhoods with quality design and public realm, now and for the future
  - develop the sense of place and identity of town centres, making them places that people will want to visit
  - implement the Strategic Outer London Development Centre concept to enhance the distinct economic strengths of these locations whilst complementing growth in other centres.
- 3.4 The Mayor has also published for public consultation draft Supplementary Planning Guidance on 'Shaping Neighbourhoods: Character and Context' to help with the implementation of policies in Chapter 7 of the 2011 London Plan, particularly Policies 7.4 on Local Character and 7.1 on Building London's Neighbourhoods and Communities.
- 3.5 Understanding the existing character and local context of a place is essential to an appreciation of how a place can and should develop in the future, whether that is to protect important elements crucial to an area's distinctive sense of place or identifying those elements that should be enhanced through managed change.3.6 The draft document sets out an approach and process to help understand the character and context of a place so that its results can inform the planning and design process and guide change in a way which is responsive to individual places and locations.

- 3.7 The Town Centre SPG is available for consultation until Friday 31st May 2013 whilst the Character and Context SPG consultation ends on Friday 12th May 2013.
- 3.8 Officers will draft a detailed response and Members are asked to agree that this is finalised by the Chief Planner (taking into account any relevant Financial or Legal implications) in consultation with the Chairman of Development Control Committee before the respective deadlines. The GLA are expected to issue town centre health check information and strategic retail capacity assessments which will also be incorporated in any response to the SPGs as relevant matters.
- 3.9 Discussions at DCC meetings reflect the importance of the town centres to the Borough and to maintaining Bromley's special character.

#### 4. POLICY IMPLICATIONS

- 4.1 The SPGs will provide additional guidance on the implementation of policies in the London Plan. They will assist boroughs in preparing Development Plan Documents and ensuring that these are in general conformity with the London Plan. They will also be a material planning consideration when determining planning applications and are intended to inform developers, landowners and others when considering or preparing residential and mixed use schemes.
- 4.2 Existing Council policies contained within the saved UDP already highlight the importance of protecting the vitality and viability of the Borough's town centres together with the special character of the Borough.

<b>Non-Applicable Sections:</b>	Financial, Legal and Personnel
Background Documents:	<p>GLA Town Centres Draft Supplementary Planning Guidance (January 2013)</p> <p>GLA Shaping Neighbourhoods: Character and Context Draft Supplementary Planning Guidance (February 2013)</p> <p>GLA The London Plan 2011</p> <p>All of the above documents are available on the GLA website</p>

# Agenda Item 6

Report No.  
DRR 13/055

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** DEVELOPMENT CONTROL COMMITTEE

**Date:** Tuesday 9 April 2013

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

**Title:** PROPOSED PERMITTED DEVELOPMENT RIGHTS FOR  
CHANGE OF USE FROM COMMERCIAL TO RESIDENTIAL:  
RESPONSE TO GOVERNMENT REQUEST FOR EXEMPTIONS

**Contact Officer:** Neil Hawkins, Planning Policy Officer  
Tel: 020 8461 7842    E-mail: neil.hawkins@bromley.gov.uk

**Chief Officer:** Deputy Chief Planner

**Ward:** (All Wards);

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1. Reason for report

This report seeks Development Control Committee's endorsement of Appendix A as the Council's submission to the Department of Communities and Local Government (DCLG), regarding the exemption of specific areas of the Borough from the proposed new rules which would allow offices to convert to homes without the need for planning permission. The contents of Appendix A were submitted by officers in February 2013 in order to meet the DCLG deadline for replies.

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2. **RECOMMENDATION(S)**

Endorse Appendix A as the Council's submission to DCLG.

### Corporate Policy

1. Policy Status: New Policy
  2. BBB Priority: Quality Environment, Vibrant, Thriving Town Centres
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### Financial

1. Cost of proposal: It is not possible to quantify the financial impact of the proposed changes at this moment in time
  2. Ongoing costs: Cannot be quantified at this moment in time
  3. Budget head/performance centre: Planning
  4. Total current budget for this head: £2.589m
  5. Source of funding: Existing revenue budget for 2013/14
- 

### Staff

1. Number of staff (current and additional): 64ftes
  2. If from existing staff resources, number of staff hours:
- 

### Legal

1. Legal Requirement: Non-Statutory - Government Guidance
  2. Call-in: Not Applicable
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Whole Borough population
- 

### Ward Councillor Views

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

### **3. COMMENTARY**

#### **Background**

- 3.1 A consultation on relaxing change of use rules for commercial properties to residential use was initially held in April 2011. The Council submitted a response to this consultation opposing the proposed changes and this response was reported to the Development Control Committee on 30<sup>th</sup> June 2011 (Item 7, Report No.DRR11/00057). Following the consultation, no further action was taken by the Government on the proposed Permitted Development (PD) changes.
- 3.2 On the 24<sup>th</sup> January 2013, these proposals were revisited in the Secretary of State for Communities and Local Government's written statement to Parliament which confirmed that PD rights enabling a change of use from office to residential use will be introduced after a consultation of local authorities on local exemptions. The proposals will be in place by Spring 2013 for a period of three years at which point the PD changes will be reviewed.
- 3.3 Local Planning Authorities were given the opportunity to seek a local exemption for specific parts of their locality where it could be justified on economic grounds. It was made clear that exemptions will only be granted in exceptional circumstances, where local authorities demonstrate clearly that the new rights in a particular area will lead to substantial adverse economic consequences.

#### **Request for Exemptions**

- 3.4 Local Planning Authorities were given until the 22<sup>nd</sup> February to respond; therefore a measured response was drawn up by officers in consultation with the Chairman of the Development Control Committee prior to submission.
- 3.5 The London Borough of Bromley seeks exemption for parts of the Borough under the grounds of exceptional circumstances criteria (b) "substantial adverse economic consequences at the local authority level which are not offset by the positive benefits the new rights would bring".
- 3.6 The following areas are sought for exemption:
- Bromley Town Centre
  - Biggin Hill Strategic Outer London Development Centre
  - Cray Business Corridor – the designated Business Areas in the Crays (and also Strategic Industrial Location designation in the London Plan)
  - Other Designated Business Areas (those designated in the Development Plan)
- 3.7 Further details on the rationale behind the specific areas and the supporting evidence are available in Appendix A. In essence, the new PD rights will have significant implications for the Borough, impacting on its ability to strategically plan and manage the supply of employment land that is essential to the local economy and the objectives of sustainable development. The existing policy framework and emerging Local Plan support the economic growth of the Borough through a plan-led approach. Progress in realising these policies will be adversely impacted by the new PD changes.
- 3.8 The Greater London Authority has responded to DCLG outlining strong concerns over the proposals and has highlighted the potential negative economic impacts pan-London. All but three London Boroughs have submitted requests for specific exemptions in their localities.

3.9 At the time of writing, DCLG are assessing the exemption cases; it is anticipated an announcement will be made in the coming weeks outlining the areas that have qualified for exemption. Members will be kept informed of the outcome.

#### 4. POLICY IMPLICATIONS

4.1 The proposed PD changes will have an impact on the preparation of the Local Plan, particularly around the provision of office floorspace and the provision of supporting infrastructure to support the new homes. The outcome of the submission will need to be factored into the emerging Local Plan.

4.2 The London Plan identifies Bromley as a 'restricted borough' in terms of the loss of industrial land, and the saved UDP policies see the broad protection of commercial floorspace with Business Area designation providing the greatest protection. The evidence base for the emerging Local Plan shows a continuing demand for offices in line with GLA forecasts.

#### 5. FINANCIAL IMPLICATIONS

5.1 From April 2013, income from existing business rates will be retained by local authorities along with 30% of any additional business rates income. The changes to the retention of business rates creates a financial incentive for the Council to plan for economic growth; this will be adversely affected by the new PD rights and will impact on the Council's ability to secure future financial income from business rate growth.

5.2 Although there is a potential to increase income through New Homes Bonus receipts as a result of the new dwellings created by the legislation, it is not possible to quantify the amount as it depends on the scale of future development and the impact of the changes to the formula grant.

<b>Non-Applicable Sections:</b>	Legal, Personnel.
Background Documents: (Access via Contact Officer)	<ul style="list-style-type: none"> <li>- Report No.DRR11/00057 Relaxation of Planning Rules for Change of Use from Commercial to Residential: Response to Government Consultation.</li> <li>- Letter to Chief Planning Officers 24th January 2013 from Steve Quartermain (Chief Planner, DCLG).</li> <li>- Economic Development and Employment Land Study, 2010, GVA Grimley.</li> <li>- Market Demand and Feasibility Report, 2009, GVA Grimley.</li> <li>- Retail, Office, Industry and Leisure Study, 2012, DTZ.</li> <li>- Bromley Town Centre AAP, 2010.</li> <li>- Stimulating the Economy Study (GL Hearn Study) 2013.</li> </ul>

## **London Borough of Bromley – Exemption from Permitted Development Rights for change of use from commercial to residential - Executive Summary**

### **Exemption**

The London Borough of Bromley seeks an exemption to the Government's proposals new rules to allow offices to convert to homes without the need for planning permission for specific parts of the Borough under category B substantial adverse economic consequences at the local authority level which are not offset by the positive benefits the new rights would bring.

The following areas, also shown on maps with the designated are shown in red and the borough boundary in blue are sought for exemption.

#### **1. Bromley Town Centre**

Bromley Town Centre, is a Metropolitan Town Centre, classified A/B in Annex 2 of the Local Plan indicating that speculative office building could be promoted on some sites. The ambitious Adopted Area Action Plan for Bromley Town Centre together with the emerging Local Plan seek to manage, allocate and promote office sites. The permitted development rights would seriously undermine these objectives. The significant difference in values for office and residential use means that owners and developers are already seeking changes of use. Currently the planning process enables any change to be managed in the context of the local plan. Evidence shows an increasing demand for offices, and a role for the town centre as designated in the London Plan with substantial office activities. Alongside this there will be residential development but in a planned manner providing confidence and certainty to the market and the community.

#### **2 Biggin Hill Strategic Outer London Development Centre (SOLDC)**

Biggin Hill SOLDC. The area is recognised as of wider than local economic importance with its London Plan Strategic Outer London Development Centre status and the emerging Local Plan includes options for further intensification of economic activity to support the sub-regional economy. There is a private sector led initiative LOCATE which is driving forward investment and this together with a locally prepared plan with local and adjoining authority support the economic vision and role. The potential of permitted development rights to change from office to residential creates uncertainty and will have an adverse economic impact at, and beyond the individual local authority level. The area is an established business area operating at more than a borough level.

#### **3, Cray Business Corridor**

The Cray Business Corridor, which contains over 50% of the borough's designated business land, and is identified as a Strategic Industrial Location (SIL) within the London Plan. This recognises the area's economically strategic importance, especially within a Borough also Identified as a Restricted Borough within the London Plan, where the loss of industrial land is seen to have an adverse impact at

a level of importance to the City as a whole. The emerging Local Plan identifies the Cray Business Area as an area for investment to ensure it meets the demands of future business and the Infrastructure Delivery Plan will identify the scope of improvements required. The area comprises three main designated business areas

- Sevenoaks Way/Cray Avenue
- Crayfields Business Park
- Klingers Business Area

#### **4. Other Designated Business Areas**

- Oakfield Rd (Penge),
- Lower Sydenham,
- Croydon Rd (Elmers End),
- Farwig Lane (Bromley North),
- Holmesdale Road

These are long established business areas within the Development Plan and make an important contribution to the borough's economy, providing valuable employment and a diverse and strong business base.

Surveys of businesses show satisfaction with the business areas, and a desire to stay there, and expand where possible, and if they need to relocate a wish to do so within the borough.

#### **Current Position**

The London Borough of Bromley considers that the designations currently in place for Business Areas will be undermined if the permitted changes to allow the changes of use from B1 (a) to C3 residential go ahead. Currently applications and appeals are refused/dismissed where such development is proposed because it is contrary to policies contained within the Bromley UDP. The new PD rights would severely limit the Council's ability to influence development and significantly damage its ability to control non-business development in designated Business Areas within the Borough all to the detriment of the wider economy.



# **London Borough of Bromley Request for Exemption Report**

## **1. Introduction**

- 1.1 The purpose of this report is to seek exemption for the areas set out in Appendix 1 under the forthcoming Permitted Development (PD) rights that will allow the change of use from B1(a) offices to C3 residential.
- 1.2 A sound argument supported by detailed evidence is set out in the report, providing a strong case for exemption through 'exceptional circumstances' that are 'justified on economic grounds' for criteria (b).
- 1.3 Section 2 forms the main part of this report, providing background context on the significance of the Bromley economy and commentary on the rationale for the proposed exempt areas.
- 1.4 The wider impacts of the proposed PD rights are briefly considered, with specific reference to the latent indirect economic impacts that could adversely affect the borough.
- 1.5 The report concludes with a summary of the key evidence and recommends that the areas discussed are carefully considered for exemption.

## **2. The Case for Exemption: Exceptional Circumstances, Evidence and Justification on Economic Grounds**

- 2.1 The Government highlights that this PD measure is seen as an important contribution to assisting the economic well-being of the country; recognising that any loss of commercial premises will be accompanied by benefits in terms of new housing units, additional construction output and jobs.
- 2.2 It is therefore important to note that due regard has been given to the above benefits and it is acknowledged that these advantages have been factored into the decision making process in the request for exemptions.
- 2.3 It is made clear in the guidance that local exemptions for specific parts of a locality will only be granted in exceptional circumstances (where this can be justified on economic grounds) and where the assessment criteria as set out in Annex B of the Letter to Chief Planners has been addressed adequately. This report explicitly refers to the guidance and criteria in stating the case for exemption.
- 2.4 The London Borough of Bromley seeks exemption for parts of the borough (as set out on the attached maps) under the grounds of exceptional circumstances criteria (b):

"Substantial adverse economic consequences at the local authority level which are not offset by the positive benefits the new rights would bring".

- 2.5 This section specifically addresses the anticipated adverse impacts and the assessment criteria with reference to supporting evidence.

### Policy Context

- 2.6 The National Planning Policy Framework (NPPF) emphasises planning's role in contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.
- 2.7 Significant weight is placed on the need to support economic growth through the planning system and the onus is on local planning authorities to plan proactively to meet the development needs of business. The new PD rights will significantly undermine the role and ability of the Council to plan effectively for economic growth because the changes will take the control out of the hands of the Council, therefore adversely impacting on the capacity to ensure sufficient office floorspace is available in the right places at the right time to support growth.
- 2.8 The London Plan sets out the Mayoral vision and strategic policy regarding the economy and business growth which the borough's Local Plan has to conform to. A key driver of the London Plan (Policy 2.6 Outer London: Vision and strategy and Policy 2.7 Outer London: Economy) is to realise the potential of outer London, with specific reference to addressing the constraints and opportunities in economic growth so that outer London can rise above its long term economic trends.
- 2.9 It is clear from the national and regional policy framework that Bromley has a duty to plan proactively for economic growth and manage the stock of employment land to fulfil the identified needs of business. The new PD rights undermine the existing policy framework and will have an adverse impact on the Council's ability to influence development in its area and therefore ultimately plan strategically to meet future employment space and employment needs.

### Employment Land Review Evidence

- 2.10 Bromley's economy is one of the largest in outer London, with just over 13,000 businesses and an estimated 129,000 jobs - an economic scale similar to cities such as Reading and Stoke-on-Trent. The borough has consistently had high levels of employment and a highly skilled workforce. Approximately two thirds of the jobs in the borough are taken by local residents of Bromley. A strong local economy is key to continuing prosperity in Bromley, underpinning the high quality of life which characterises the borough.
- 2.11 A recent study undertaken by DTZ (employment land review 2012) on behalf of the Council provides an evidence base for planning the borough's long-term future employment land requirements. Employment in the borough is forecast to increase by 6% to 137,000 by 2031, from 129,000 in 2011; this increase is similar to the percentage change in many other outer London boroughs.
- 2.12 These forecasted trends are likely to lead to the following net additional figures for space required to accommodate changes in employment:

- A significant requirement for office space (121,000 sq m) driven by business services and financial services
- Falling requirements (-9,200 sq m) for industrial /other business space driven by a decline in the manufacturing sector, and a decline for warehousing (-7,700 sq m)
- A small increase in non-B uses requiring traditional employment (i.e. B use) sites of 2,300 sq m, driven by declines in wholesale and increases in health and education.
- Also, a brief examination of non-B uses requiring non-traditional (i.e. non-B) sites highlights a total requirement of 249,000 sq m of floorspace. This will be driven primarily by construction, retail, hotels and restaurants. This requirement is likely to need a variety of types and locations of sites across the borough that fall under a number of non-B use classes.

2.13 The sectors that are set to grow the most in Bromley between 2006 and 2031 are Business Services, Financial Services, Construction, Health and Education and Hotels and Restaurants. Meanwhile, sectors forecast to lose employment include Manufacturing, Transport and Communications and Wholesale.

2.14 The DTZ study argues that the key to planning employment land provision to 2031 is restricting the release of existing office sites and non-office sites that have the potential to be converted to office uses. The study recommends protecting against loss to other uses existing employment land and premises in Bromley that meet the following criteria:

- Existing employment sites or premises that are within town centres. Bromley South represents the greatest opportunity to accommodate additional future development.
- Existing employment sites or premises that are suitable existing office locations outside town centres to provide both capacity for growth and choice for the market.

2.15 It is clear from the Council's evidence that the key to economic growth and prosperity in Bromley is to protect the loss of office floorspace because of the forecasted demand to accommodate the rise in businesses that require such space.

#### Emerging Local Plan

2.16 The Bromley Unitary Development Plan (UDP) sets out policies to protect Business Areas and prevent the loss of commercial land, including offices. These are established policies that are essential to allowing controlled growth in established commercial areas. Maintaining a diversity of accommodation for all business types is important, as is promoting the clustering of similar business types, in appropriate locations. For example, the financial, banking and Insurance cluster in Bromley town centre. This cluster employs a significant number of people, many of which are local residents. The new PD rights will limit the Council's ability to influence

development and significantly damage the established critical mass of such industries.

- 2.17 The Council is in the process of preparing its Local Plan and is at the 'Options and Preferred Strategy' stage. This document sets out the long-term planning framework for the Borough and is supported by research that provides an evidence base for planning the borough's long-term future business/employment requirements. Employment in the borough is forecast by the GLA to increase by 6% by 2031. These trends are forecast to require additional floorspace to accommodate changes in employment, with particular reference to a significant requirement for office space (121,000 sq m) driven by business services and financial services. Any changes to PD rights will impact on the Council's ability to influence and manage commercial development, hindering the objectives set out in the emerging Local Plan.
- 2.18 The continued challenging economic climate presents real challenges, highlighting the need to continue to ensure Bromley achieves its vision through clear designations, identifying where growth and investment will be encouraged. Economic growth is important to achieving the long term overall vision of 'Building a Better Bromley' and the emerging Local Plan.

#### Designated Local Business Areas, Strategic Industrial Locations and 'Restricted' Borough Designation

- 2.19 It is important to consider how best to protect the locally designated Business Areas which make-up the majority of employment land in the borough. Commercial land will be worth considerably more for residential use so the Business Areas will come under threat from residential development. It is therefore essential that the locally designated Business Areas (as shown on attached maps) are exempt from the new PD rights.
- 2.20 Any challenges to the status of the locally designated Business Areas will also put pressure on the Council's resources through the loss of business rates, the increased cost of infrastructure provision associated with new housing and the increased costs of investigating "bad neighbour" complaints caused by the unintentional friction between business and residential neighbours.
- 2.21 London Plan Policy 2.17 designates the Cray Valley Industrial area as a Strategic Industrial Location (SIL) and ranks the Borough as 'restricted' for the transfer of industrial land to other uses. Boroughs in the 'restricted' category typically have low levels of industrial land relative to demand and/or low proportions of industrial land within the SIL framework and so boroughs in this category are encouraged to adopt a more restrictive approach to the transfer of industrial land to other uses.
- 2.22 The Cray Valley commercial corridor represents just over 50% of all designated Business Area floorspace in the borough. Such a critical mass requires protection and a particular focus to be directed towards the progressive upgrading of employment land in line with the SIL status, principally to provide modern industrial premises. This involves support of the intensification and upgrading of the area to meet expected future business needs, particularly the forecasted growth in office based employment. Any PD right changes will conflict with these designations and constrain the Council's capacity to plan effectively.

- 2.23 The new PD changes will greatly confine the Council's ability to ensure a sufficient stock of land and premises to meet the future needs of different types of business uses, including for good quality and affordable space.

### Bromley Town Centre

- 2.24 Bromley town centre is the main location for the borough's office-based businesses, with, over one third of the total office floorspace in the borough. The DTZ Retail and Office Study (2012) anticipates a net increase in local employment growth of 12,330 jobs to 2026. This is split between 8,480 local jobs resulting from growth in office floorspace, 3,500 from growth in comparison retail, and 350 from convenience retail. Bromley Town Centre is the only established sub-regional office location in the borough capable of accommodating the forecasted growth in office floorspace. Although it is recognised that the strength of the office market and the ability for speculative office redevelopment is tied to wider macro economic factors. However, this needs to be balanced against strength in the market such as Direct Line Group recent decision to establish a Centre of Insurance Excellence in Bromley and consolidate their whole insurance business onto the Bromley campus
- 2.25 The DTZ report confirmed in terms of accessibility, the train service is Bromley's Town Centre primary strength in terms of promoting an office market. The report confirmed that in terms of supply, there is a marked deficit in quality Grade-A space. In recent years, landlords have made efforts to undertake office refurbishments in order to prevent reputable tenants from relocating to better quality units elsewhere in alternative outer London regions. Current B1 Office employment stock needs to adapt to the modern needs of business occupiers. The current lack of Grade A stock is a disincentive to investment and employment growth in Bromley since, for example, it will affect the area's ability to benefit from overall economic recovery in the UK as occupiers grow their requirements and seek Grade A space.
- 2.26 Bromley town centre is classified as 'A/B' in Annex 2 of the London Plan, indicating that speculative office development could be promoted on the most efficient and accessible sites; or some office provision could be promoted within mixed-use schemes, but recognises that some long-term net loss of overall office stock through change of provision on less attractive sites might occur. Policies 4.2 and 4.3 provides the basis for this. It is through the emerging Local Plan that the management and promotion of office sites for development will be allocated.
- 2.27 One of the key recommendations of the report was that the Council should promote renewal and improvement of office premises within the town centre and retain existing office uses wherever possible. The report recommends future additional office provision should be focussed around the core cluster on Elmfield Road and on sites close to Bromley South station where market demand is likely to be strongest – in order to enhance Bromley's critical mass as an office destination.
- 2.28 Consideration needs to be given to the potential impacts such PD changes could have on Bromley town centre given its importance both locally and regionally as a 'Metropolitan' centre. The new PD changes could transform the nature of Bromley town centre due to the scale of the office market at risk from residential development. Given that residential land values are substantially higher than

business, the PD changes risk substantial adverse economic impacts on both a local and wider regional level due to the scale of the Bromley economy.

- 2.29 The emerging Local Plan seeks the expansion and intensification of office use within Bromley town centre, particularly around Bromley South and Bromley North stations, supported by improved transport connections and recognition within the London Plan as an Opportunity Area.

### **Current Availability**

- 2.30 Over the past five years, the amount of available office accommodation in Bromley town centre has averaged 160,000 sq. ft. Current availability is approximately 180,000 sq. ft. Bromley town centre is generally viewed as a sub-regional office location supporting the business and financial service industries, with most of the office space occupied by a number of small to medium sized business service firms. Leasing activity at present is limited to smaller office suites.
- 2.31 The current office stock in Bromley is 1.125m sq.ft, current availability stands at approximately 16% of existing stock ( defined as conventional built space, excluding suites of less than 1,000 sq. ft., accommodation above retail; converted residential etc), which is slightly above the average norm of 15% for the Bromley office market. This is hardly surprising given the past few years recession and local agents expect the availability rate to drop within the next 12/18 month period given recent activity levels.
- 2.32 By way of a comparison, recent data from Jones Lang LaSalle advises that office vacancy rates in Manchester, Leeds and Bristol are all at about 10% of total stock whilst in Birmingham the figure is 17%, and in the Thames Valley it has risen to 21.2%. So at 16%, Bromley is typical of any suburban location at the present time.

### **Historic Take up/Activity**

- 2.33 The evidence shows that take up in the town averages around 56,000 sq. ft. per annum. However, this does not take account of variations between some of the years, caused as a result of economic conditions at the time. Not surprisingly the best years were from 2005 through to 2009 where the average take up was nearer 75,000 sq. ft. and whilst some 63,000 sq. ft. of space was let/sold in 2011, take up in 2010 (30,000 sq. ft.) and 2012 (28,500 sq. ft.) were disappointingly low but hardly an indication that the market is in any way failing.
- 2.34 The specification for “Grade A” accommodation includes air conditioning; full access raised floors; double glazed window installations; top quality fitted WC’s / kitchens; passenger lifts etc. The number of buildings in Bromley today that can be truly classified as grade A number is probably less than half a dozen or so. There is a clear shortage of office accommodation, particularly Grade A accommodation. Using the average historic take up figure the currently available stock represents a three year supply.

### **Current Demand / Requirements**

- 2.35 According to a local agent the enquiries for offices in the town at the time of preparing this response number 12 and comprise the following:

Up to 5,000 sq. ft. = 8  
5,001 sq. ft. to 10,000 sq. ft. = 2  
10,001 sq. ft. to 20,000 sq. ft. = 2

## **Economic Impacts**

- 2.36 Bromley Town Centre is the major employment location within the Borough, which is a reflection of its role as one of London's leading Outer London Metropolitan centres. The Council in 2010 adopted an ambitious Area Action Plan for the town, which provides the planning framework to guide employment growth over the next 15 years. The Plan recognised the central role office employment plays in underpinning the economic viability and vitality of the town. Office based employment currently stands at approximately 16,600 or 66% of all employment in the town centre. Any unregulated reduction in the ability to retain and grow the office based employment in the town centre will significantly undermine the objective of the Area Action plan for a balanced growth. This in turn would jeopardise the currently investment programme for the town and undermine the office market in Bromley and the valuable employment this generates.
- 2.37 PD changes will negatively impact on employment levels and the established business offer of Bromley town centre. There is a critical mass of office based employment in the banking, financial and insurance sectors in Bromley town centre which could be jeopardised through the incremental loss of office floorspace to residential use. The impact of the changes will also cause adverse sustainability and vitality issues as local jobs will be eroded, subsequently increasing the need to travel for work, whilst also affecting the vibrancy of the town centre
- 2.38 The Bromley Town Centre office market contributes significantly to the Borough's current business rate base of £80m. According to the Centre for Cities 'Capital Gain' report (Oct 2011) in the 10 year period (99/10) Bromley was one of only five London local authorities which saw real declines in their LCBR over the period. Bromley experienced a 3% fall which equated to £2.2m. Any further sustained fall in the Borough's business rate base in Bromley Town Centre, which would occur if this permitted development change were to be implemented, would severely impact on the Borough's ability to provide support for employment initiatives in the town.

### Biggin Hill Strategic Outer London Development Centre

- 2.39 Biggin Hill is identified in London Plan policy 2.16 as a Strategic Outer London Development Centres (SOLDC); a strategic development centre with one or more strategic economic functions of greater than sub-regional importance.
- 2.40 Stakeholders are encouraged to bring forward adequate development capacity, placing a strong emphasis on creating a distinct and attractive business offer. This status offers the potential for increased support of economic growth activities at Biggin Hill Airport and the adjoining industrial area, focusing on aviation-related activities, with the provision of associated business infrastructure and amenities. The new PD rights will invariably undermine this policy designation and constrain the economic potential that could be realised.

### Business Rates Retention

- 2.41 The Government is introducing reforms to the collection and spending of business rates to enhance business rate retention by local authorities in line with its economic growth and localism agendas. These are due to be implemented from April 2013.
- 2.42 These changes to the retention of business rates will significantly impact on the Council's ability to secure future financial income because of the inherent differential between business and residential land values. The emerging Local Plan places an emphasis on economic growth with a view to enhance the Council's income from business rates at a time of considerable financial pressure.
- 2.43 A recent study on stimulating the local economy commissioned by the Council and undertaken by GL Hearn focuses on considering opportunities for physical investment and development to enhance economic performance and the business rates yield. It focuses on 'B' use class employment uses (rather than retail or leisure development) and sets out a clear financial incentive for the Council to support these initiatives to act proactively to guard against any reduction in business rates yield.

### Wider Social, Environmental and Economic Impacts

- 2.44 There potentially adverse impacts relating to the conversion of office buildings to residential use. These include the loss of control over the design and standards of housing, compliance with safety requirements, lifetime homes requirements, and the loss of contributions to supporting infrastructure. It is anticipated there will be unintended consequences brought about by the PD changes that will cause costs to the Council that will significantly outweigh the benefits of the new changes.
- 2.45 Under the proposed PD changes it is unclear how the provision of affordable housing (or payment in lieu) will be dealt with. The same also applies to other planning requirements such as planning obligations, parking standards and amenity space. It is anticipated there will be a significant loss of Section 106 income to the Council which is a valuable resource used to provide homes and infrastructure.
- 2.46 If the conversion of office to residential buildings circumvents the planning obligations process it will in turn threaten the viability of both schemes in the pipeline and future developments because they will be burdened with higher costs to fill the void. The proposal therefore undermines the borough's ability to effectively plan for longer term infrastructure requirements.

## **3. Conclusions**

- 3.1 The London Borough of Bromley seeks exemption for parts of the borough (as set out in Appendix 1) under the grounds of exceptional circumstances criteria (b).
- 3.2 As discussed in section 2, there is strong sound evidence to request exemption for the following areas:



- Local Business Areas
- Cray Valley SIL
- Bromley Town Centre
- Biggin Hill SOLDC

- 3.3 The new PD rights will have significant implications for the borough, impacting on its ability to strategically plan and manage the supply of employment space that is essential to the local economy and the objectives of sustainable development.
- 3.4 Local evidence shows a requirement for an additional 121,000 sqm of office floorspace for the period to 2031. The sectors that are forecast to grow in Bromley between 2006 and 2031 require a significant demand for office floorspace. The emerging Local Plan seeks the expansion and intensification of office use within Bromley town centre, the intensification of the Cray Valley SIL and the realisation of the Biggin Hill SOLDC.
- 3.5 The evidence demonstrates that the key to planning employment land provision to 2031 is restricting the release of existing office sites and non-office sites that have the potential to be converted to office uses.
- 3.6 The existing policy framework and emerging Local Plan support the economic growth of the borough through a plan-led approach. Progress in realising these policies will be adversely impacted by the new PD changes.
- 3.7 The changes to the retention of business rates creates a financial incentive for the Council to plan for economic growth; this will be adversely affected by the new PD rights and will impact on the Council's ability to secure future financial income from business rate growth.
- 3.8 The proposals will also have the effect of circumventing normal housing policy requirements such as the provision of affordable housing, secured by design, lifetime homes and renewable energy. There will be no opportunity to seek the usual Section 106 obligations to secure infrastructure, schools, health and other community services.
- 3.9 The continued challenging economic climate presents real challenges, highlighting the need to continue to ensure Bromley achieves its vision through clear designations, identifying where growth and investment will be encouraged. Economic growth is important to achieving the long term overall vision of Building a Better Bromley and the emerging Local Plan.

## **4. Appendices**

### Appendix 1 - Maps

**Business Areas;**  
 Oakfield Rd (Penge),  
 Lower Sydenham,  
 Croydon Rd (Elmers End),  
 Farwig Lane (Bromley North),

Holmesdale Road

**Strategic Industrial Location;**  
Klingers Footh Cray Business Park;  
Crayfield Business Park,  
Sevenoaks Way/Cray Ave

**SOLDC;**  
Biggin Hill

**Bromley Town Centre;**  
AAP boundary

Appendix 2 - List of Local Evidence/Studies (available on request):

Economic Development and Employment Land Study, 2010, GVA Grimley

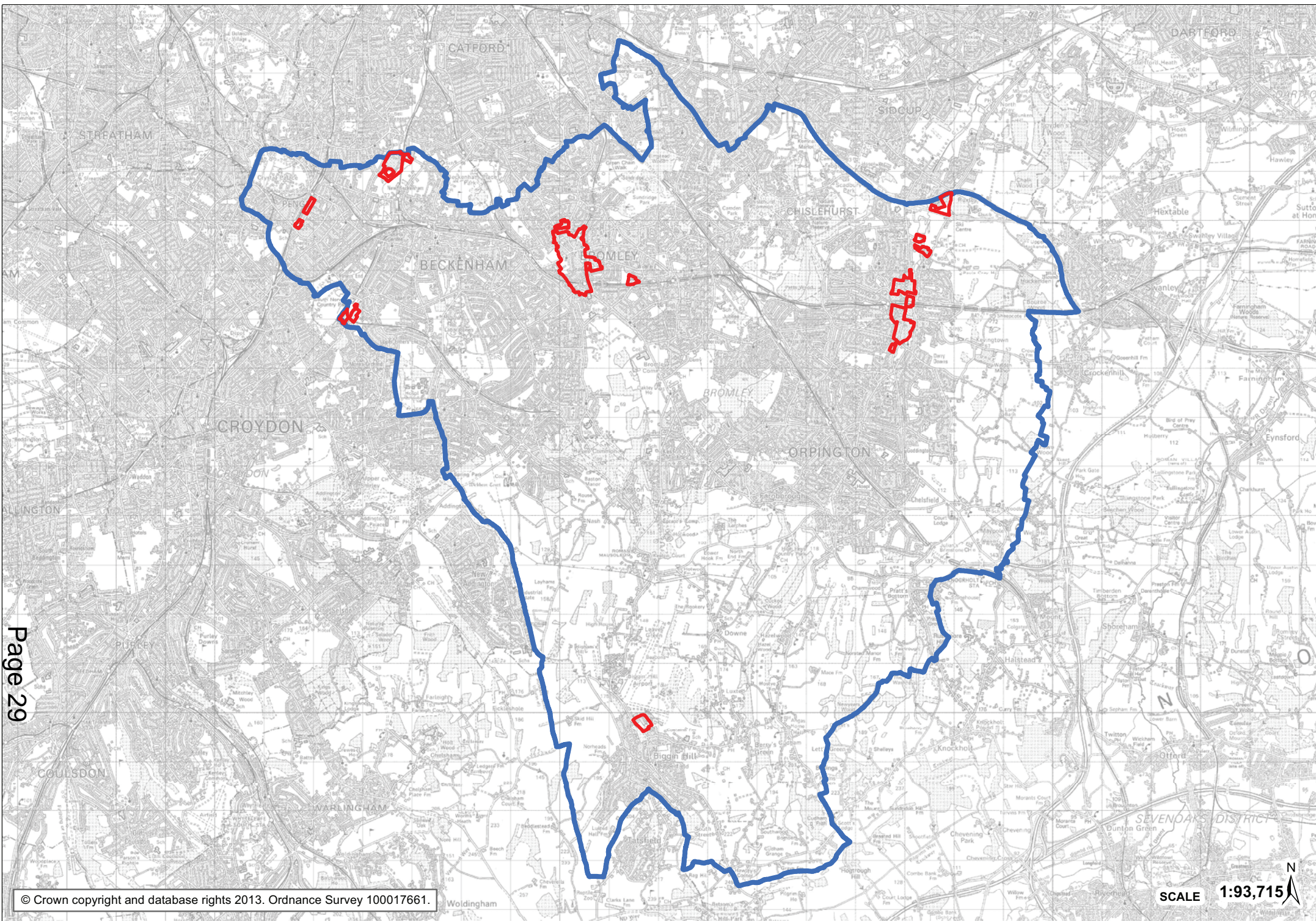
Market Demand and Feasibility Report, 2009, GVA Grimley

Retail, Office, Industry and Leisure Study, 2012, DTZ

Bromley Town Centre AAP, 2010

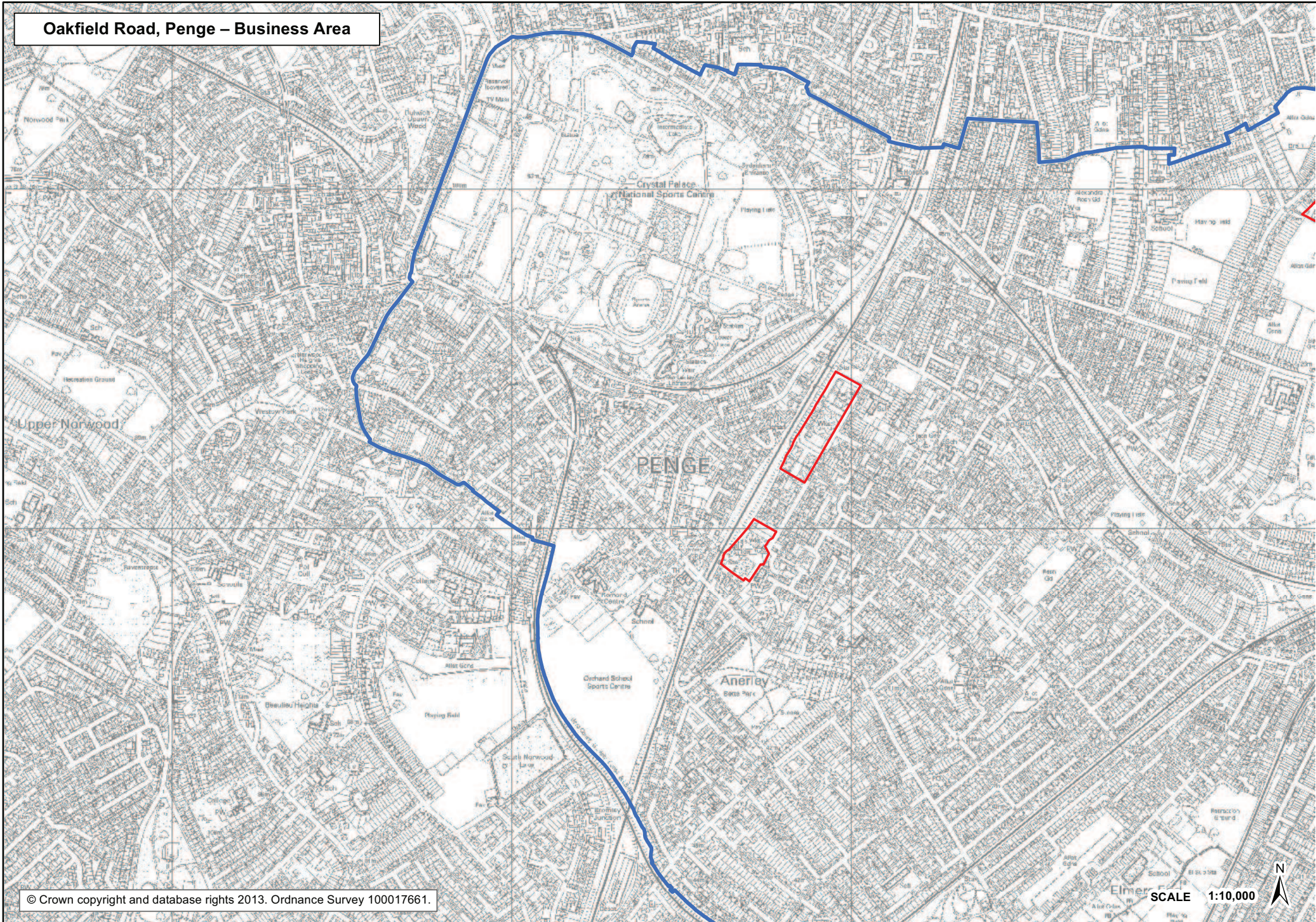
Stimulating the Economy Study (GL Hearn Study) 2013





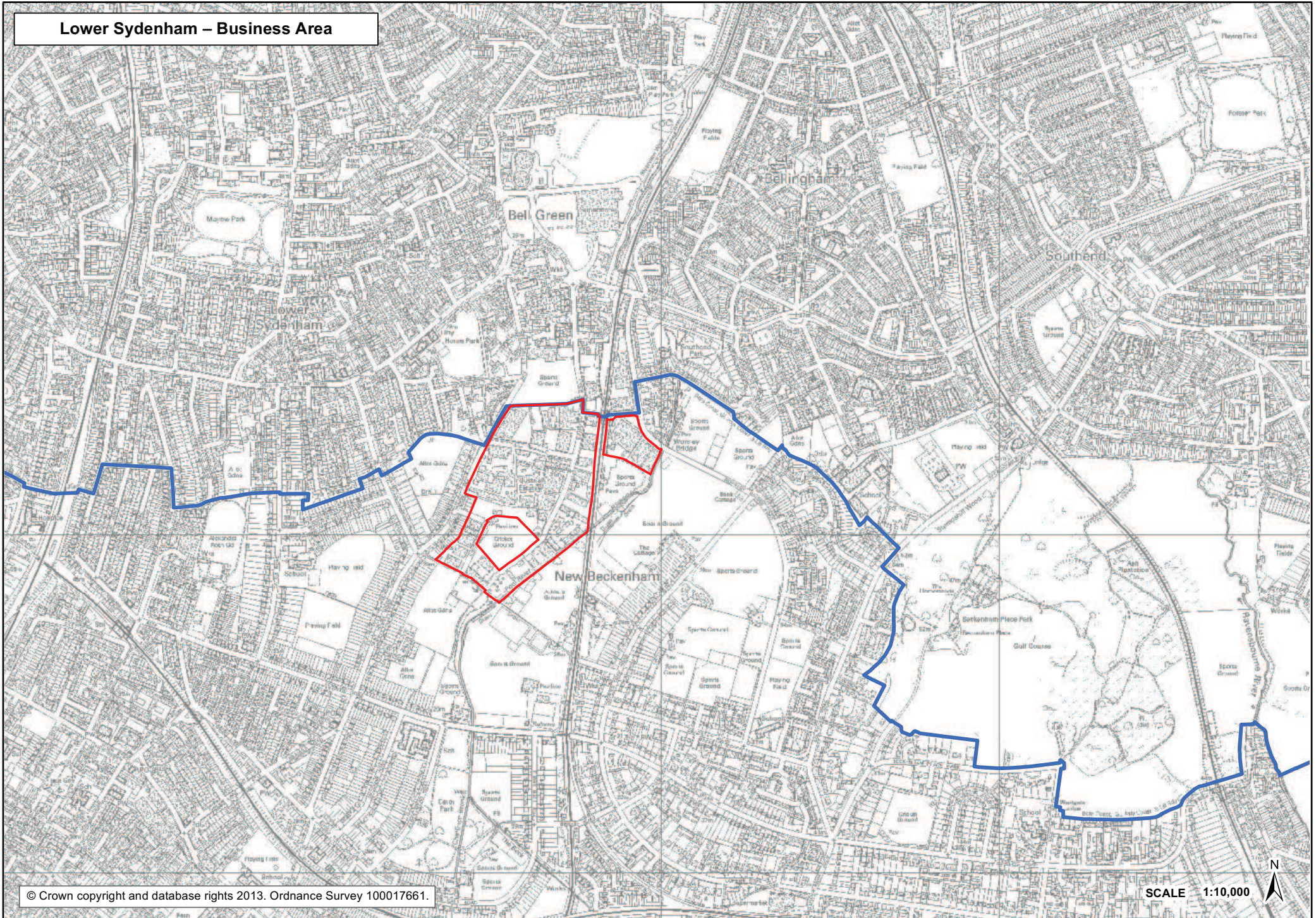


Oakfield Road, Penge – Business Area



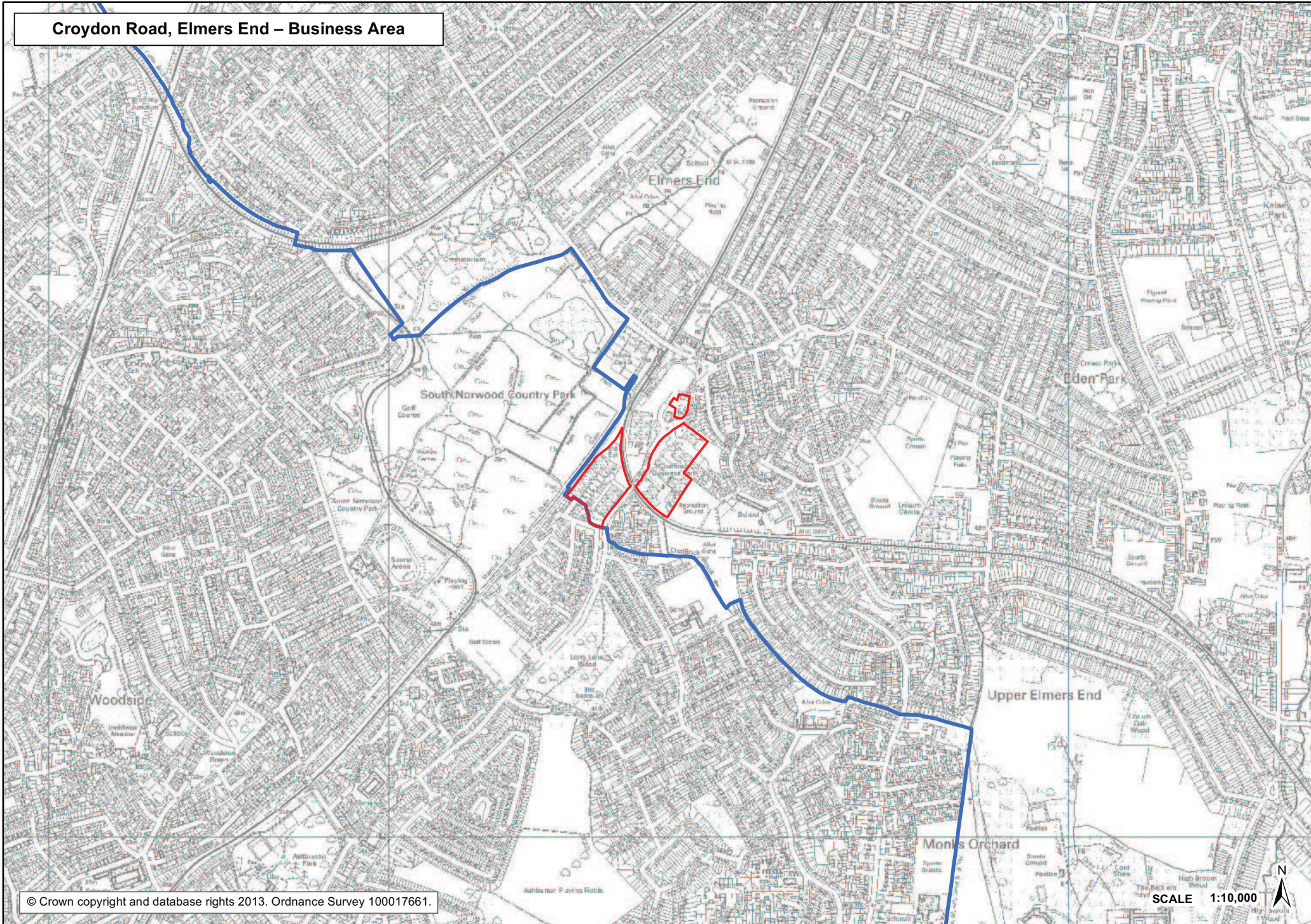


Lower Sydenham – Business Area



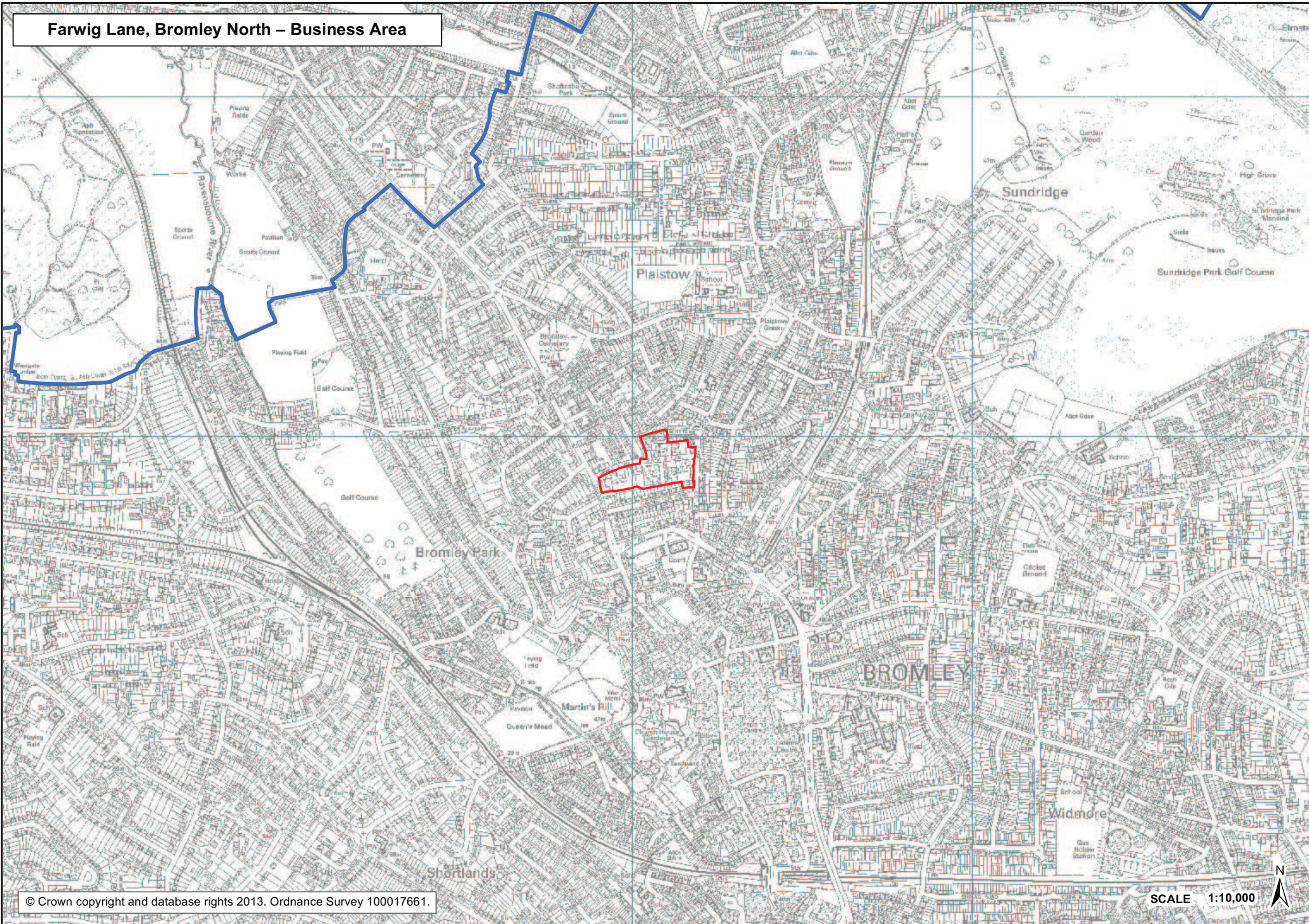


Croydon Road, Elmers End – Business Area



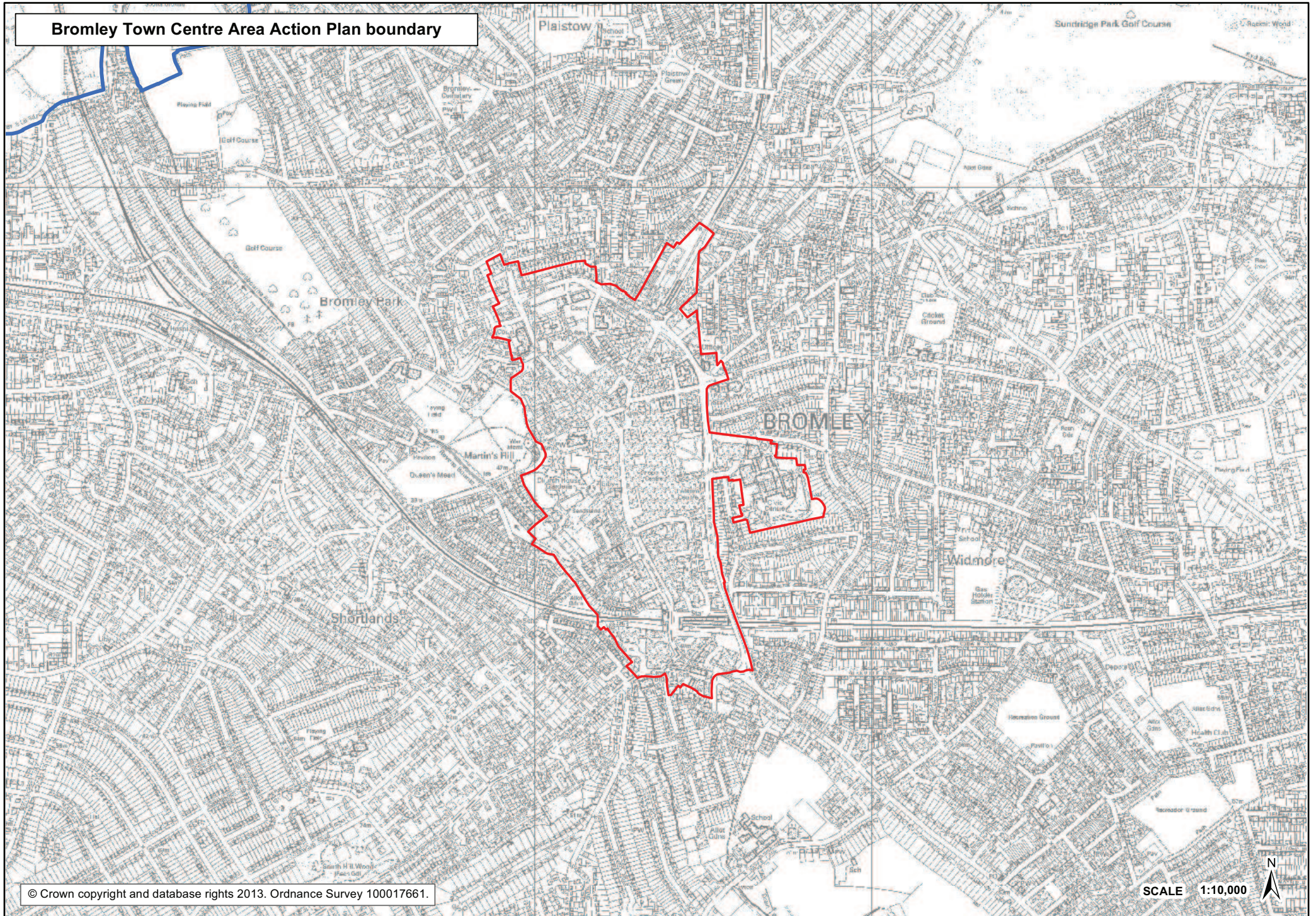


Farwig Lane, Bromley North – Business Area



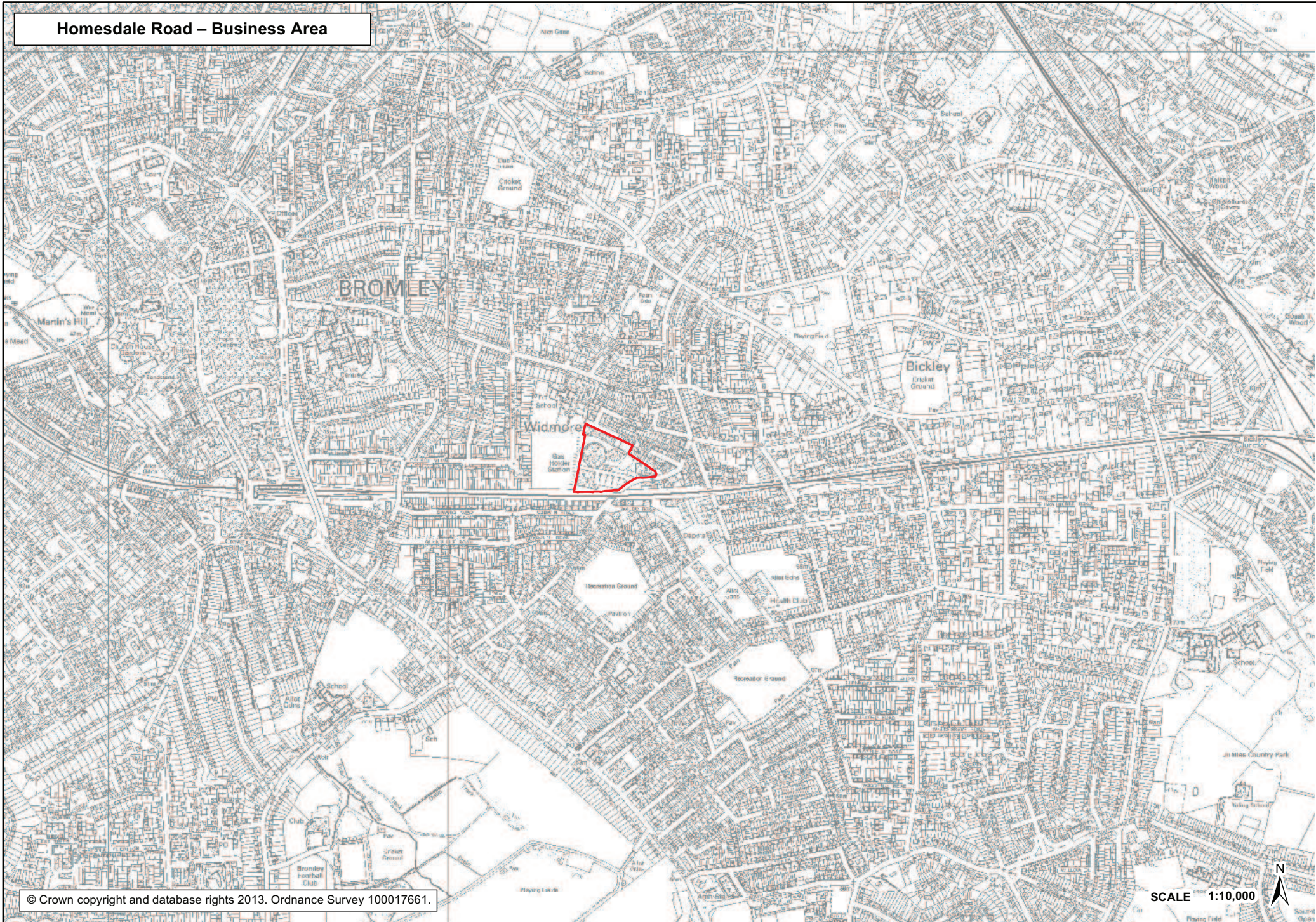


**Bromley Town Centre Area Action Plan boundary**



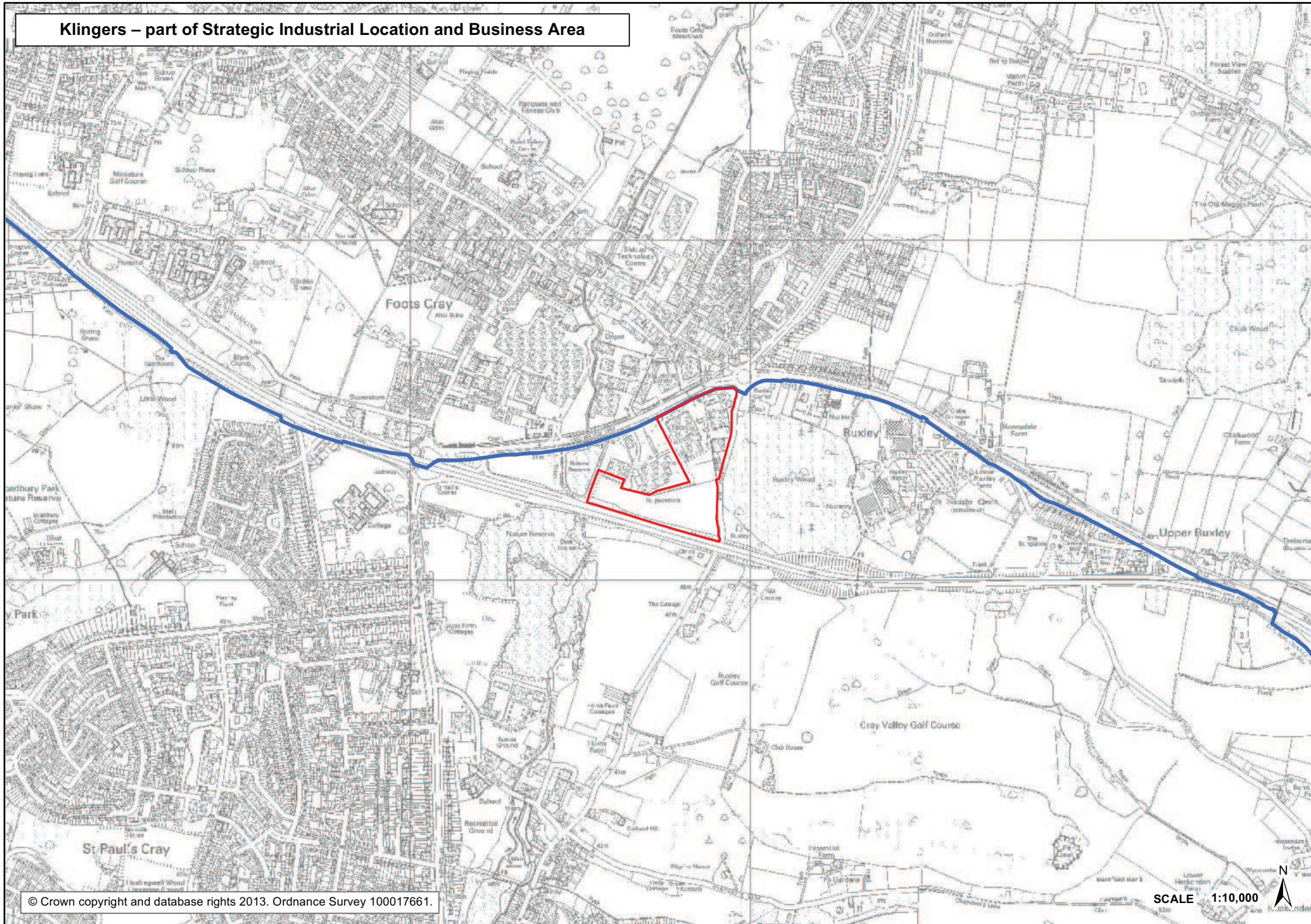


Homesdale Road – Business Area



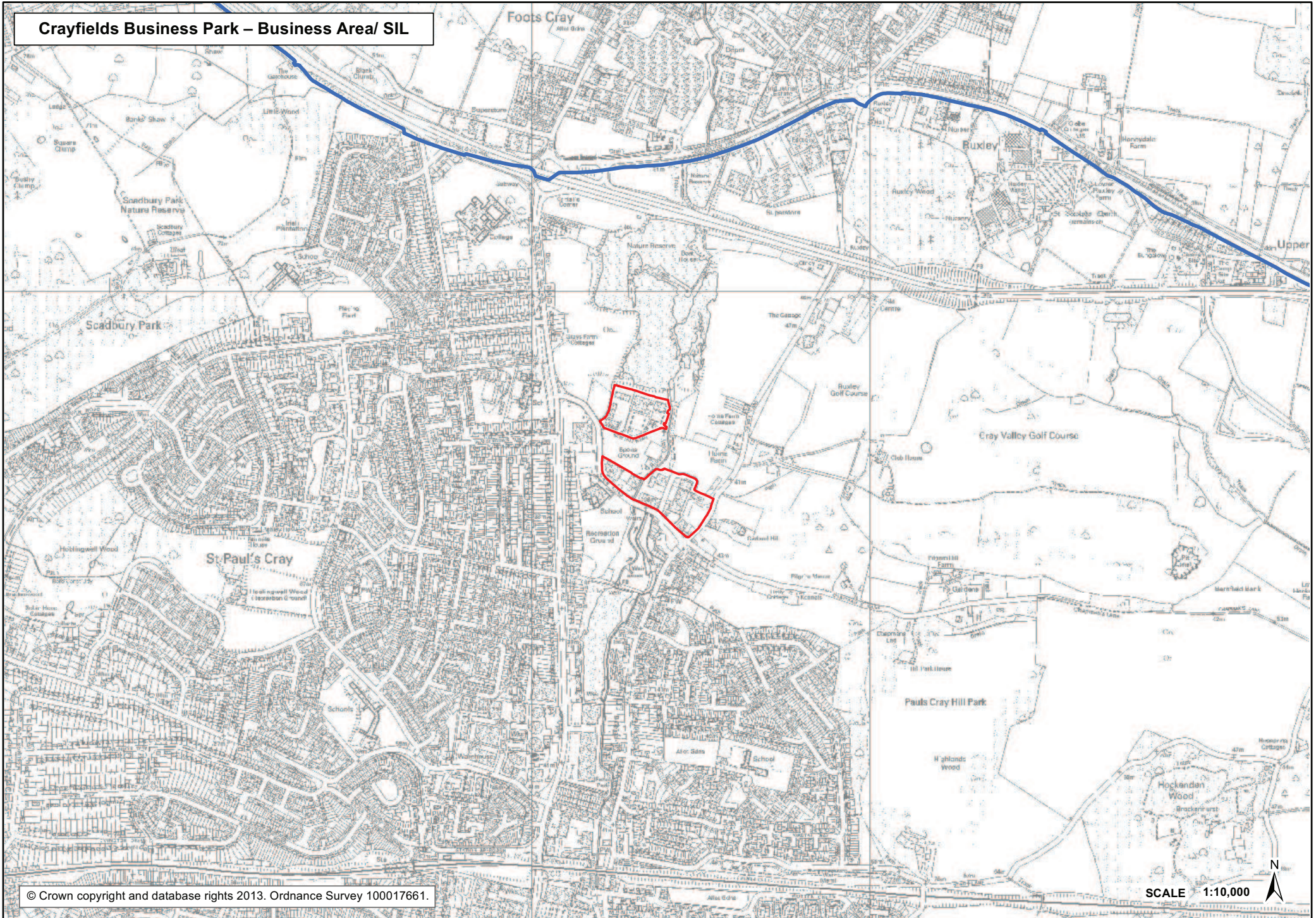


**Klingers – part of Strategic Industrial Location and Business Area**



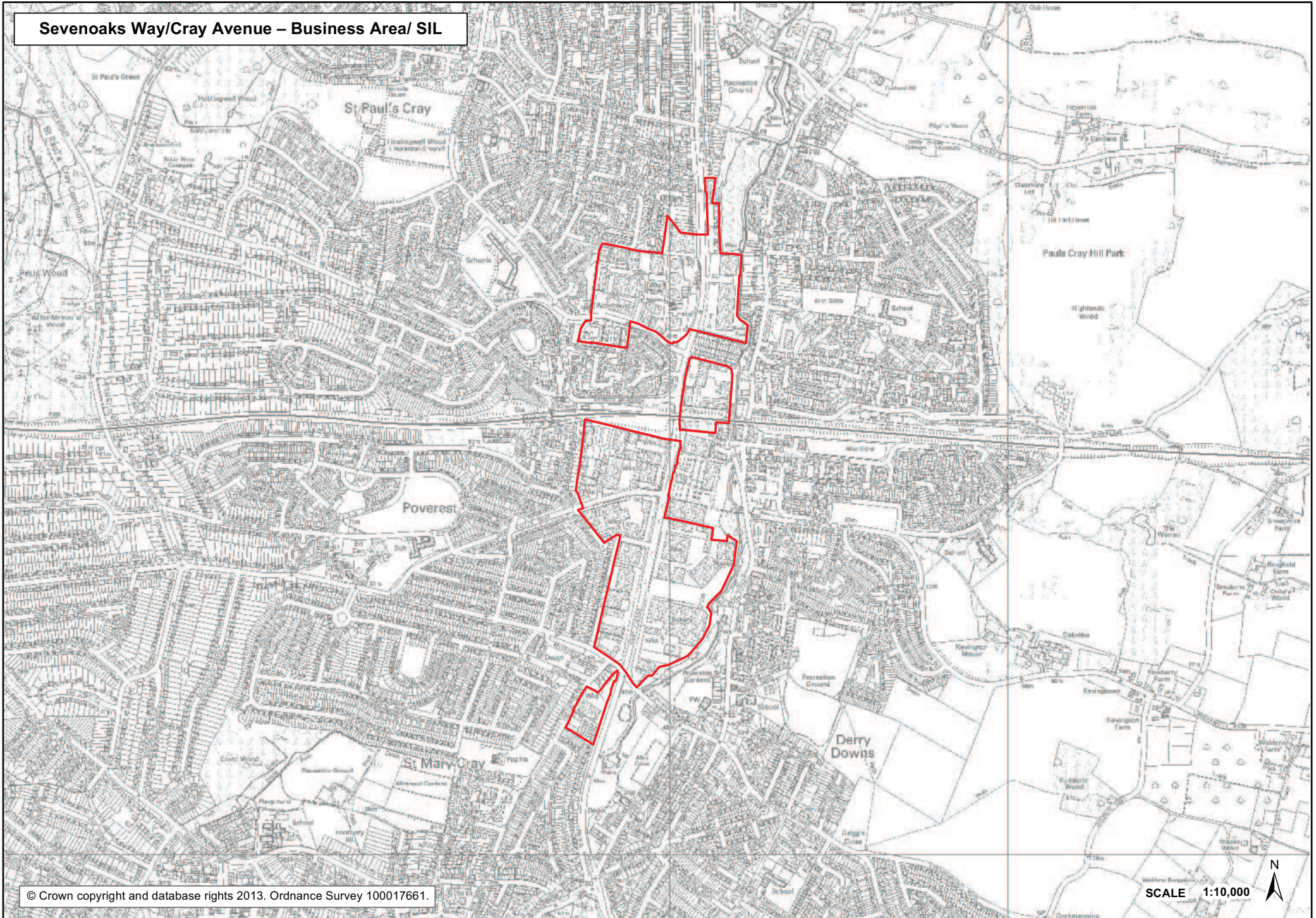


**Crayfields Business Park – Business Area/ SIL**





**Sevenoaks Way/Cray Avenue – Business Area/ SIL**





**Biggin Hill - SOLDC**



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Report No.  
DRR 13/052

London Borough of Bromley

Agenda  
Item No.

PART 1 - PUBLIC

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

**Date:**                      **9<sup>th</sup> April 2013**

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

**Title:**                      **Planning Performance and Improvements**

**Contact Officer:**      Jim, Kehoe, Deputy Chief Planner  
Tel: 020 8313 4441      E-mail: jim.kehoe@bromley.gov.uk

**Chief Officer:**              Marc Hume, Director of Renewal & Recreation

**Ward:**                      All

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1.      Reason for report

- 1.1      The Committee endorsed the Outline Planning Improvement Plan as a framework for improvement at its 29<sup>th</sup> January 2013 meeting and identified Customer Service as the first priority area. An updated version of the Improvement Plan is attached at Appendix One.

This report focuses on Customer Service, both the actions to date and proposals for future action. A parallel report will be made to the R&R PDS in June 2013.

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2.      **RECOMMENDATION(S)**

- 2.1      That the trend of planning application performance and other Customer Service improvements be noted and that the next steps in Customer Service performance, set out in the report, be endorsed.



### Corporate Policy

1. Policy Status: Existing policy.
  2. BBB Priority: Excellent Council.
- 

### Financial

1. Cost of proposal: N/A
  2. Ongoing costs: N/A.
  3. Budget head/performance centre: Planning
  4. Total current budget for this head: £2.589m
  5. Source of funding: Existing revenue budget 2013/2014
- 

### Staff

1. Number of staff (current and additional): 64ftes (excluding Building Control, Land Charges)
  2. If from existing staff resources, number of staff hours: 14
- 

### Legal

1. Legal Requirement: Non-statutory - Government guidance.
  2. Call-in: Call-in is not applicable.
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): those promoting and commenting on about 3,000 planning applications per year.
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments:



### **3. COMMENTARY**

#### **3.1 Planning Customers**

Planning has contact with a relatively high volume of external customers. This is a direct result of our considering about 3,000 planning applications each year. Not only are there 3,000 applicants but there are also well-over 50,000 neighbour notifications arising from the planning applications. It is possible to compare different theoretical definitions of 'the customer' but for practical purposes it is important to plan for the fact that we have a wide variety of different customers and that there are large numbers of them. Planning accounts for over half of the total visits to the Bromley Council website which reflects the large number of interested parties and their wish to have an influence on the planning process.

The Council has already issued a Planning 'Statement of Community Involvement' (2006) which sets out the formal stages of communication and notification on planning applications and Development Plan preparation.

#### **3.2 Action and Results so far**

We want to complete some actions so that we can see some specific results and combine these with other actions that require more preparation.

An early set of actions comprised a review of the planning application process and in particular the early stages before and after applications are lodged with the Council, as reported to the January meeting. We can now identify quantitative results. About 70% of applications now reach the D.C. Case Officer in 5 working days as opposed to 10 or more working days. The number of applications pending has reduced from around 1100 in the second quarter of 2012/2013 to around 650 in the fourth quarter of 2012/2013. Fewer customers are awaiting a decision at any one time. Although it is just an early sign at the stage, we have also identified an increase in the number of householder and similar applications determined on time in March 2013. By having fewer applications pending at any one time, there is a greater opportunity for case officers to focus on individual applications. Other detailed operations have been changed, for example far more statutory consultations are now being carried out without paper copies and responses are made electronically, increasing our efficiency.

We have completed improvements to the Council website to assist our customers – including a reduction in the number of steps or 'clicks' that it takes to reach the details of a specific application when searching on the website.

The Council commenced its consultation on the new Local Plan at the end of February, for a six week period. This is aimed at maximising the use of the Council website and encouraging electronic responses to the consultation. However, paper copies of the documents are available to suit the customer requirements.

#### **3.3 Proposed Actions**

These are to be in addition to the above.

We have already found, during our review of the validation process, that gaining additional information from service users makes the improvement process more efficient. So in the next phase we do include specific initiatives to guide our forthcoming changes.

These will include in the next Quarter:-

- Commence customer surveys (applicants, consultees and neighbours), combined where possible with existing communications;
- Forum events with regular users (e.g., Applicants, Agents);
- Inviting Councillor feedback on the information they receive on Planning and, subject to discussion with the DCC Chairman, an all Councillor Seminar on Planning Customer Service or a wider invitation to Councillors to a DCC meeting.

#### 4. POLICY IMPLICATIONS

4.1 None for the purpose of this report.

#### 5. FINANCIAL IMPLICATIONS (need to update these to latest available)

5.1 There are no direct revenue implications arising from this report.

5.2 A breakdown of the latest budget monitoring position and the 2013/14 budget is shown below for information: -

Type of expenditure/income	2012/13 Latest budget £'000	2012/13 Projected outturn £'000	2012/13 Projected variance £'000	2013/14 Budget £'000
Employees	3,060	2,768	(292)	2,631
Premises	10	10	0	10
Transport	19	21	2	21
Supplies & services	618	569	(49)	206
Income	(1,676)	(1,329)	347	(1,160)
<b>Controllable budget</b>	<b>2,031</b>	<b>2,039</b>	<b>8</b>	<b>1,708</b>
Net recharges	693	693	0	881
<b>Total Net Budget</b>	<b>2,724</b>	<b>2,732</b>	<b>8</b>	<b>2,589</b>

#### 6. PERSONNEL IMPLICATIONS

6.1 None for the purposes of this report.

#### 7. LEGAL IMPLICATIONS

7.1 None for the purposes of this report.

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	

**OUTLINE PLANNING IMPROVEMENT PLAN - PROJECT – REVISED**

**(\* Note Revisions made since the January meeting are shown in italics)**

**Objectives**

1. To support Economic Growth *and other Planning Objectives*.
2. To improve Customer Service.
3. To improve efficiency, producing savings.
4. To respond to pressure to change e.g., National Planning Policy Framework and Development Plan.
5. To improve the quality of Councillor/Officer decision making and the quality of the completed development.
6. To deliver Training and Development programmes for staff and Councillors.
7. To improve Planning Enforcement and Untidy Sites Communication.

**Actions – Draft**

1. **Support Economic Growth *and other Planning Objectives***
  - Seek a higher quality of submission and approve more applications, especially major and minor categories;
  - Speed up application processing, so projects can get the certainty they need;
  - Seek to be more flexible to changing circumstances;
  - Identify stalled sites due to site viability;
  - Bring forward Development Plan adoption to increase certainty about the Council's intentions and offer a clear policy lead that takes into account local evidence.
  - Ensure clarity of the Council's requirements for validation of applications;
  - Review Development Team approach from pre-application stage.

## 2. **Improve Customer Service**

- Improve ease of website use (analysis of actual usage);
- Increase amount of information available on the Council website to avoid other more costly methods (e.g., by phone or personal emails) *and to make it easier for consultees and the public to monitor progress with an application;*
- Ensure phone call and written responses by planning are done on time;
- Reduce time taken over applications, changes to improve quality;
- Complete Customer Surveys and act on results;
- Promote Agents and developer forum feedback;
- Review communications – internal/external, including to Ward Councillors, *making it easier for Councillors to obtain information on controversial applications.*
- *Include a wider range of representations and objections on the website.*

## 3. **Improve efficiency, producing savings**

- Check newspaper adverts – cost;
- Check budgets for efficiency;
- Check staff levels for efficiency;
- Ensure we are adopting Best Practice wherever appropriate e.g., GIS/Land Charges;
- Identify relevant management indicators:- e.g., former NI157, backlog of time expired applications time taken to validate;
- Enhance the efficiency driving role in service;
- Review pre-application service processes including participation of parties outside planning and Section 106 obligations.

## 4. **Pressure to change e.g., National Planning Policy Framework (NPPF) and Development Plan.**

- NPPF – consider position on Development Plan adoption;
- Update Local Development Scheme (adopted vs. latest estimates);
- 5 year land supply – ensure it is kept robust and up to date;
- Prepare Community Infrastructure Levy Plans;
- Establish a method for deciding on any action arising from pressure to change e.g., ministerial announcements;

## 5. **Improve quality of decision making and the quality of the completed development.**

- Review the lessons to be learnt from Planning Appeals;
- Review the 'Public face' of Plans Sub-Committees and call-in process to Committees;

- Expand the level of Royal Town Planning Institute RTPI (or equivalent) membership;
- Complete an assessment of quality of decision – making.

6. **Training and Development programmes for staff and Councillors**

- Ensure Continuing Professional Development is maintained by officers
- Consider obtaining RTPI Learning Partner status for Bromley Council;
- Short updates for staff e.g., lunchtime, by staff for staff;
- Circulation of professional updates e.g., Planning Magazine;
- Councillors – Training before participating in decisions on Applications or Policy for new Councillors as necessary;
  - Tour and assessment of completed developments;
  - Annual programme of Councillor updating, seminars, training on Planning.
- Consider attendance at Planning Summer School;

7. **Planning Enforcement and Untidy Sites Communication**

- Finalise and adopt an Enforcement and Compliance Strategy
- Improve the information available to Councillors on the progress with enforcement and untidy site cases, through an increase in the frequency and detail of reports to DCC and updating of Councillors interested in specific cases.
- Agree a package of performance monitoring information on enforcement/untidy site cases.
- Identify a manageable volume of priority issues where we monitor compliance e.g., types of planning conditions.
- Arrange Councillor Seminars on selected Planning Enforcement/Untidy Site topics

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# Agenda Item 8

Report No.  
DRR13/053

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** DEVELOPMENT CONTROL COMMITTEE

**Date:** Tuesday 9 April 2013

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

**Title:** PLANNING APPEALS - COSTS DECISIONS 2012

**Contact Officer:** Tim Bloomfield, Development Control Manager  
Tel: 020 8313 4687 E-mail: tim.bloomfield@bromley.gov.uk

**Chief Officer:** Deputy Chief Planner

**Ward:** (All Wards);

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1. Reason for report

This report provides a summary of the award of costs in planning appeals in 2012. 17 cost decisions were received in the period January to December 2012 of which 10 were allowed, 5 were refused, one was awaiting a decision, and one was withdrawn. In the period to 31 December 2012, 4 cost claims were paid totalling approx. £12,600. In addition, a number of claims have been received which are the subject of current negotiations and have not yet been paid. One cost claim was awarded in the Council's favour and is awaiting settlement. Further details of individual cost decisions are summarised in the attached Appendices.

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2. **RECOMMENDATION(S)**

**That in order to minimise future planning appeal costs awards against the Council due to "unreasonable behaviour", an action plan be prepared and reported to this Committee and the Renewal and Recreation Policy Development and Scrutiny Committee.**

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

#### Financial

1. Cost of proposal: £65,642 as detailed in Appendix 1
  2. Ongoing costs Cannot be quantified at this time
  3. Budget head/performance centre: Central Contingency
  4. Total current budget for this head: £150,000
  5. Source of funding: Existing revenue budget 2012/13
- 

#### Staff

1. Number of staff (current and additional): 5 fte (excluding Development Control staff)
  2. If from existing staff resources, number of staff hours: Approx. 150 hours per week
- 

#### Legal

1. Legal Requirement: Non-Statutory - Government Guidance
  2. Call-in: Not Applicable:
- 

#### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Not known
- 

#### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: No comments received



### 3. COMMENTARY

- 3.1 As a general principle in planning and enforcement appeals the main parties are expected to meet their own expenses irrespective of the outcome. The Planning Inspectorate may award costs on the grounds of 'unreasonable behaviour' by either of the main parties which results in unnecessary or wasted expense. Policy guidance is provided in the Costs Circular (DCLG Circular 03/09) and applications for costs are assessed in the context of this guidance. If the Planning Inspectorate award costs, they do so in a separate decision letter attached to the appeal decision letter. This does not give specific financial details, these follow on as a detailed claim at a later date.
- 3.2 The most common reason for awarding costs against the Council is lack of sufficient evidence to substantiate a reason for refusal. In cases where a refusal cannot be sustained Inspectors have been critical of the Council's failure to produce convincing and credible supporting evidence in support of a decision to refuse permission for a proposed development. Similarly the Inspector may conclude that there was insufficient evidence to take enforcement action. Withdrawal of an enforcement notice at a late stage may also give rise to a claim for costs and suggests that it should not have been issued in the first place. Failure to produce a statement or submission of a late statement may also amount to unreasonable behaviour.
- 3.3 In the period January to December 2012 there were 17 claims for costs by appellants against the Council relating to planning application appeals. The Planning Inspectorate determined 16 claims for costs against the Council of which 10 were allowed, 5 refused and one was withdrawn. One award of costs was made in the Council's favour against the appellant.
- 3.4 In the period January to December 2012, 4 claims for costs were paid. There were a further 4 cases where costs had been awarded against the Council but were awaiting submission of a claim. The total amount paid in 2012 was approximately £12,600 although there are a number of large claims awaiting settlement. Members are notified of all appeal decisions on a weekly basis, including all costs decisions. The attached table provides a summary of all costs decisions in 2012 (Appendix 1). The supplementary table provides an update for the period January – March 2013 (Appendix 2).
- 3.5 Regulations now enable claims for costs to be made in written representation and fast track appeal cases as well as in informal hearings and local inquiries. There were 10 such claims in 2012 of which 6 were allowed, 3 dismissed and one withdrawn
- 3.6 In the period January–March 2013 there have been 8 claims for costs against the Council. 4 of the claims have been successful (76 High Street, Orpington and 66-69 Park Road, Beckenham and two appeals concerning r/o 102 & 104 High Street, Orpington). Further details of the cost claims are currently awaited and decisions are pending on 4 further claims.
- 3.7 Several examples of costs awards are worthy of note to illustrate the circumstances in which Planning Inspectors have concluded that there has been unreasonable behaviour.

**2-4 Raleigh Road, Penge** - The reasons for refusal related to overdevelopment, impact on visual amenity and lack of on-site parking. The Inspector concluded that although Members were not obliged to accept the officer recommendation for permission the Council had not substantiated its reasons for refusal, stating that the Council's case was 'vague, generalised and inaccurate and unsupported by any objective analysis'. (Claim awaited).

**38 Hawthorn Road, Bickley** - Permission was refused against officer's advice and failed to take account of previous appeal decisions without clear evidence to justify taking an alternative approach. (Costs of £8,116 paid).

**8 Hayes Wood Avenue, Hayes** - the Inspector concluded that the Council had incurred unnecessary expense in contesting an appeal which stood no reasonable prospect of success due to lack of evidence. Costs were awarded in the Council's favour.

**Land r/o 88-90 High Street, Beckenham** – Appeal against non-determination allowed with partial award of costs against the Council. (Claim for £41,000 received).

**76 High Street Orpington** – Permission refused against officers advice. Lack of evidence to sustain objections on overdevelopment or highway grounds. (Claim awaited)

**258 Southlands Road, Bromley** – Permission refused but Inspector was critical of the Council's failure to provide sufficient evidence or analysis in support of its objections to the proposed development. (Claim for £12,000 received)

### 3.8 Next steps

As cost awards are made for 'unreasonable behaviour' as opposed to a difference of viewpoint over the balance of planning merits, we will wish to minimise such payments. It is proposed that this topic be discussed with the Development Control and Plans Sub Committee Chairmen and a short report with an action plan be prepared for the DC Committee and the R&R PDS to consider.

## 4. FINANCIAL IMPLICATIONS

- 4.1 To date, a sum of £12,642 has been paid for cost awards during the period January 2012 to December 2012. Claims have also been received for £53,000, making a total of £65,642 for the 12 month period with a number of claims not yet received.
- 4.2 There are a number of claims for costs that have not yet been received as well as claims where the determination decision is awaited, and therefore it is possible to quantify the full costs that may become payable due to costs awarded against the Council for this period.
- 4.3 There is a sum of £150k set aside in the central contingency to meet these cost awards.

## COSTS DECISIONS 2012

FILE	ADDRESS	DESCRIPTION	DECISION	PERMISSION RECOMMENDED BY OFFICER [Yes/No]	Cost Claim	Summary
11/00781	<b>Hearing</b> 24-25 Scotts Road, Bromley	Demolition of existing buildings at 24,24a & 25 Scotts Road, Bromley and erection of 3 blocks of 1,2 & 3 bedroom apartments – totaling 47 units with 38 parking spaces, cycle storage and refuse recycling.	Refusal of award of costs 4.1.12	No	n/a	n/a
10/00309	<b>Written Reqs</b> 1 Edward Road, Bromley	Enforcement notice issued for the material change of use of the land from a self contained dwelling (Class C3) to use as a residential institution (Class C2)	Refusal of award of costs 2.2.12	n/a	n/a	n/a
11/03110	<b>Written Reqs</b> Moot Point Farm, North Pole Lane, Keston	Agricultural ban	Appeal withdrawn	NO	NFA	NFA
10/00651	<b>Written Reqs</b> 125 Lovibonds Avenue, Orpington	building of a garage which is not in accordance with the plans permitted	Award of costs granted 21.9.12	n/a	£1341.25 Paid 12.10.12	<b>Investigations by planning inadequate</b>
11/01648/ PLUD	<b>Written Reqs</b> Stephen James, Bickley Road	Use of building for minor vehicle repairs and valeting	Refusal of award of costs 12.6.12	No	n/a	n/a
11/02100	<b>Hearing</b> R/o 88-90 High Street, Beckenham	Against non determination for 3 four storey blocks comprising 9 one bedroom, 32 two bedroom and 3 three bedroom flats, with 41 car parking spaces, bicycle parking, landscaping and access.	Partial award of costs 26.7.12	Yes	Estimate £41,000 [with cost advocate]	<b>Council did not substitute its reasons for refusal</b>
11/03688	<b>Hearing</b> 31-37 Church Road, Biggin Hill	Demolition of No. 31 Church Road and the erection of 4 detached bungalows served by a new access road	Award of costs granted 22.8.12	No	£2,405.44 Paid 7.9.12	<b>Council gave insufficient weight to the materiality of the earlier appeal decision and UDP</b>
11/03600	<b>Written Reqs</b> 2-4 Raleigh Road, Penge	Three storey side extension to accommodate new entrance lobby and staircase, elevational alterations and conversion of first and second floor from snooker club to form 6 two bedroom flats together with amenity space, communal roof terrace and pergola.	Award of costs granted 14.11.12	No		<b>Council's case was vague, generalized and inaccurate and unsupported by any objective analysis.</b>

**Appendix 1**

11/00333 ENF	<b>Hearing</b> 8 Hayes Wood Avenue, Hayes	Against an enforcement issued for the unauthorised loft conversion	Partial award of costs granted 24.10.12	N/A		<b>Withdrawn enforcement notice – Council failed to take sufficient care before issuing the notice.</b>
11/03403	<b>Written Reps</b> 38 Hawthorne Road, Bromley	Detached two storey 6 bedroom dwelling including accommodation in the roof with attached double garage and access road on land at rear of No. 38 Hawthorne Road.	Award of costs granted 30.8.12	Yes	£8,115.61 Paid 12.11.12	<b>Contradicting advice of officers and failing to take account of previous appeals without clear evidence or justification for an alternative approach</b>
11/00287	<b>Hearing</b> Land adj Downe Road, Keston	Change of use of agricultural land to cemetery, single storey reception building, 70 car parking spaces, access drive and formation of vehicular access to Downe Road	Award of costs refused 21.11.12	No	Na	<b>NA</b>
12/00833	<b>Written Reps</b> 1 Edward Road, Bromley	Use as house in multiple occupation for 6 unrelated persons CLUED	Awaiting determination	NO		
09/01963	<b>Hearing</b> 96 Oaklands Lane, Biggin Hill	Excavation works and landscaping	Award of costs granted 17.10.12	NO		<b>Council's reason not relevant no evidence to contrary.</b>
12/00399	<b>Written Reps</b> Land se of Holwood Farm Cottage, New Road Hill, Downe	Single storey building to provide two stables and a tack room for recreational purposes with change of use of adjoining land to equestrian	Award of costs granted 14.1.13	YES	£780.00 Paid 14.2.13	<b>Council failed to substantiate its reason for refusal and the reasons for taking a decision contrary to the advice of their professional officers.</b>
12/00357	<b>Hearing</b> 8 Hayes Wood Avenue, Hayes	Certificate of Lawful use or development for construction of a box dormer enlarging the original roof	Award of costs refused 21.11.12	Non determination	Na	<b>Na</b>
12/00357	<b>Hearing</b> 8 Hayes Wood Avenue, Hayes	<b>Certificate of Lawful use or development for construction of a box dormer enlarging the original roof</b>	<b>Award of costs against appellant – allowed 21.11.12</b>	<b>Non determination</b>		<b>Council incurred unnecessary expenses in resisting an appeal which stood no reasonable chance of success due to a gap of crucial evidence</b>

**Appendix 1**

12/01147	<b>Written Reps</b> 68 Leaves Green Road, Keston	Pole mounted free-standing non-illuminated sign RETROSPECTIVE APPLICATION	<b>Award of costs granted 31.1.13</b>	<b>YES</b>		<b>LBB failed to produce evidence to support decision. Members failed to show reasonable planning grounds for taking a contrary decision to officers recommendation</b>
12/00663	<b>Written Reps</b> Land at 258 and r/o 254-260 Southlands Road, Bromley	Demolition of No.258 and erection of 2 dwellings at 258 and land to rear of 254, 256 & 260	<b>Award of costs granted 8.1.13</b>	<b>Yes</b>	<b>Claim being negotiated with cost advocate claim £12,000</b>	<b>No supporting evidence, analysis</b>

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## COSTS DECISIONS 2013

FILE	ADDRESS	DESCRIPTION	DECISION	PERMISSION RECOMMENDED BY OFFICER [Yes/No]	Cost Claim	Summary
12/00304	<b>Hearing</b> 76 High Street, Orpington	Three/ four storey block comprising 50 sheltered flats for the elderly including communal facilities, refuse/ recycling storage and bicycle/ electric buggy parking, with 16 car parking spaces	Award of costs allowed 6.2.13	Yes		<b>Council failed to substantiate its members' views that the proposed level of parking was insufficient.</b>
11/03536	<b>Written Rep</b> 52 High Street, Green Street Green	Two storey side and part one/two storey rear extensions with accommodation in roof space to create 3 x one bedroom flats, landscaping, bin storage and cycle store.	Awaiting determination	yes		
12/03337	<b>Written Rep</b> Forest Dene, Holwood Park Avenue, Orpington	Removal of condition 3 (garage for private motor vehicles only) of DC 05/01739 granted on appeal	Awaiting determination	No		
12/01569	<b>Written Rep</b> 66-69 Park Road, Beckenham	Erection of a terrace comprising 6no. 4 bedroom dwellings, 12no. parking spaces and associated landscaping	Award of costs allowed 28.2.13	Yes		<b>Council failed to provide evidence to support members' views</b>
12/00661	<b>Hearing</b> R/o 102 & 104 High Street, Orpington	Demolition of extensions to the rear of 102 and 104 High Street, erection of part two/three storey rear extension and conversion of first and second floors into 9 one-bedroom flats and 2 Class B1 office units.	Award of costs allowed 20.3.13	Yes		
12/00662	<b>Hearing</b> r/o 102 & 104 High Street, Orpington	Demolition of extensions to the rear of 102 and 104 High Street	Award of costs allowed 20.3.13	Yes		
12/01008	<b>Written Rep</b> Italian Villa, Elstree Hill, Bromley	Repairs alterations and refurbishment inc. conversion of outbuilding to bedroom and construction of new entrance lobby between outbuilding and villa to provide three bedroom residential unit and use of part ground floor and first floor as offices/museum.	Awaiting determination	Yes		
12/01009	<b>Written Rep</b> Italian Villa, Elstree Hill, Bromley	LBC as above	Awaiting determination	Yes		

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