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DATE: 6 July 2020

To: Members of the
DEVELOPMENT CONTROL COMMITTEE

Councillor Alexa Michael (Chairman)
Councillor Yvonne Bear (Vice-Chairman)
Councillors Vanessa Allen, Katy Boughey, Mark Brock, Kevin Brooks, Peter Dean,
Simon Fawthrop, Christine Harris, William Huntington-Thresher, Charles Joel,
Russell Mellor, Tony Owen, Angela Page, Richard Scoates, Melanie Stevens and
Michael Turner

A meeting of the Development Control Committee will be held on **TUESDAY**
14 JULY 2020 AT 6.30 PM

PLEASE NOTE: This is a 'virtual meeting' and members of the press and public can see and hear the Committee by visiting the following page on the Council's website:-

<https://www.bromley.gov.uk/councilmeetingslive>

Live streaming will commence shortly before the meeting starts.

MARK BOWEN
Director of Corporate Services

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.

To register to speak please e-mail lisa.thornley@bromley.gov.uk
(telephone: 020 8461 7566) or committee.services@bromley.gov.uk

A G E N D A

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

2 DECLARATIONS OF INTEREST

3 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

In accordance with the Council's Constitution, questions that are not specific to reports on the agenda must have been received in writing 10 working days before the date of the meeting.

Questions specifically relating to reports on the agenda should be received within two working days of the normal publication date of the agenda. Please ensure that questions specifically relating to reports on the agenda are received by the Democratic Services Team by **5 pm on Wednesday 8 July 2020.**

4 CONFIRMATION OF THE MINUTES OF THE MEETINGS HELD ON 18 MARCH, 13 MAY AND 21 MAY 2020 (Pages 1 - 42)

5 MATTERS OUTSTANDING FROM PREVIOUS MINUTES

(There are no matters outstanding from previous Minutes.)

6 PLANNING APPLICATION (20/00300/FULL1) - CAR PARK, BRINDLEY WAY, BROMLEY (Pages 43 - 82)

7 PLANNING APPLICATION (20/00984/ADJ) - FORMER BROKE HILL GOLF COURSE, SEVENOAKS ROAD, HALSTEAD, SEVENOAKS, KENT TN14 7HR (Pages 83 - 90)

8 SHORTLANDS VILLAGE CONSERVATION AREA (Pages 91 - 142)

9 UPWARDS EXTENSION PERMITTED DEVELOPMENT RIGHTS (Pages 143 - 152)

10 LOCAL DEVELOPMENT SCHEME – 2020 UPDATE (Pages 153 - 162)

11 PLANNING SERVICE IMPROVEMENTS (Pages 163 - 184)

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held at 7.30 pm on 18 March 2020

Present:

Councillor Alexa Michael (Chairman)
Councillor Yvonne Bear (Vice-Chairman)
Councillors Vanessa Allen, Nicholas Bennett MA J.P.,
Katy Boughy, Kevin Brooks, Peter Dean, Christine Harris,
William Huntington-Thresher, Russell Mellor, Richard Scoates,
Kieran Terry and Michael Turner

Also Present:

Councillors Ian Dunn and Peter Fortune

61 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillors Brock, Fawthrop, Joel, Page, Owen, and Melanie Stevens. Councillors Bennett and Terry attended as respective substitutes for Councillors Joel and Page.

62 DECLARATIONS OF INTEREST

Councillor Dean declared a non-pecuniary interest as a social member of the National Westminster Sports Ground.

Councillor Scoates declared a non-pecuniary interest as an employee of the National Westminster Group.

63 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions were received.

64 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 28 JANUARY 2020

RESOLVED that the minutes of the meeting held on 28 January 2020, be confirmed and signed as a correct record.

65 MATTERS OUTSTANDING FROM PREVIOUS MINUTES

Report CSD20050

The Committee noted that all actions outstanding from previous meetings had been completed.

Members noted the letter from the Secretary of State to the London Mayor (concerning the intent to publish a version of the London Plan and a number of directions the Secretary of State wanted the London Mayor to take) which had been circulated under separate cover.

CURTAILMENT OF THE AGENDA

The Chairman reported that, in view of the Coronavirus, it had been suggested that the meeting be kept as short as possible and that only the planning applications be considered with any other items dealt with under delegation.

In accordance with the rules of procedure Councillor Dean moved that the Committee only considered the planning applications on the agenda and curtail the agenda to be considered by Planning Officers under delegation.

The motion was seconded by Councillor Bennett put to the vote and unanimously CARRIED.

66 PLANNING APPLICATION (19/01670/FULL1) - THE PORCUPINE, MOTTINGHAM ROAD, MOTTINGHAM SE9 4QW (MOTTINGHAM AND CHISLEHURST NORTH WARD)

Description of application - Full planning permission for the demolition of the existing public house and erection of an A1 retail food store, with associated car parking, reconfigured site access, landscaping, servicing and other associated works.

The Chairman noted that a number of additional papers had been tabled for consideration by the Committee.

Oral representations from the applicant in support of the application included the following points:-

- The site had been the subject of a previous Lidl proposal in 2013 which was refused by the Council and dismissed at appeal in 2014. At that time the Planning Inspector accepted the important planning benefits that would be delivered by a food store on the site. It was concerns around highway safety that led to the dismissal of the appeal.
- The current planning application provided revised site access arrangements ensuring full visibility in both directions along Mottingham Road. The Council's Highways department approved the new design and raised no objection to the scheme.
- The proposed scheme therefore addressed all the concerns raised by the Planning Inspector in 2014.
- The applicant did not embark upon the decision to pursue a second application lightly. Time had been taken to explore alternative options to ensure that any new proposal was beneficial to the local community.

- The scheme had received support from local residents both prior to and during the application process. Almost 1500 residents had registered their support for the new proposals.
- Whilst it was clear that some local residents wished to see the site retained as a public house, the site had been marketed in 2016, with a 6 month period during which the community had the right to bid for the site. The site had also been the subject of open marketing since November 2018. No formal offers to return the site to its former public use had come forward from local community groups or the open market. An independent report had confirmed that the site was no longer viable as a public house.
- It was not the case that the amendments to the footpath along Mottingham Road would endanger pedestrians. The footpath would be a standard width ensuring pedestrian access at all times.
- The proposal would have no impact on access to the library and would deliver benefits through improved crossing facilities along Mottingham Road.
- There were no adverse impacts associated with the development and no objections had been received from statutory consultees.
- The scheme would provide a range of benefits for the site and Mottingham as a whole, widening consumer choice, securing the redevelopment of a vacant brownfield site, creating up to 40 new jobs which would be available to the local community.
- The proposal was a sustainable form of development, accessible by foot and public transport.
- The application was in accordance with the Council's Development plan and there were no outstanding planning reasons why the current planning application should not be approved.

In response to questions raised by Councillor Huntington-Thresher, the applicant confirmed that the scheme achieved a 35% reduction in emissions and the applicant had done all it could to comply with the draft London Local Plan and achieve a sustainable development. Parking would be managed by an Automatic Number Plate Recognition system with vehicles being tracked on entry and exit to the car park. It was felt that the 90 minutes allowed would enable ample time to shop in the store and also visit shops in the vicinity. The 90 minute restriction had been included to prevent abuse of the car park.

In response to questions raised by Councillor Bennett, the applicant confirmed that the scheme had been tracked to enable an articulated lorry of up to 16.5m to be able to successfully and safely deliver to the site. The direction of access by service delivery lorries could be covered by one of the existing proposed conditions covering the service delivery strategy. Customer access to the site would be from both directions – turning right across Mottingham Road and coming from the Eltham direction and turning left into the site.

In response to a question raised by Councillor Terry, the applicant reported that the proposed design for this store was not in line with the standard specification for Lidl stores but was more in-keeping with the surrounding

area. It would be a new building built to up-to-date energy standards and therefore used modern, more sustainable materials which would look more modern compared to the surrounding period properties. The applicant highlighted that the fundamental element of the design of the building had been found to be acceptable by Planning Officers and were found to be acceptable by the planning Inspector in 2014.

In response to a question raised by Councillor Harris, the applicant confirmed that an agent who specialised in pub properties had been appointed to market the site. The site had been advertised in various pub commercial journals and publications. A marketing board was placed on site and there had been advertising on various social media outlets.

Oral representations (attached at Annex A) from local ward councillor, Councillor David Cartwright, raised the following issues

- Main traffic and road safety issues included: the width of the road and road markings, speed and density of traffic, and lack of local parking.
- Local ward councillors questioned the need for such a food store.
- The previous application, submitted over 6 years previously, was refused by the Council and the subsequent appeal was dismissed by the Planning inspector who cited significant road safety concerns. In the opinion of local ward councillors and local Mottingham residents, the road safety concerns identified with the previous application had not been addressed in the current application.
- The site was situated within a couple of meters of a busy roundabout with heavy traffic volumes, fast traffic speeds, and was a known 'hotspot' for road traffic accidents.
- The width of the road through the village was restricted with significant differing pavements widths.
- Roads leading to and including Mottingham Road were used daily as a cut through by local traffic trying to avoid the busy A20 which ran parallel. This caused significant traffic problems in the village during morning and evening rush hour with the close proximity of local schools exacerbating the problem.
- In terms of road safety, only two adjustments had been made to the 2013 scheme which had been refused. However, it was felt that these adjustments did not address the significant road safety concerns.
- The loss of a 6.6m street lamp which ensured full illumination of the refuge and roundabout was a serious road safety issue and had not been addressed in the report and was misrepresented in the artists impression of the development.
- The proposed realignment of the pavement could impact on local mains utilities which were sited under the pavement and at a depth less than normal. This could cause significant damage and disruption to the local area. This was drawn to the attention of Planners but had not been addressed in the report.
- There was little evidence that detailed consideration had been given to parking. The 33 parking spaces provided (10 of which were allocated

to disable drivers or parents with children) were inadequate for such as store and as a result the proposed parking restrictions would need to be strengthened to prevent indiscriminate parking.

- The proposal would have an adverse effect on the quality of life of residence living in the vicinity of the proposed store.
- The issues that had been raised were material and required detailed consideration.

[During Councillor Cartwright's presentation to the Committee the Director of Corporate Services highlighted to the Committee that whilst the time restrictions of three minutes imposed on public speakers were not applicable to ward councillors addressing the Committee, however Members were reminded that the usual speaking time without leave of the meeting was 5 minutes for Members for any presentation in any forum]

Oral representations from local ward councillor, Councillor Will Rowlands, raised the following issues

- Local ward councillors were disappointed with the handling of the application when it was due to be handled at the last meeting in January. The quality of the report was so poor that the application had to be withdrawn from the agenda.
- The proposed development was in contravention of both the Bromley Local Plan and the London Local Plan, specifically policies 20 and 23.
- The scheme would result in the loss of a community facility and no proposals had been put forward to replace the community facility of the public house, a key community facility until its closure.
- Surrounding properties would be affected by light pollution from the six 6m light columns that were proposed for installation in the car park.
- Other proposals for development had been put forward, including a small housing development with social housing and a micro pub.
- The Committee should remain consistent with the policy and objectives set out in the Local Plan.

Oral representations from local MP, Sir Bob Neill, raised the following issues

- The involvement of the local MP reflects the volume and level of concern raised by local residents which was far beyond the norm.
- This site had previously been registered as an asset of community value and the current application made no attempt to replace the community meeting facility or broader social benefit that would be lost.
- Consideration needed to be given to whether the previous marketing of the site had been adequate.
- For these reasons and the reasons set out by local ward councillors the application should be refused.

The Assistant Director of Planning summarised the report in a brief presentation to the Committee which included the following

- The report summarised the rationale behind the recommendation.
- The primary consideration was the previous appeal decision in 2014 for an almost identical proposal by the same applicant. The only issue the Planning Inspector had found relevant in the dismissal of that appeal was the access arrangements for the site. In that case in 2014 the Highway Authority had objected to the application.
- The proposed access arrangements were now found technically acceptable to the Highway Authority.
- There were no highway reasons to refuse the application and Highways Officers would not be able to support a refusal at appeal.
- Local concern about the application was fully appreciated but further grounds for refusal were unlikely to be able to be supported by Officers at appeal.
- The Local and Policy circumstances had not significantly changed since the previous appeal and any ground of refusal revisiting any of the matters previously considered to be acceptable ran the risk of the Council losing any subsequent appeal and a potential award of costs.

In noting the introduction from the Assistant Director, Councillor Huntington-Thresher considered that one material difference was that the London Plan had moved forward. In July Bromley Council had resolved to be carbon neutral for its own direct activities by 2029. The draft London Plan was a material consideration and Policy S 12 – minimising greenhouse emissions – was consistent with London Plan to be carbon neutral by 2050. The store would be there for some considerable time and Councillor Huntington-Thresher did not feel that the scheme was ambitious enough in terms of carbon reduction and instead the proposals should aim to meet new carbon reduction targets. Whilst it was not impossible for Lidl to meet the revised targets, Councillor Huntington-Thresher, felt that there should be an opportunity for the scheme to meet the new targets. On that basis Councillor Huntington-Thresher moved deferral on the grounds of providing the applicant with the opportunity to return with a detailed strategy setting out how the zero carbon target could be met within the energy framework to be in compliance with Policy S.12.

Councillor Terry understood both the concerns around the marketing of the pub which represented a material planning consideration and the concerns raised in relation to road safety and there were still some outstanding issues that required full consideration and if the Committee did resolve to defer the application these issues should also be given further consideration. In respect of the marketing, the Assistant Director of Planning confirmed that Officers considered that the policy requirements had been met in this case. The Assistant Director of Planning further confirmed that the Highways Authority had found the scheme acceptable.

Councillor Bennett noted that the pub had been closed for 7 years and in that time no progress had been made. There had been the opportunity to purchase the site as a community asset and this was not advance. In Councillor Bennett's issue the only issue the Committee could decide was on

the question of highways and traffic and from the evidence heard any of the issues could be addressed through conditions to the planning application. If the Committee failed to make a decision the Council could be at risk of losing an appeal as a result of non-determination. On that basis Councillor Bennett moved that the application was approved.

Councillor Boughey noted the presentations and endorsed the comments by Councillor Terry. As highways issues were possibly the only grounds on which the application could be refused the Committee needed to be very sure of its reasons for refusing the application on these grounds. If the application was going to be deferred on the basis of the carbon reduction issue the opportunity should also be taken to look specifically at the points raised by local ward Councillor Cartwright – i.e. access arrangements for the articulated lorries and the issue of the street lamp.

Councillor Allen noted that some of the conditions that had been raised, such as the traffic light, could be dealt with by conditions. It was difficult to classify the building as a community facility when it had been empty for 6 years with no one seeking to do anything with it. In relation to car parking, the proposed arrangements were the same as in most other supermarkets. Councillor Allen felt that there were limited planning reasons to refuse the application and on that basis was happy to second the motion to approve the application moved by Councillor Bennett.

The motion for deferral, moved by Councillor Huntington-Thresher and Seconded by Councillor Boughey was put to the vote and CARRIED. (Consequently the motion moved by Councillor Bennett and seconded by Councillor Allen fell)

Having considered the report, objections and representations, Members **RESOLVED that the application be DEFERRED** without prejudice to any future consideration to enable further consideration of the following issues:

- Carbon reduction
- Outstanding road safety issues
- Marketing of the property.

67 PLANNING APPLICATION (19/04644/FULL1) - NATIONAL WESTMINSTER SPORTS GROUND, COPERS COPE ROAD, BECKENHAM BR3 1NZ

Description of application – Erection of a covered full-size football pitch, creation of an artificial full-size pitch with floodlighting, and regarding of the site to create a full-size show pitch with spectator seating and six training pitches (two full-size, two ¾ size and two half size). External alterations and lobby and link extensions to the existing buildings. Installation of maintenance/store sheds, water tanks and under-pitch infrastructure. Associated highway and landscaping works.

Oral representations from the Chairman of North Copers' Cope Road Action Group in objection to the application included the following points:-

- The proposed indoor pitch building was huge and could not be justified within Metropolitan Open Land.
- The requirements for Category 1 and Category 2 academies were exactly the same as far as the indoor pitch size was concerned – Crystal Palace was currently Category 2 but it could equally be category 1. The size of the building would not influence Crystal Palace’s chance of being promoted in the category stage.
- The new development rules required a pitch to be a minimum of 55m x 35m – more or less the size of the current pitch being used at the national sports centre.
- There needs to be very special circumstances to erect any building on Metropolitan Open Land (MOL). Youth development rules may constitute very special circumstances if the new building met the minimum requirements laid down by the rules. However the significant harm caused to the openness of the MOL by the much larger building proposed would undermine or even eliminate these very special circumstances.
- The proposed building would enclose a full-sized pitch. However it was emphasised that a full-sized pitch was not a requirement but instead a recommendation. The proposed pitch of 160m x 81m was four times bigger than that required by the rules. The planning harm caused by the much larger pitch undermined the very special circumstances. The site in question was small and relatively open. Consequently any building would have an enormous impact.
- The building proposed by Crystal Palace was larger than any other Category 1 academy in the country.
- Fulham FC had reduced the height of their building in response to local concerns.

Oral representations from the Chairman of the Club in support of the application included the following points

- The aim was to create a Category 1 elite academy for up to 200 boys at any one time who received not only a football education but also mentoring and supervision – taking them through GCSEs and A-Levels.
- The club was the focal point of all the clubs in the area and as a result kept a lot of young men active, off the streets and learning about the benefits of team work.
- A great deal of effort had gone into identifying a site. The proposed site was very near the first team training ground. Efforts had been made to make the proposed design palatable to everyone in the area. The scheme primarily utilised existing buildings. The proposal did include a large indoor pitch but this was recommended by the Premier League and it was likely that a full-side indoor pitch would be a requirement in the future. Whilst a full-size pitch was a benefit to the boys using the facility it would also be a benefit to the local community

with the site being made available to schools, colleges and community groups out of hours.

- The current site was run down with poor security and these issues would be solved with the new site which would deliver a beneficial scheme for the community with better security and landscaping – delivering a scheme of which the local community could be proud.

In expressing support for the proposal, Councillor Bennett – as Design and Heritage Champion – questioned the extent to which the Edwardian façade of the pavilion would be retained. The applicant explained that the pavilion would be a focal point for the community of the academy and whilst the fundamental shape would be retained there would be some modernisation although this would not result in a significant impact on the overall look and feel of the building.

Councillor Harris noted that the Member site visit had provided good insight. In response to questions from Councillor Harris the applicant stated that he believed the scheme would deliver a genuine improvement for residents in term of traffic, impact of flood lighting, noise, and daytime deliveries. There would be a full-time security presence at the site and whilst there would be some deliveries it was anticipated that there would be far less than the traffic flow in and out of the current site. The vast majority of the boys visiting the site would be using public transport and other visitors to the site would be encouraged to use sustainable travel. The highways authority had given their support to the scheme.

Councillor Huntington-Thresher noted that there had been some concerns from residents regarding the height of the building and sought justification for the proposed design. In response, the applicant explained that the Club had looked at the other full sized covered pitches that other Premier League Teams had delivered since 2012 and the proposed scheme replicated the standard design that was used. The reason the building was so high was to prevent the ball from hitting the roof. There were no columns within the space and the roof therefore included a peak for structural reasons.

The Assistant Director of Planning summarised the report in a brief presentation to the Committee which included the following

- The site was an existing sports ground and was MOL. The majority of the proposals did not constitute inappropriate development however, the indoor covered pitch was inappropriate and harmful to the MOL by definition. Whilst not a requirement the size of pitch proposed was recommended by the Premier League.
- The report set out in detail why the application was recommended for approval.
- The Environment Agency had removed their objection and were now satisfied with the proposals.
- The Tree Officer remained content with the proposals and a Tree Preservation Order was being separately considered for the site and need not delay consideration of this application.

- The recommendation should also include an additional condition to include a buffer channel along the river and a noise condition relating to the proposed site plant.
- The proposal was considered to provide a positive sporting community facility which would protect the MOL into the future and was considered acceptable in all planning aspects.

In opening the debate, local ward member, Councillor Russell Mellor, explained that whilst he was not opposed to the recommendation although there were genuine concerns with several aspects of the application. The site was located in designated MOL also the intended use was permitted within the designation. The proposed building was too large and if allowed would be the largest in the Country. The destruction of an area covered by a Tree Preservation Order was a serious concern. The site proposal for 87 parking spaces, with 6 disabled bays, represented a net reduction of 35 spaces that existed presently. In the event of the minimum age of children attending falling below 9 would result in an increase in the number of cars accessing the site. Full details of the proposals for floodlighting needed to be submitted to ensure that there was no detriment to local residents. Consequently, Councillor Mellor requested deferral for the points of concern to enable them to be addressed and corrected.

Councillor Terry felt it was an interesting application with a lot in its favour but also a few sticking points. What was proposed was a high quality facility that would support young people in the local area. The main sticking point for Councillor Terry was the new building on MOL however Councillor Terry did feel that very special circumstances existed to justify the development. Councillor Terry noted that TfL had suggested that the car parking should be reduced and it would therefore be difficult to refuse the application on highway grounds. Overall, Councillor Terry felt that it was a positive scheme that was exciting for the Borough. As such Councillor Terry moved that planning permission be granted as recommended.

Councillor Bennett seconded Councillor Terry's motion on four grounds: 1. The purpose of the proposals were positive – to help local young people, 2. There were special circumstances to justify development in the MOL, 3. The large size pitch future proofed the development, and 4. For structural reasons the building had to be the proposed high to cover the proposed pitch size.

Councillor Huntington-Thresher expressed disappointment that designers were not able to be more imaginative to try and enable a lower height spanning the proposed area. However this was not sufficient reason not to welcome the proposal. Councillor Huntington-Thresher sought clarification concerning the s.106 contribution to achieve carbon zero targets and the Committee were informed that the proposed contribution was a one-off payment.

The motion to approve the application moved by Councillor Terry and seconded by Councillor Bennett was put to the vote and CARRIED.

Having considered the report, objections and representations, Members **RESOLVED that PERMISSION BE GRANTED SUBJECT TO THE PRIOR COMPLETION OF A SECTION 106 LEGAL AGREEMENT AND REFERRAL TO THE MAYOR OF LONDON as recommended and subject to the conditions and informatives set out in the report of the Assistant Director (Planning).**

Councillor Mellor left the meeting at 9.03pm, at the conclusion of consideration of this item.

68 PLANNING APPLICATION (18/05599/FULL1) - LAND REAR OF TESCO STORES, EDGINGTON WAY, SIDCUP (CRAY VALLEY EAST WARD)

Description of application – Construction of 13 units to be used for Use Classes B1(c), B2 and B8 together with access from Edgington Way, Sidcup and creation of access from the Fitzroy Business Park, car parking and associated works.

Oral representations from a neighbouring business owner in objection to the application included the following points

- Chancery Gate had perfectly good access and planning onto Edgington Way and there was no need to have access through the Fitzroy Estate.
- There were already issues with security and crime on the estate. A security gate, controlled by a key pad, secured the site when businesses were closed. The security gate would have to be removed and this would only result in higher levels of crime.
- There was insufficient parking and the proposed scheme removed three parking spaces.
- Sandy Lane, an already busy road, was unlikely to be able to cope with increased traffic flow.

Oral representations from the applicant's agent in support of the application included the following points

- Chancery Gate benefit from the same right of access for phase 2 of the development than the current occupiers of phase 1.
- Following deferral at the last meeting the applicant sought to provide as much clarification as possible regarding the concerns that had been raised.
- The proposed development would not cause a significant impact on the operation of the Fitzroy Business Park access onto Sandy Lane.
- Electric Vehicle charging points would be provided in excess of current requirements.
- Access arrangements had taken place with the owner of Fitzroy Business Park prior to the application being submitted.

- Application itself represents an opportunity to bring forward a site which had long be allocated for development.

In response to a question from Councillor Bear concerning security, the applicant's agent confirmed that an arrangement would be made with the owner of Fitzroy Business Park to provide secure access. The gate would remain in place and would close at 9pm with occupiers of the estate being given a code of the gate.

In response to a question from Councillor Huntington-Thresher regarding parking, the applicant's agent explained that they had been in discussion with TfL from the pre-application stage. When the Fitzroy Business Park was approved in 2005/06 there was no provision for parking as it was the logical way of accessing the site.

The Assistant Director of Planning summarised the report in a brief presentation to the Committee which included the following

- A similar application had recently been permitted where the primary difference was a single point of access.
- The primary matter for the Committee to consider following the previous deferral was the access arrangements.
- The highway authority had confirmed that it continued to raise no objection to the application.
- The issue of access rights was a private matter.
- Electric vehicle charging points were to be provided.
- Proposal was for a policy complaint use in a strategic industrial location.

In opening the discussion local ward member, Councillor Yvonne Bear, thanked officers for the additional work that had been completed prior to the previous deferral. Councillor Bear reported that residents and ward councillors remained concerned about the effects of the proposals on Sandy Lane and its ability to cope with the additional traffic.

Councillor Terry queried whether a condition could be added requesting that the gates open and close at certain times. In response the Assistant Director for Planning confirmed that the location of the gates, and the Fitzroy Business Park were not within the application site and consequently it would not be possible to impose a condition requiring them to be retained.

Councillor Bennett moved that planning permission be granted in line with officer recommendations. The motion was seconded by Councillor Dean, put to the vote and CARRIED. (Councillor Bear abstained from the vote)

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

69 PLANNING APPLICATION (05/01919/HAZREV) - B G TRANSCO SITE, SEVENOAKS WAY, ORPINGTON (CRAY VALLEY WEST WARD)

Description of application – Discontinued storage of natural gas (Hazardous Substances Consent Revocation application).

Councillor Michael moved from the Chair that consent be revoked, subject to confirmation that the site operator will not claim compensation and subject to referral to the Secretary of State. The motion was seconded by Councillor Terry, put to the vote and unanimously CARRIED.

Having considered the report, objections and representations, Members **RESOLVED that CONSENT BE REVOKED, subject to confirmation that the site operator will not claim compensation and subject to referral to the Secretary of State.**

70 BECKENHAM TOWN CENTRE CONSERVATION AREA APPRAISAL

This item was deferred to be considered under a future meeting of the DCC.

71 TOWN CENTRE PLANNING POLICY STRATEGY: BROMLEY AND ORPINGTON

This item was deferred to be considered under a future meeting of the DCC.

72 FIRST HOMES CONSULTATION - SUMMARY AND KEY IMPLICATIONS

This item was deferred to be considered under a future meeting of the DCC.

73 AUTHORITY MONITORING REPORT 2017/18 AND HOUSING STATISTICAL UPDATE

This item was deferred to be considered under a future meeting of the DCC.

74 APPEAL DECISIONS - MAJOR APPLICATIONS

This item was deferred to be considered under a future meeting of the DCC.

75 PLANNING SERVICE IMPROVEMENTS

This item was deferred to be considered under a future meeting of the DCC.

76 COUNCILLOR PLANNING APPLICATION 'CALL-INS'

This item was deferred to be considered under a future meeting of the DCC.

The meeting ended at 9.24 pm

Chairman

LIDL PLANNING APPLICATION

I INTEND TO COVER, IN THE MAIN, ROAD SAFETY AND TRAFFIC ISSUES INCLUDING THE WIDTH OF THE ROAD AND ROAD MARKINGS, THE SPEED AND DENSITY OF TRAFFIC AND THE LACK OF LOCAL PARKING.

HOWEVER I WILL ALSO QUESTION THE NEED FOR SUCH A FOOD STORE AND ALSO COMMENT ON THE DETRIMENTAL EFFECT UPON LOCAL TRADE AND COMMERCE.

FURTHERMORE I WILL BRING TO YOUR ATTENTION, THE EFFECT UPON THOSE RESIDENTS LIVING CLOSE TO THE SITE.

JUST TO RE-CAP, LIDL SUBMITTED THE PREVIOUS APPLICATION OVER 6 YEARS AGO. THE COUNCIL REFUSED IT AND THE INSPECTOR DISMISSED APPEAL, CITING SIGNIFICANT ROAD SAFETY CONCERNS.

IN MY OPINION, AND IN THE OPINION OF HUNDREDS OF LOCAL MOTTINGHAM RESIDENTS, THOSE SAME ROAD SAFETY CONCERNS HAVE NOT BEEN DEALT WITH IN THIS CURRENT APPLICATION.

THE SITE ITSELF IS SITUATED WITHIN A COUPLE OF METRES OF A VERY BUSY ROUNDABOUT, THAT SEES HEAVY TRAFFIC VOLUMES, FAST VEHICLE SPEEDS AND MORE THAN ITS FAIR SHARE OF ROAD ACCIDENTS, THE MOST RECENT BEING LAST FRIDAY INVOLVING AN ELDERLY PEDESTRIAN ATTEMPTING TO CROSS THE BUSY ROAD. THIS WAS A SERIOUS/NEAR-FATAL ACCIDENT INVOLVING AN ELDERLY LADY WHO REQUIRED HOSPITALISATION.

THOSE MEMBERS OF THE COMMITTEE WHO HAVE VISITED THE SITE WILL HAVE SEEN FIRST-HAND THE HIGH TRAFFIC VOLUME AND THE SPEED OF TRAFFIC APPROACHING THE ROUNDABOUT, PARTICULARLY THOSE VEHICLES TRAVELLING NORTHBOUND ON THE MOTTINGHAM ROAD. MEMBERS WILL ALSO HAVE SEEN THAT THE WIDTH OF THE ROAD THROUGH THE VILLAGE IS RESTRICTED, WITH SIGNIFICANTLY DIFFERING PAVEMENT WIDTHS.

IT IS IMPORTANT FOR MEMBERS TO NOTE THAT THE ROADS LEADING TO AND INCLUDING MOTTINGHAM ROAD ARE USED DAILY AS A CUT THROUGH BY TRAFFIC TRYING TO AVOID THE VERY BUSY A20, WHICH RUNS PARALELL SOME 300-400m. AWAY. THIS CAUSES A SIGNIFICANT TRAFFIC PROBLEM IN THE VILLAGE DURING RUSH HOUR EACH MORNING AND EVENING. THE CLOSE PROXIMITY OF ELTHAM COLLEGE JUNIOR AND SENIOR SCHOOLS EXACERBATES THIS ALREADY SIGNIFICANT PROBLEM.

WITH REGARD TO ROAD SAFETY, IT WOULD APPEAR TO ME THAT THERE ARE ONLY 2 SIGNIFICANT AMENDMENTS TO THE ORIGINAL APPLICATION, WHICH WAS REFUSED, BOTH BY THE COUNCIL AND ALSO THE INSPECTOR ON APPEAL. THESE ARE - THE ALL-IMPORTANT RE-ALIGNMENT IN THE ROAD OUTSIDE THE ENTRANCE/EXIT TO THE PROPOSED STORE AND ALSO THE WIDENING OF THE EXISTING PEDESTRIAN REFUGE, CURRENTLY SITUATED ACTUALLY ON THE ROUNDABOUT, BY THE PROPOSED STORE EXIT IN MOTTINGHAM RD. THESE ADJUSTMENTS ARE SUPPOSED TO SIGNIFICANTLY IMPROVE ROAD SAFETY AT THESE CRITICAL POINTS.

WITH REGARD TO THE REALIGNMENT, WE ARE TALKING IN PLACES OF AS LITTLE AS 50 CM. (20 INCHES) OF PAVEMENT ALTERATION, AND WHEN CONSIDERING THAT WE WILL BE SEEING 44 TONNE ARTICULATED DELIVERY LORRIES, EACH MEASURING 16.5 METRES IN LENGTH (THAT'S SOME 55FT) AND DOUBLE WHEEL WIDTHS PROBABLY WIDER THAN THE 50 CM. ATTEMPTING TO ENTER AND EXIT THIS SITE, THEN YOU WILL SEE THAT THE ROAD SAFETY RISK, IN RESPECT OF SIGHTLINES, IS BEING TAKEN TO THE UTMOST AND (IN MY OPINION), DANGEROUS LIMIT.

INDEED, BY MY CALCULATION AND LOOKING AT PLAN No. 2316686, THE REAR OF ANY SUCH LORRY TURNING INTO THE SITE FROM THE WAR MEMORIAL ROUNDABOUT WILL NOT CLEAR THE ROUNDABOUT, IF IT IS FORCED TO WAIT TO TURN INTO THE SITE! THIS CANNOT BE ACCEPTABLE AND IS **NOT COVERED** IN THE HIGHWAYS REPORT.

FURTHERMORE, WITH REFERENCE TO THE CRUCIAL ISSUE OF VISUAL SIGHTLINES, THESE ARE THERE TO ENSURE THE DRIVERS OF THE DELIVERY LORRIES CAN SEE ONCOMING TRAFFIC FROM A SAFE DISTANCE. PLAN No. 2316686 SHOWS THAT DELIVERY LORRIES THAT WISH TO EXIT WILL HAVE TO CREEP OUT, ACROSS THE PEDESTRIAN PAVEMENT, STOP - TO JUDGE THE ONCOMING TRAFFIC FROM BOTH DIRECTIONS, BEFORE MOVING OFF. THESE LORRIES ARE 55ft. LONG, WHICH MEANS MOST OF THE LORRY-TRAILER AND ITS SETS OF REAR WHEELS WILL HAVE TO REMAIN IN THE PUBLIC CAR PARK. THIS HAS THE SERIOUS POTENTIAL FOR CHILDREN, DISABLED AND ORDINARY PEDESTRIAN SHOPPERS – PLUS CARS AND CYCLES - TO BE PUT AT UNREASONABLE RISK, AS THE LORRY DRIVER WILL HAVE TO MAINTAIN CLOSE SURVEILLANCE, NOT ONLY ON SPEEDING ONCOMING TRAFFIC FROM TWO DIRECTIONS, BUT ALSO MONITOR BOTH SIDES OF THE LORRY AT THE TIME OF MOVING OFF. AGAIN THE HIGH RISK ISSUE OF LARGE LORRIES MANOEUVRING IN PUBLIC CAR PARKS IS **NOT COVERED** IN THE REPORT .

WHILST I ACCEPT THE PROPOSED INCREASE IN WIDTH OF THE EXISTING TRAFFIC REFUGE IS TO BE WELCOMED, IT WILL ALSO HAVE THE EFFECT OF FURTHER NARROWING AN ALREADY RESTRICTED AND TIGHT ROAD AT A DANGEROUS ROUNDABOUT. I BELIEVE THAT HGVs WILL HAVE DIFFICULTY NEGOTIATING THE NARROWNESS OF THIS PART OF MOTTINGHAM Rd., WITHOUT SIGNIFICANT

FURTHER REALIGNMENT OF THE ROADWAY. THIS ALSO IS NOT COVERED IN THE HIGHWAYS REPORT.

IN MY OPINION AND ALSO THAT OF LOCAL RESIDENTS, THESE ROAD SAFETY RISKS ARE WAY TOO HIGH AND WE BELIEVE ANY INSPECTOR AT APPEAL WILL COME TO THE SAME CONCLUSION AGAIN!

ANOTHER ISSUE THAT IS NOT COVERED IN THE REPORT IS THE LOSS OF A VERY IMPORTANT 6.6m. STREET LAMP THAT IS CURRENTLY POSITIONED CLOSE TO THE PEDESTRIAN TRAFFIC REFUGE ON THE ROUNDABOUT. THIS ENSURES FULL ILLUMINATION OF THE REFUGE AND ALSO THE ROUNDABOUT ITSELF AND IS CRUCIAL IN TERMS OF PUBLIC SAFETY IN THE EVENINGS, NIGHTTIME, PARTICULARLY IN THE WINTER MONTHS, AT SCHOOL CLOSING TIME, WHEN ELTHAM COLLEGE STUDENTS ARE MAKING THEIR WAY THROUGH THE VILLAGE. THE ARTISTS IMPRESSION ON PAGE 23 DEPICTS THE STREET LAMP AS STILL IN POSITION; HOWEVER, AFTER THE PLANNED REALIGNMENT HAS TAKEN PLACE, BY MY CALCULATION THERE WILL NOT BE SUFFICIENT ROOM AT THIS POINT IN THE PAVEMENT FOR IT TO REMAIN. THIS IS A SERIOUS ROAD SAFETY ISSUE, NOT ONLY NOT COVERED, BUT MIS-REPRESENTED IN THE REPORT.

MAY I ALSO BRING TO YOUR ATTENTION A SERIOUS CONCERN I HAVE REGARDING THE SITING OF THE MAINS UTILITY SERVICES UNDER THE EAST SIDE PAVEMENT OF MOTTINGHAM ROAD, OPPOSITE THE LIDL SITE. I HAVE BEEN INFORMED BY LOCAL RESIDENTS AND ALSO A FORMER MOTTINGHAM WARD COUNCILLOR THAT IT IS UNDERSTOOD THE MAINS UTILITIES ARE SITED UNDER THIS PAVEMENT AND AT A DEPTH WHICH IS LESS THAN IS NORMAL. THIS IS DUE TO WHAT IS THOUGHT TO BE AN UNDERGROUND STREAM WHICH RUNS FROM "THE TARN" BY MOTTINGHAM STATION (SOME 500-600M AWAY), TO THE RIVER QUAGGY (SOME 800M AWAY TOWARDS LEWISHAM). THE REALIGNMENT OF THE PAVEMENT, WHICH WOULD, IN EFFECT, ALLOW 44Tonne LORRIES TO DRIVE OVER THESE UTILITIES, COULD CAUSE SIGNIFICANT DAMAGE AND DISRUPTION TO THE LOCAL AREA. I DID BRING THIS TO THE ATTENTION OF THE PLANNERS IN MY OBJECTION (SEE PARA 6.3 PAGE 26) BUT CANNOT FIND REFERENCE TO THIS ISSUE BEING ADDRESSED IN THE BODY OF THE REPORT.

ON THESE ISSUES, I AND MANY LOCAL RESIDENTS SERIOUSLY CALL INTO QUESTION THE QUALITY OF ADVICE AND RECOMMENDATIONS OF THOSE OFFICERS WHO COMPILED THE HIGHWAYS REPORT. INDEED, WHEN CONSIDERING THE NUMBER OF MISTAKES AND ERRORS IN THE ORIGINAL REPORT, WHICH REQUIRED IT TO BE WITHDRAWN BY THE CHIEF PLANNER IN JANUARY, IT COULD APPEAR THAT THERE IS A QUESTION MARK OVER THE ACTUAL COMPETENCY OF THE PLANNING OFFICERS INVOLVED.

TURNING TO PARKING, I NOTE THERE APPEARS TO BE 33 SPACES PLANNED, HOWEVER, 10 OF THESE ARE TO BE DESIGNATED SOLELY FOR THE DISABLED, THOSE WITH CHILDREN AND FOR ELECTRIC VEHICLES. THIS LEAVES A MEER 23 FOR ORDINARY SHOPPERS. THIS, I CONSIDER, IS TOTALLY INADEQUATE FOR SUCH A STORE. LIDL SHOPPERS WILL NOT WALK TO THE STORE, NOR WILL THEY USE BICYCLES. THEY WILL DRIVE!

AS THE REPORT CLEARLY POINTS OUT, PARTICULARLY UNDER THE SECTION ON *PARKING* ON PAGE 25 AND ALSO IN PARAS 9.41, 9.42 AND 9.49 ON PAGES 47, 48 AND 49 RESPECTIVELY, THERE IS A SEVER PAUCITY OF AVAILABLE PARKING IN THE SURROUNDING AREA AND DEMAND IS CURRENTLY HIGH, PARTICULARLY AS MANY COMMUTERS FROM KENT DRIVE INTO MOTTINGHAM AND LEAVE THEIR CARS TO TRAVEL TO CENTRAL LONDON BY TRAIN FROM MOTTINGHAM STN. DEMAND WILL THEREFORE BECOME EVEN HIGHER SHOULD THIS APPLICATION BE SUCCESSFUL.

WITHIN THE REPORT I CAN FIND NO SOLUTION TO THIS PROBLEM, NOR ANY MITIGATION. INDEED, IT IS CLEAR THAT THE CURRENT PARKING RESTRICTIONS IN MOTTINGHAM ROAD WILL HAVE TO BE SIGNIFICANTLY STRENGTHENED TO STOP INDICRIMINATE PARKING AND THIS WILL REDUCE LOCAL PARKING EVEN FURTHER. THE EFFECT OF THIS ON LOCAL STREETS WILL CAUSE SIGNIFICANT PROBLEMS FOR THE LOCAL COMMUNITY.

PARKING HAS CLEARLY NOT BEEN THOUGHT THROUGH BY OUR PLANNING OFFICERS. INDEED IT HAS BEEN KICKED INTO THE LONG GRASS BY THE OFFICERS' RECOMMENDATION TO DEFER DEALING WITH THESE MATTERS UNTIL AFTER THE DECISION IS MADE, BY MEANS OF THE POSSIBLE IMPOSITION OF CONDITIONS AND THE REQUIREMENT FOR SAFETY AUDITS ETC. TO BE CARRIED OUT.

THIS IS TOTALLY UNACCEPTABLE. THESE MATTERS ARE MATERIAL AND NEED TO BE DEALT WITH AS PART OF THE DECISION MAKING PROCESS.

LOCAL RESIDENTS KNOW ONLY TOO WELL HOW MANY VEHICLES UTILISE MOTTINGHAM ROAD, THEY KNOW FROM LONG EXPERIENCE, THE SPEED, THE VOLUME AND DENSITY OF TRAFFIC AND THE LACK OF LOCAL PARKING – AND WE ARE ALL AT TOTAL ODDS WITH THE UNBELIEVABLE VIEWS OF THE HIGHWAYS OFFICERS!

I TURN NOW TO THE NEED FOR YET ANOTHER FOOD STORE IN MOTTINGHAM VILLAGE. FOR INFORMATION, THERE IS ALREADY A LIDL STORE CLOSE TO MOTTINGHAM (ONE JUST OVER A MILE TO THE EAST IN ELTHAM – SERVED BY 3 BUS ROUTES FROM MOTTINGHAM VILLAGE) AND ANOTHER WE, UNDERSTAND PLANNED FOR THE OLD WAITROSE SITE IN BURNT ASH LANE (JUST OVER A MILE AWAY TO THE SOUTH WEST – SERVED BY 2 BUS ROUTES FROM MOTTINGHAM VILLAGE). TO ADD TO THIS WE ALREADY HAVE 3 ESTABLISHED MINI-SUPERMARKETS IN THE VILLAGE, THE CLOSEST BEING ONLY SOME 30M. AWAY, ON THE OPPOSITE SIDE OF THE ROUNDABOUT, PROVIDING A 24HR.

SERVICE. THE OTHER TWO ARE SITUATED 150M. OR SO TO THE SOUTH OF THE PROPOSED SITE AND BOTH OPEN DAILY FROM EARLY MORNING UNTIL 2200. THEY PROVIDE LOCAL EMPLOYMENT AND A CHOICE FOR LOCAL RESIDENTS. IF THIS APPLICATION IS GRANTED PERMISSION, THEN AT LEAST TWO OF THESE HAVE INDICATED THAT THEY WILL NOT BE ABLE TO SURVIVE. THE REPORT MAKES COMMENT THAT ONE OF THE BENEFITS OF A LIDL STORE WILL BE TO EXPAND CHOICE FOR LOCAL PEOPLE. IN FACT THE EFFECT WILL BE TO SIGNIFICANTLY REDUCE SUCH CHOICE. MARKET FORCES YOU MAY SAY, BUT DETRIMENTAL FOR THE LOCAL COMMUNITY!

MOTTINGHAM VILLAGE PARADE, LIKE MANY SHOPPING PARADES IN THE BOROUGH IS STRUGGLING TO SURVIVE AND SHOULD TWO OF THE MAIN SHOPS CLOSE, THE EFFECT OF THIS LOCAL OVER-DEVELOPMENT IS LIKELY TO BE CATASTROPHIC FOR THE VILLAGE.

FINALLY, TURNING TO THE MATTER OF THOSE LOCAL RESIDENTS, BORDERING THE SITE, THE PROPOSAL WILL, WITHOUT A SHADOW OF DOUBT, HAVE AN ADVERSE EFFECT ON THEIR QUALITY OF LIFE - PARTICULARLY IN TERMS OF PARKING, INCREASED TRAFFIC MOVEMENTS, NOISE POLLUTION, POORER AIR QUALITY AND LIGHT POLLUTION. THE REPORT APPEARS TO DISMISS EACH AND ALL OF THESE ISSUES AS "INSIGNIFICANT". I HAVE TO SAY THAT I, ALONG WITH HUNDREDS OF LOCAL OBJECTORS DO NOT AGREE. THEIR RIGHTS SHOULD NOT BE DISMISSED IN SUCH A DISRESPECTFUL MANNER. THEY ARE BROMLEY COUNCIL TAX PAYERS AND DESERVE TO BE PROTECTED FROM AN APPARENT, CALLOUS BIG BUSINESS, WHICH CLEARLY WISHES TO RIDE ROUGH-SHOD OVER THEIR INHERENT RIGHTS.

FOR THE SAKE OF THE LOCAL COMMUNITY, MADAM CHAIRMAN, I ASK THAT, WHEN COMING TO YOUR CONCLUSIONS, YOU GIVE MORE WEIGHT TO ALL THESE MATTERS THAN OFFICERS HAVE DONE.

TO FINISH, I HAVE THIS EVENING, POSED 6 QUESTIONS WHICH I DO NOT BELIEVE HAVE BEEN COVERED IN THE REPORT AND WHICH THE LOCAL COMMUNITY FEELS SHOULD BE ANSWERED **BEFORE** ANY DECISION IS TAKEN, AS THEY ARE CRITICAL AND MATERIAL:

1. THE REAR OF A LARGE DELIVERY LORRY STICKING OUT INTO THE ROUNDABOUT IN THE LIKELY EVENT THAT IT IS UNABLE TO IMMEDIATELY TURN INTO THE STORE.
2. LARGE DELIVERY LORRIES MANOEUVRING WITHIN THE PUBLIC CAR PARK AND ATTEMPTING TO EXIT THE SITE.
3. THE NARROWING OF THE ROAD WAY THROUGH WIDENING THE EXISTING PEDESTRIAN REFUGE
4. THE ISSUE OF THE DISAPPEARING STREET LAMP

5. THE ISSUE OF THE UTILITIES AND MAINS SERVICES UNDER THE PAVEMENT WHERE RE-ALIGNMENT WOULD TAKE PLACE.
6. THE EFFECT OF INCREASED DEMAND FOR PARKING AND THE POTENTIAL REDUCTION OF LOCAL PARKING SPACES.
- 7.

MADAM CHAIRMAN, I WOULD RESPECTFULLY ASK THAT YOU QUESTION THE HIGHWAYS AND PLANNING REPRESENTATIVES HERE THIS EVENING ON THESE ISSUES BEFORE YOU MAKE ANY FINAL DECISION

DEVELOPMENT CONTROL COMMITTEE

Minutes of the special meeting held at 7.36 pm on 13 May 2020
after the annual meeting of the Council

Present:

Councillor Alexa Michael (Chairman)
Councillor Yvonne Bear (Vice-Chairman)
Councillors Vanessa Allen, Mark Brock, Kevin Brooks,
Peter Dean, Simon Fawthrop, Christine Harris,
William Huntington-Thresher, Russell Mellor, Tony Owen,
Angela Page, Richard Scoates, Melanie Stevens and
Michael Turner

Also Present:

Other Members of the Council

1 PROPORTIONALITY OF SUB-COMMITTEES

RESOLVED that the following proportionality for Sub-Committees be agreed -

	Size	Conservative	Labour	Independent
Plans Sub No. 1	9	8	1	0
Plans Sub No. 2	9	8	1	0
Plans Sub No. 3	9	8	1	0
Plans Sub No. 4	9	8	1	0

2 MEMBERSHIP OF SUB-COMMITTEES

RESOLVED that the following Schedule of Members to serve on the Sub-Committees of the Development Control Committee be agreed.

(i) PLANS SUB-COMMITTEE NO. 1

	Councillors
1	Alexa Michael (CH)
2	Angela Page (VC)
3	Kathy Bance (Lab)
4	Katy Boughey
5	Kira Gabbert
6	Christine Harris
7	Tony Owen
8	Will Rowlands
9	Suraj Sharma

(ii) PLANS SUB-COMMITTEE NO. 2

	Councillors
1	Peter Dean (CH)
2	Michael Turner (VC)
3	Mark Brock
4	Nicky Dykes
5	Simon Fawthrop
6	Colin Hitchins
7	Josh King (Lab)
8	Neil Reddin
9	Richard Scoates

(iii) PLANS SUB-COMMITTEE NO. 3

	Councillors
1	Katy Boughey (CH)
2	Tony Owen (VC)
3	Kevin Brooks (Lab)
4	Samaris Huntington-Thresher
5	Charles Joel
6	Alexa Michael
7	Keith Onslow
8	Angela Page
9	Kieran Terry

(iv) PLANS SUB-COMMITTEE NO. 4

	Councillors
1	Richard Scoates (CH)
2	Simon Fawthrop (VC)
3	Marina Ahmad (Lab)
4	Gareth Allatt
5	Aisha Cuthbert
6	Peter Dean
7	Nicky Dykes
8	Kate Lymer
9	Michael Turner

3 APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN

RESOLVED: that the following Councillors be appointed as Chairmen and Vice Chairmen of the Sub-Committees of the Development Control Committee.

Plans Sub-Committee No. 1	Alexa Michael	Angela Page
Plans Sub-Committee No. 2	Peter Dean	Michael Turner
Plans sub-committee No. 3	Katy Boughey	Tony Owen
Plans sub-committee No. 4	Richard Scoates	Simon Fawthrop

The Meeting ended at 7.37 pm

Chairman

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DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held at 6.30 pm on 21 May 2020

Present:

Councillor Alexa Michael (Chairman)
Councillor Yvonne Bear (Vice-Chairman)
Councillors Vanessa Allen, Katy Boughey, Mark Brock,
Kevin Brooks, Peter Dean, Simon Fawthrop, Christine Harris,
William Huntington-Thresher, Charles Joel, Russell Mellor,
Tony Owen, Angela Page, Richard Scoates, Melanie Stevens
and Michael Turner

Also Present:

Councillors Michael Rutherford and Kieran Terry

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

All Members were present.

2 DECLARATIONS OF INTEREST

No declarations of interest were received.

3 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

A total of 12 questions for written reply were submitted to the Chairman. A copy of those questions, together with the Chairman's responses can be viewed at Annex A to these Minutes.

4 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 18 MARCH 2020

Minute 67 – Planning Application (19/04644/FULL1) – National Westminster Sports Ground (page 11, first paragraph)

The Legal Representative confirmed that the one-off Section 106 payment would be set aside for carbon initiatives.

RESOLVED that the Minutes of the meeting held on 18 March 2020 be confirmed and signed as a correct record.

5 MATTERS OUTSTANDING FROM PREVIOUS MINUTES

Members noted there were no matters outstanding from the Minutes of previous meetings.

**6 PLANNING APPLICATION (19/01670/FULL1) - THE PORCUPINE,
24 MOTTINGHAM ROAD, MOTTINGHAM, LONDON SE9 4QW**

Description of application – Full planning permission for the demolition of the existing public house and erection of an A1 retail foodstore, with associated car parking, reconfigured site access, landscaping, servicing and other associated works.

**THIS REPORT WAS WITHDRAWN BY THE ASSISTANT DIRECTOR,
PLANNING AND BUILDING CONTROL.**

The reason for withdrawal of the report was due to the publication of very recent statutory Government guidance in respect of highways. This had raised considerable concerns about the proposal to reduce substantially the width of the public footway opposite the site as part of this application.

While the proposal also incorporated an increase in width of the pavement on the opposite side, the reduction was in basic terms entirely contrary to this guidance. The Highway Authority had raised serious concerns about this matter. While Lidl had provided their response supporting the benefits overall of their proposal, the Assistant Director Planning was not satisfied that the matter should be disregarded at this point.

The Council had yet to decide its corporate approach to this highways guidance. At this point, the Assistant Director Planning was not comfortable putting the application forward with the recommendation as set out in the agenda. He did not feel in these unusual circumstances that he could provide Members with a clear recommendation and therefore the application should be withdrawn from the agenda until such time as he could.

Additionally, the Assistant Director Planning intended to use this time to seek a review of the highways aspects of the proposal by an independent consultant as he was aware of the continuing concerns raised in this regard.

**7 PLANNING APPLICATION (19/03545/FULL1) - OLD TOWN HALL,
30 TWEEDY ROAD, BROMLEY BR1 3FE**

Description of application – Application for planning permission and listed building consent to enable minor demolitions, conversion, restoration and extension of the Old Town Hall (OTH) Building (extensions no greater than 3 storeys in cumulative height) to provide office space (Class B1), ancillary hotel bedrooms (x 24) (Class C1), and a food and drinking establishment within the Old Courthouse (Class A4); and

Five storey residential scheme consisting of 53 apartments (18 x 1 bed, 34 x 2 bed and 1 x 3 bed) (Class C3) with basement parking for 26 cars upon the former South Street Car Park Site (SSCP), along with provision of 160 cycle spaces across both sites. (72 spaces - Old Town Hall, and 88 spaces - South

Street Car Park), landscaping, public realm improvements and ancillary development.

Oral representations from the applicant's agent in support of the application included the following points:-

- The proposals presented a unique solution for the delivery of strategically significant mixed-use development and would provide overwhelming economic, heritage and regeneration benefits to the Old Town Hall and South Street Car Park sites and for Bromley Town Centre generally.
- The proposals were compliant with national, regional and local planning policy. Other significant material considerations included:-
 - the existence of the recent planning permission for the site. The residential proposals for the SSCP site remained fundamentally unchanged from the approved scheme;
 - the proposed mixed-use was consistent with the aims and objectives of the site-specific policy allocation under Opportunity Site C within the Adopted Area Action Plan;
 - the scheme would secure the long-term future and re-use of the Old Town Hall site, thus protecting the existing Grade II Listed Building, which was presently identified as a 'building at risk' by Historic England;
 - the proposed primary office use of the Old Town Hall site represented a "good fit" in respect of compatible uses resulting in minimal physical intervention and impact upon the fabric of the listed building to facilitate its re-use.
 - the proposed mixed-use would add to the diversity of use within the town centre, contributing to its vitality and viability. The office use in particular, would provide significant economic impetus within the town centre by providing a focused and innovative co-working employment hub;
 - the proposals for both the Old Town Hall and South Street Car Park sites would be acceptable in terms of its planning, operational and environmental impacts.

In summary, the application met the requirements of planning policy in all respects and was worthy of approval.

In response to questions from Members, the applicant's agent made the following statements:-

- 20% of the electric car charging provision would be active, leaving the remaining 80% to allow for adaptation in the future.

- A balance was needed between the security needs of residents and public access to the two listed Council Chambers and the main entrance lobbies. The Court House would be accessible to members of the public and the Chambers would be designated as a co-working space. The applicant was prepared to make the 1939 Council Chamber on Widmore Road available for public access.
- In relation to the Section 106 payment, a rigorous independent review had been undertaken by the Council. The contribution was originally intended for education and health but was redirected to affordable housing.
- The fees set out in the viability assessment were standard industry norms. The financial gain from the residential scheme would pay for the Old Town Hall works.
- public access would be made available to the Council Chamber and main entrances lobbies in the Old Town Hall as part of the annual Open House Scheme which is part of the London Festival of Architecture.
- the current impact of the COVID-19 pandemic had not weakened the applicant's resolve to complete the scheme, although it was impossible to say what would happen to the market.

Councillor Joel reminded Members that should permission be granted, a Construction and Environmental Management Plan for the Old Town Hall and South Street Car Park phases would be required under pre-commencement condition 5 as stated on page 125 of the report.

Oral representations from visiting Ward Member Councillor Michael Rutherford in support of the application were received at the meeting and included the following points:-

- All Bromley Town Ward Members were in favour of the application.
- The scheme was supported by community groups and local residents.
- The current proposals were an improvement on the previously permitted application.

The Development Management Area Team Leader reported the principle of a viability review mechanism had been agreed and further details would be secured in the legal agreement. In relation to the hours of operation for the A4 use, the last entry on a Friday and Saturday would be extended from 11.00pm to 11.30pm (one hour before closure). Closing time remained the same.

The Chairman supported this very positive scheme which had been sensitively thought through and would result in the removal of the Grade II listing building from the At Risk Register.

The Chairman moved that the application be permitted. Councillor Mellor seconded the motion.

Councillor Fawthrop moved that a further condition be added to those already in the report requiring the applicant to provide active vehicle car charging points in line with the Draft London Plan.

Having considered the report, objections and representations, Members unanimously RESOLVED that PERMISSION BE GRANTED SUBJECT TO A SECTION 106 LEGAL AGREEMENT as recommended and subject to the conditions and informatives set out in the report of the Assistant Director, Planning and Building Control.

Members also resolved to grant consent on the basis that the provision of electric vehicle charging points met with the Draft London Plan standards.

**8 PLANNING APPLICATION (19/03546/LBC) - OLD TOWN HALL,
30 TWEEDY ROAD, BROMLEY BR1 3FE**

Description of application – Application for planning permission and listed building consent to enable minor demolitions, conversion, restoration and extension of the Old Town Hall (OTH) Building (extensions no greater than 3 stories in cumulative height) to provide office space (Class B1), ancillary hotel bedrooms (x 24) (Class C1), and a food and drinking establishment within the Old Courthouse (Class A4), and

Five storey residential scheme consisting of 53 apartments (18 x 1 bed, 34 x 2 bed and 1 x 3 bed) (Class C3) with basement parking for 26 cars upon the former South Street Car Park Site (SSCP), along with provision of 160 cycle spaces across both sites. (72 spaces - Old Town Hall, and 88 spaces - South Street Car Park), landscaping, public realm improvements and ancillary development.

The Chairman moved that Listed Building Consent be granted; this was seconded by Councillor Mellor.

Having considered the report, objections and representations, Members RESOLVED that LISTED BUILDING CONSENT BE GRANTED as recommended, subject to the conditions set out in the report of the Assistant Director, Planning and Building Control.

**9 PLANNING APPLICATION (19/03620/FULL1) - WELLS HOUSE,
15-17 ELMFIELD ROAD, BROMLEY BR1 1LS**

Description of application – Demolition of Wells House building and the redevelopment of the site to provide a part 7 and part 8 storey, comprising 10,598 sqm office floor space (Use Class Order Class B1(a)) with associated landscaping, cycle and parking spaces.

Oral representations from the applicant's agent in support of the application included the following points:

- Over the past three years, the applicant had worked proactively with the Council following pre-application advice and by further refining the scheme post-submission.
- The site comprised a 1970s office building, representative of much of the existing stock in Bromley Town centre. This dated design was no longer fit for purpose.
- The aspiration of the Local Plan and AAP's long standing designation of Elmfield Road as a Business Improvement Area had yet to be realised. The area was in need of investment to attract future occupiers in order to compete with regional office markets such as Croydon.
- The proposed investment in the site provided an opportunity not previously seen in this Business Improvement Area.
- The scheme optimised this town centre brownfield site by replacing the dated architecture with a modern office building designed to the British Council for Offices' latest guidance.
- The modest increase in height reflected the context of this town centre location, with a significant separation from the residential properties to the east of Kentish Way. There was no change in use and it had been demonstrated that there would be no harm to the amenities of neighbouring residents.
- The high quality design was universally supported by Bromley officers and the GLA design officer.
- This was underpinned by its sustainability credentials which achieved BREEAM Excellent and a 47% carbon energy reduction on site.
- The building would incorporate green roofs, SUDS, 100% ECVF spaces, and had been future-proofed with cycle storage, shower facilities and spaces to draft London Plan standards.

- The scheme would provide Bromley's first purpose built Grade A office accommodation with an uplift of almost 7,000 sqm to provide an additional 450 jobs. It would assist the wider aspirations of driving footfall to the town centre and would also secure a financial contribution for wider public realm improvements.
- The scheme accorded with planning policy at all levels and the proposed investment would provide substantial benefits for Bromley Town Centre.

Oral representations from visiting Ward Member Councillor Michael Rutherford in support of the application were received at the meeting and included the following points:-

- Having visited the site at various times of the day, it appeared the scheme would have minimal impact on residents in Rafford Way.
- The development would improve the quality of office space available in Bromley.

Councillor Joel asked whether one or two office floors could be divided into individual rooms for small businesses. The agent responded that the proposed open floor plan fully adhered to office standards. Division into smaller units was not something the applicant would wish to consider at this time. The aim was to attract larger companies who were looking to relocate outside of Central London.

The Head of Development Management informed Members that if they were minded to grant planning permission, the addition of a further condition was recommended to secure details of slab levels for the building and also to restrict the use of the building to offices as proposed. In addition, following publication of the report, the applicant had agreed to market up to 5% of the floorspace as affordable workspace if the building were to remain vacant during the first 24 months following completion. It was recommended that this be carried forward in the heads of terms should Members be minded to grant planning permission.

The Chairman was pleased to see this scheme dedicated for office use. While the replacement block was taller than the current existing building, she noted that the original proposed height had been reduced. The scheme itself was of an imaginative design incorporating a large quantity of glass which should attract plenty of light in an otherwise dark road..

The Chairman moved that the application be granted permission.

Following a query from Councillor Fawthrop, the applicant's agent confirmed that a total of 14 electric vehicle car charging spaces would be provided, two of which were dedicated disabled parking. A further three vehicle delivery bays would also be provided.

Councillor Fawthrop seconded the motion that permission be granted.

Councillor Mellor was pleased to see that plans for this site, dedicated as a Business Improvement Area in the Bromley Local Plan, were finally coming to fruition.

Having considered the report, objections and representations, Members RESOLVED that PERMISSION BE GRANTED SUBJECT TO STAGE 2 REFERRAL TO THE MAYOR OF LONDON, PLANNING CONDITIONS AND A SECTION 106 LEGAL AGREEMENT as recommended in the report of the Assistant Director, Planning and Building Control.

Further conditions relating to slab levels for the building and to limit the use of the building to offices were added. In addition, a requirement for the marketing of up to 5% floorspace was added to the Heads of Terms for the S106 Agreement.

**10 PLANNING APPLICATION (19/04439/FULL1) - LUBBOCK HOUSE,
1 NORTHOLME RISE, ORPINGTON BR6 9RF**

Description of application – Demolition of existing building and construction of part 3/part 4 storey block of 34 flats with associated car and bicycle parking, refuse and recycling storage and landscaping.

Oral representations from the applicant's agent in support of the application included the following points:

- Various issues with the content of the report were raised in a letter to the Council dated 19 May 2020.
- As outlined in the report, the development was acceptable except for the conflict with Policy 11 which sought to protect sites that provided specialist accommodation. The report failed to note that the use of the building for the provision of specialist accommodation for older people ceased as of 1 May 2015 as set out on the application form that accompanied the application for the redevelopment of the site for 9 dwellings. It was, therefore, a matter of fact that the provision of specialist accommodation for older people from this site ceased just over five years ago. It was not right that this policy was afforded the same degree of weight as if the application related to a building that had recently closed or moreover still active but proving unviable to continue. The Policy was only formally adopted 18 months ago, more than three years following closure of the site and when an alternative residential development had been approved. The use of the site for specialist accommodation had therefore long since ceased and any need for such provision had been met elsewhere by other developments. There was, therefore, no net loss to the provision of specialist accommodation for older people as envisaged by the Policy.
- Balanced against this, Members must consider that this scheme would deliver 34 new residential apartments of which 12 were to be provided as affordable housing. The report acknowledged that there was not a current

5-year housing land supply position and therefore the provision of housing should be afforded significant weight in favour of the proposals. This was accepted by Planning Inspectors when determining appeals in Bromley as well as generally within authorities lacking the necessary housing supply. While the application would see 12 of the 34 units being provided as affordable housing, the current discussions with interested purchasers of the completed scheme indicated it was likely that all 34 units would be delivered as affordable housing. The additional 22 units would need to fall outside of the scope of any Section 106 Agreement due to funding arrangements with housing associations.

- If Members accepted there was no fallback position regarding the implementation of the 9 unit dwelling scheme, which was not accepted by the applicant, then Members should consider whether the full weight of Policy 11 was applicable to this site and in the context of the housing crisis and the lack of sufficient supply at present in this Borough. If Members considered there was conflict with the Policy, it should not singularly amount to such harm that it otherwise outweighed the benefits acknowledge in the report.

In response to questions from Members, the agent confirmed the following:-

- Discussions had been undertaken with Housing Associations to take on all 34 units. However, 22 of the units would remain outside the Section 106 Agreement for viability reasons.
- The option to appeal in the event that the application was refused had not been discussed. The applicant would take the either/or principle in regard to which application scheme had been approved.
- The provision of electric car charging points would be policy compliant. A condition imposed by Members for 100% provision would not be justified as it was not a policy requirement in the London or Local Plan.

The Principal Planner reported the following updates:-

- Policy 11 of the Bromley Local Plan still applied to sites not currently being used as specialist accommodation.
- No marketing had been undertaken to establish that there was not a continued demand for specialist accommodation at the site.
- Further objections had been received following re-consultation which was sent out on 7 May 2020. While some of the objections were similar to those already reported, others raised issues concerning:-
 - the reduction in parking;

- the assertion that traffic flow would be reduced was difficult to believe, bearing in mind that the 30 original flats were occupied by extra care residents who generally did not drive;
- some improvement in landscaping at lower end of the site adjacent to Woodhead Drive;
- the introduction of a play area would result in noise disturbance;
- confirmation needed from the Council that application 16/04956/FULL1 for nine houses had now expired;
- the two active applications required more transparency from the developer;
- the notification letter was not received until 18 May 2020.
- The Council's Tree Officer had submitted the following comments in relation to verge works:-
 - The low level vegetation fronting Northolme Rise comprised weed species. The tidying of the verge to improve the visibility splays was supported.
 - The retention of trees on the frontage and vegetation/scrub clearance could be addressed in the Arboricultural Method Statement which would be required by condition.
- The following update on land contamination had been received from Environmental Health:-
 - The items raised had all been addressed in a satisfactory manner and the changes appeared to continue through the report and into the conclusions and recommendations.
 - The revised report could be accepted in support of the application with the imposition of conditions as highlighted in the report.

Councillor Joel was disappointed to note that no marketing had been undertaken to find a provider willing to take on the site and retain the use as older persons' accommodation. The proposal was detrimental by way of its bulk and mass which would impact on the surrounding residential area. The scheme would also result in road network and traffic problems. There was no justification for the building to be demolished.

For the reasons given above, Councillor Joel moved that the application be refused. Councillor Fawthrop seconded the motion, adding that a lack of sufficient electric vehicle charging points would have an impact on the peaceful enjoyment of neighbouring properties.

Councillor Owen agreed that the development was out-of-keeping with the surrounding area and would result in a building which looked far worse than the one currently in situ. The site was more suited to development as family housing which was in short supply.

Councillor Allen questioned the recommendation for refusal as the existing building could not be of any use in regard to specialised accommodation whereas granting the application would bolster the Council's housing targets. There was every chance that the Council would lose should the applicant decide to appeal.

Councillor Brooks agreed, stating that an opportunity to add to the provision of affordable housing should not be missed. He asked how long a site designated for specialist older persons accommodation needed to stand vacant before being deemed acceptable for change of use. The Principal Planner reported that such sites remained designated regardless of how much time had elapsed.

The Principal Planner informed Members that the reasons for refusal put forward by Councillors Joel and Fawthrop would not be sustainable.

The Chairman moved that the application be refused solely on the ground set out in the report as the application conformed to all other planning policies. Councillor Dean seconded the motion.

A vote to refuse the application for the reasons set out by Councillors Joel and Fawthrop FELL.

The motion put forward by the Chairman to refuse the application for the reason set out in the report was put to the vote and CARRIED.

Having considered the report, objections and representations, Members RESOLVED that the application BE REFUSED as recommended, for the reason set out in the report of the Assistant Director, Planning and Building Control.

11 DELEGATED ENFORCEMENT ACTION JANUARY TO MARCH 2020

Report HPR2020/009

Members were provided with details of action taken under authorised Delegated Authority for breaches of planning control during the period January to March 2020.

RESOLVED that the report be noted.

12 PROPOSED NON-IMMEDIATE ARTICLE 4 DIRECTIONS TO REMOVE PERMITTED DEVELOPMENT RIGHTS FOR OFFICE TO RESIDENTIAL CONVERSIONS IN BROMLEY'S OFFICE CLUSTERS

REPORT HPR2020/007

Members considered whether three non-immediate Article 4 Directions should be sought to withdraw permitted development rights (PDRs) for change of use from office to residential. The Directions would apply to three Office Clusters shown in the Bromley Local Plan (January 2019) which were Crayfield Business Park (Cray Valley West), Knoll Rise (Orpington) and Masons Hill (Bromley Town). The Directions would not come into force until 12 months had elapsed from the date the Directions were made, subject to confirmation by the Renewal, Recreation and Housing Portfolio Holder.

The Chairman reminded Members that removal of PDRs would not prevent development but would add an extra level of protection as the applicant would need to submit a planning application for permission.

Referring to the high quality office space in Knoll Rise, Orpington, Councillor Huntington-Thresher reported the site was listed in Bromley's Local Plan and was definitely worth protecting.

Councillor Owen reported that the change of use from offices to flats in Orpington had seriously damaged lunchtime trade.

RESOLVED that:-

- 1 the making of three 'non-immediate' Article 4 Directions to withdraw the permitted development right granted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), be endorsed;**
- 2 the matter be referred to the Renewal, Recreation and Housing Policy Development and Scrutiny Committee for pre-decision scrutiny; and**
- 3 Members note that the Portfolio Holder for Renewal, Recreation and Housing will be asked to authorise the making of the non-immediate Directions, which will come into force 12 months from the day on which they are made, if they are subsequently confirmed following public consultation.**

13 LAND AT NEW YEARS LANE, KNOCKHOLT - ARTICLE 4 DIRECTION

Report HPR2020/006

Members were requested to recommend that the Portfolio Holder for Renewal, Recreation and Housing confirm the immediate and non-immediate Article 4 Directions on Land at New Years Lane which were made on 7 January 2020 following a decision by the Portfolio Holder as recommended by Members of the DCC. The Directions restricted various permitted development rights, with the non-immediate Direction (v) not coming into effect until the required 12 month period of notification had elapsed (7 January 2021).

RESOLVED that the Portfolio Holder for Renewal, Recreation and Housing be recommended to confirm the immediate and non-immediate Article 4 Directions on the Land at New Years Lane, restricting the following permitted development rights, with the non-immediate Direction not coming into effect until the required 12 month period of notification had elapsed:-

- (i) erection or construction of gates, fences, walls or other means of enclosure (Class A of Part 2);**
- (ii) formation, laying out and construction of means of access ... (Class B of Part 2);**
- (iii) provision of temporary buildings, etc. (Class A of Part 4);**
- (iv) use of land for any purpose for not more than 28 days per year (Class B of part 4); and**
- (v) use of land as a caravan site (Class A of Part 5).**

14. HOMES IN MULTIPLE OCCUPATION

REPORT HPR2020/005

This report outlined current controls relating to Homes in Multiple Occupation (HMOs) and the nature and scale of HMOs in Bromley. The report also assessed current and potential impacts of HMOs and set out potential avenues to address possible harm that may materialise, noting relevant processes, data requirements and the experience of other boroughs.

Visiting Member Councillor Michael Rutherford considered it would not be unreasonable for permitted development rights (PDRs) which currently allowed a change of use from houses to homes of multiple occupation (HMOs) to be withdrawn. Conversion could still take place but developers

would be required to submit a planning application which would allow consultation to take place.

Councillor Own agreed with the suggestion that PDRs be withdrawn to minimise the risk of attracting undesirable occupancy.

The Head of Planning Policy and Strategy reported that officers were liaising with the Licensing Department to consider methods of controlling and/or implementing additional licensing for HMOs.

Councillor Allen considered it made sense for the Council to bring itself into line with other boroughs. Inspection of housing was needed to help protect residents. However, a certain amount of control was required.

While Councillor Fawthrop supported the work currently being undertaken, he believed the establishment of a blanket ban on PDRs should not be considered at this stage but could be reviewed at a later date. Councillor Huntington-Thresher agreed and suggested that different levels of control could be introduced with the classification of a large HMO being defined as four or more unrelated occupants as opposed to six as stated in the report.

The Head of Planning Policy and Strategy reminded Members that National Development Rights could not be amended.

Councillor Mellor urged Members and officers to act with great alacrity on this issue as change of use to HMOs was being used by developers for financial gain.

RESOLVED to note:-

- 1 the impacts of HMOs identified in the report;**
- 2 that officers would undertake further work to:-**
 - (i) establish an understanding of the trends and spatial distribution of HMOs across the borough and assess the justification for and implications of, further actions where necessary; and**
 - (ii) consider the implications of emerging national and regional design guidance and observe any relevant outcomes from the national response to the COVID-19 pandemic.**

.....

Following the completion of business, Members commended the Chairman for successfully hosting and controlling the first virtual meeting of the Development Control Committee which ran smoothly and uninterrupted.

The meeting ended at 8.10 pm.

Chairman

ANNEX A

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR WRITTEN RESPONSE BY THE CHAIRMAN OF DCC IN RELATION TO ITEM 14 – HOMES IN MULTIPLE OCCUPATION

Question 1: From Chris Duffield and Sue MacDonald

1. Why is Madeira Avenue, a quiet leafy suburb of Bromley Town with a close family orientated community not recognised in terms of Article 4 in relation to HMO's? This does not appear to be the case in other areas of the Borough of a similar standing where consideration is given!
2. We understand that the Borough Planning Authority have the ability to invoke Article 4 Directions albeit on a permanent or discretionary basis given mitigating circumstances, can this discretion be applied in this instance?

Chairman's Response

1. The Council have the ability to restrict permitted development rights through the use of Article 4 Directions (A4Ds). The report to DCC (para 3.42) outlines the requirements and procedure to put in place A4Ds. It is considered that there is currently insufficient justification for Bromley to introduce A4Ds to remove the permitted development (PD) which allows C3 use (dwelling house) to change to C4 use (small HMO). The question seemingly refers to other areas of the borough which have A4Ds, but this is not the case; Bromley currently has no A4Ds in place to remove C3 to C4 PD rights.
2. There are specific national requirements and procedures for putting in place an A4D. The Council can put in place an A4D covering any area from a single building to the whole borough, but this must be justified based on evidence, as noted in the DCC report (e.g. para 3.39). As noted above in response to Q1(1), it is considered that there is currently insufficient justification for Bromley to seek to introduce A4Ds to remove the permitted development (PD) which allows C3 use (dwelling house) to change to C4 use (small HMO).

Question 2: From Trevor Grace

1. Residents of Madeira Avenue reported an 'under the radar' HMO (six bedsits/communal kitchen) with obvious, serious planning problems for the road, which potentially will replicate in the borough. Since planning is about anticipating problems, would Members please instruct officers to investigate the need for localised Article 4 Directions?
2. At present, under 'permitted development', Planning and Building Control have no knowledge of growing numbers of commercial developments of 6-bedsits with communal kitchens converted from former family houses in quiet residential areas. Would Members please instruct their officers to report back with a degree of urgency, say, by 1 October?

Chairman's Response

1. As noted above in response to Q1(1), it is considered that there is currently insufficient justification for Bromley to seek to introduce A4Ds to remove the permitted development (PD) which allows C3 use (dwelling house) to change to C4 use (small HMO). The DCC report (paras 3.60-3.63) recommends further work to assess the impact of HMOs in Bromley to establish whether an A4D would be justified.
2. As noted in the response to Q2(1), the DCC report recommends further work to develop an evidence base to establish whether there are any actual impacts from HMOs in Bromley. The intention is to report back to future meeting(s) of DCC which may include associated recommended actions. It would not be appropriate to place an arbitrary timeframe on reporting back as much depends on the availability of data from various sources, which given the current COVID-19 pandemic, may not be able to be sourced in a timely manner.

Question 3: From Pam Grace

1. With Madeira Avenue as an example (Local Councillors aware), will the Committee agree to expedite the investigation of the trends and distribution of HMOs, and ensure the ensuing report and necessary action are considered urgently (setting a definite date), before small HMOs spread unregulated and unchecked in inappropriate areas?
2. I write as an ex-Chemotherapy Nurse, very aware of immunity and infection. Covid19 spreads by droplet or touching contaminated surfaces. 6 strangers in bedsits sharing a kitchen are at real risk and could spread infection further. Do members agree they have a Duty of Care when considering small HMOs?

Chairman's Response

1. See response to Q2(2) above.
2. The report references the potential issues that may arise post-COVID 19 (see paras 3.56-3.57). However, it is also important to note that HMOs are a legitimate form of housing and are subject to licensing requirements which focuses on the quality of accommodation. There is no obvious difference between 6 strangers sharing a house and a family of 2 parents and 4 children sharing a house, hence it is not accepted that HMOs pose any more significant public health problems in principle compared to conventional housing.

Question 4: From Clive Lees, Chairman, Ravensbourne Valley Residents

1. Would the Council undertake to consider making an immediate Article 4 Direction in respect of 44-56 Madeira Avenue to prevent the further development of HMO's in this terrace?
2. As part of the on-going/future review of HMO's in Bromley, would the Council undertake to consult all local Residents Associations who will have local knowledge of problems caused by existing HMO's?

Chairman's Response

1. See response to Q1(1). Even if an A4D were considered expedient, an immediate A4D would attract potentially significant compensation liability (as noted in para 3.45 of the DCC report), and therefore a non-immediate A4D would likely be pursued to remove this liability.
2. As noted in response to Q2(1), the DCC report recommends further evidence gathering to establish impacts of HMOs in Bromley. This exercise will be objective and will look at a range of sources. We currently do not intend to consult with RA's but may do in future, e.g. in relation to evidence gathering or any actions arising from further evidence gathering. It is noted that where the council undertakes consultation, this will need to cover a broad range of stakeholders to gather a range of views, e.g. HMO landlords and tenants.

Question 5: From Dr Tania Kalsi, 58 Madeira Avenue, Bromley

- 1 Shouldn't Bromley introduce Article 4 Direction and discontinue new HMO licences during a pandemic for public health reasons? There is risk of significant unchecked HMO expansion during a recession. Landlords may take the opportunity to market cheaper living arrangements. This may inadvertently increase risks to lower socioeconomic groups and BAMES.
- 2 50 Madeira Avenue: small 3 bed terrace is being converted to 6 bed RMO. Likely significant risks for issues with waste, parking and noise on a quiet family street. Does the Council think an Article 4 Direction would avoid the use of permitted development rules to inappropriately small houses?

Chairman's Response

1. See response to Q1(1) regarding the expediency of A4Ds.

With regard to licensing, the Council is required to operate within the legislation as set out in the report, and does not currently have discretion to discontinue licenses for the reasons suggested. As noted in response to Q3(2), there is no evidence that HMOs pose a significantly greater public health risk than conventional housing.

2. As noted in response to Q1(1), it is considered that there is currently insufficient justification for Bromley to seek to introduce A4Ds to remove the permitted development (PD) which allows C3 use (dwelling house) to change to C4 use (small HMO). The report (para 3.38) identifies a number of potential negative impacts commonly associated with HMOs, but there is currently no convincing evidence that these impacts have materialised, or are likely to materialise, at a significant scale in Bromley. The report also notes, in para 3.40, that the Council has a number of powers through which any harm arising from development (including HMOs), either individually or cumulatively, can be mitigated; an A4D may not be the most appropriate solution to mitigate harm even where it does arise.

Question 6: From Josie Aston and Grahame Baker

1. We would like to know if LBB have considered the extra pressure on car parking that will arise from 6-10 people living in 50 Madeira Avenue once it is converted to an HMO? The road is in the controlled parking zone and there is competition for spaces.
2. We would also like to know if LBB have considered the likely extra noise and rubbish that could result from adding 6 separate households to this open plan area. Other households in this quiet location are young families and retired people.

Chairman's Response

1. The development at 50 Madeira Avenue does not require planning permission and as such there is no planning process for the Council to consider the parking or other implications. The parking issues raised can be controlled through other council powers. There is no indication that car use resulting from the HMO will be any greater than that of conventional housing.
2. Similar to response to Q6(1), these impacts can be controlled through other council powers and there is no indication that noise and waste issues resulting from the HMO will be of any greater significance than that of conventional housing.

Agenda Item 6

Committee Date	14/07/2020	
Address	Car Park, Brindley Way, Bromley	
Application number	20/00300/FULL1	Officer Jessica Lai
Ward	Plaistow and Sundridge	
Proposal	Provision of 25 new dwellings comprising of 10 x 1 bed and 15 x 2 bed and realignment of Burnt Ash Lane public car park to provide 84 parking spaces, including with 15 residential parking spaces.	
Applicant	Agent	
Alicia Munday Head of Regeneration London Borough of Bromley	Dr. Rehan Khodabuccus ZEDpods Limited 3 rd floor, 6-8 Bonhill Street, London EC2A 4BX	
Reason for referral to committee	Outside delegated authority/ Major development	Councillor call in No

RECOMMENDATION	APPROVAL
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KEY DESIGNATIONS Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control

Residential Use			
	Number of bedrooms per unit		
	1	2	Total
Affordable (social/affordable rent)	10	15	25
Total	10	15	25

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	95	84 in total (15 residential and 69 public)	-26 public spaces + 15 residential

Electric charging spaces	4 (public active)	7 (4 public active. 3 residential active and 12 passive)	+3 (3 residential active. 12 passive)
Motorcycles	1	1	0
Disabled parking spaces car spaces	4	7 in total (4 public and 3 residential)	+3 (residential)
Cycle	0	Long stay 40 Short Stay 1	Long stay 40 Short Stay 1

Representation summary	Neighbour letters were sent on 28/02/2020. A site notice was posted from 28.02.2020 and a press ad was displayed in the News Shopper on the 11/03/2020.	
Total number of responses	84	
Number of comment	0	
Number in support	0	
Number of objections	84	

Legal Agreement - Heads of Term	Amount	Agreed in Principle
Affordable rent	25 units	Yes
Health	£16, 375.00	Yes
Education	£89, 485.48	Yes
Child play	£10, 000.00	Yes
Total	£115, 842.48	

SUMMARY OF KEY REASONS FOR RECOMMENDATION

The provision of 25 modular homes would positively contribute to the Council's housing stock providing a 100 percent affordable rent housing in the Borough. The proposal would provide a good mixture of one and two bedroom units with adequate wheelchair units, dedicated parking and disabled parking spaces.

The internal layout of the proposed units is well designed providing dual aspect and adequate internal living space and outdoor space. The entrances to the proposed buildings would be via two communal doors. New landscaping and boundary treatment would be introduced and this is considered acceptable providing a good quality of living environment for the future occupiers.

The existing free public car park, vehicular access to the car park, recycling facilities, electric charging points and disabled parking spaces for the members of the public would be retained in-situ. The proposed buildings (which are described in the report as Terrace A and Terrace B) would be three and four storeys in height which is considered to be of a scale

compatible to its surroundings. The proposal would be sited broadly in parallel with Sundridge House and at a location which would ensure that adequate privacy, outlook and natural light can be maintained for the neighbouring properties. The side windows on the proposed building would be obscured glazed and the privacy screen would be installed on the external stairs.

As part of this proposal, the layout of the car park would be realigned. The number of parking spaces would be reduced from 104 to 84 spaces of which, 15 spaces would be provided for the residential accommodation.

A car park occupancy survey was carried out which indicates that the proposal would have a limited impact on the availability of parking spaces in the car park and that adequate free public parking spaces would be maintained and available at this site.

A noise, air quality and land contamination assessment are also provided which demonstrates the site can be suitable for residential use and would be compatible to its surroundings.

Overall, it is considered that the proposed design and layout of the development would be acceptable. The proposal would be compatible to its existing and surrounding uses without causing undue harm on the residential amenities enjoyed by the neighbouring properties. Subject to the planning conditions and completion of a legal agreement, it is recommended that planning permission be granted.

1. LOCATION

- 1.1 The application site, Burnt Ash Lane public car park is bounded by Brindley Way to the north, east and south and domestic houses to the west facing Miller Close. The site measures approximately 2,845sq.m in area. The access to this free 24 hour surface public car park is via Brindley Way. Brindley Way is connected to Burnt Ash Lane.
- 1.2 The site is not allocated or designated for any particular use in the Bromley Local Plan. The site is surfaced with old macadam and comprises of 95 standard public free parking spaces, 4 disabled parking spaces, 1 motorcycle bay, 4 parking spaces equipped with electric vehicle charging points and a recycling station.
- 1.3 The site is located opposite to the Roslin Way Leisure Garden and Allotment. It is surrounded by a mixture of residential and commercial buildings ranging from two storey terrace houses comprising of three floors to a row of 3 storey mixed use buildings comprising of 4 floors with roof accommodation. The two storey terrace houses are located to the west of the site facing Miller Close (No.1 to No. 11 Miller Close). Sundridge House consists of three storey commercial shops with residential accommodation above, located to the south of the site facing Burnt Ash Lane with a row of parking spaces ancillary to Sundridge House. To the east of the site is a retail unit with its ancillary

car park. This retail unit was occupied by Waitrose and closed during summer 2019.

- 1.4 The ground floor commercial properties between No. 77 and No. 129 Burnt Ash Lane are designated as Burnt Ash Lane Neighbourhood Centre in the Bromley Local Plan. The site is located within flood zone 1 and is not subject to surface water flooding. The site is located within Bromley Air Quality Management Area. The site is not located within a conservation area and there is no listed building or trees subject to any Tree Preservation Order in the vicinity.
- 1.5 The Public Transport Accessibility Level (PTAL) of the site is rated at 2, on a scale of 0 to 6b where 0 is worst and 6b is excellent. The closest bus stop is located approximately 140 metres from the site on Burnt Ash Lane and is serviced by three bus routes (No. 126, 261 and 638).



Fig 1: Aerial photo (credit: Google Maps)

2. PROPOSAL

- 2.1 The proposal would provide a total of 25 affordable rent modular homes with a mixture of 1 bed and 2 bed units. The proposed modular homes would be situated above the public car park and comprise of 10 x 1 bed and 15 x 2 bed flats. The proposed residential accommodation would be arranged in the form of two terraces (Terrace A and Terrace B), broadly in parallel with Sundridge House.

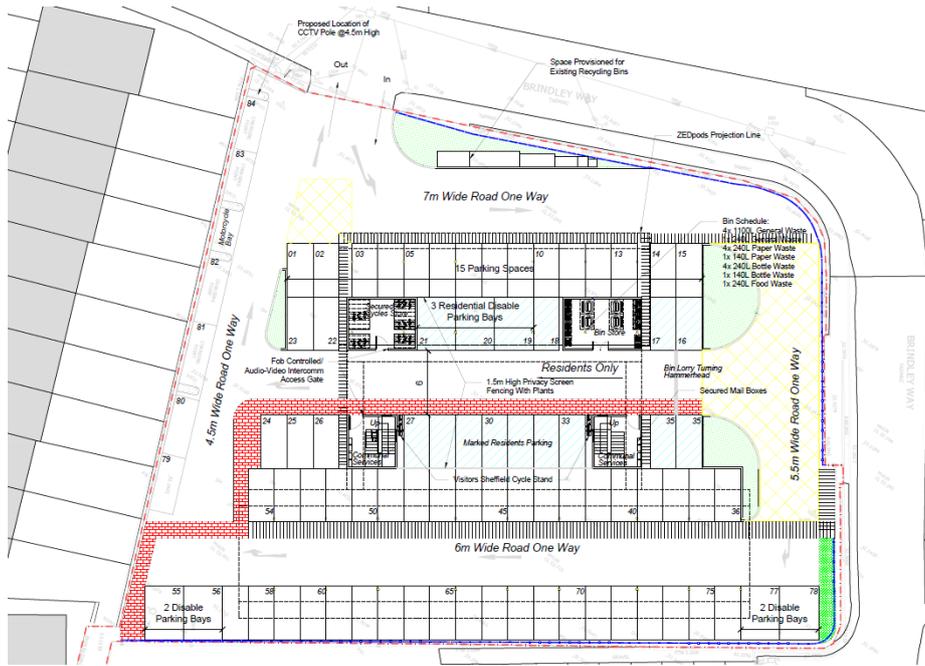


Fig 2: Proposed site plan – car park level



Fig 3: Proposed first floor plan (Terrace A colour in purple and Terrace B colour in green)

- 2.2 Terrace A would be three storeys in height and facing Roslin Way, Leisure Garden and Allotments. The proposed building would comprise of two floors providing 7 x 2 bed flats measuring 12 metres deep, 29 metres wide and 10 metres high.
- 2.3 Terrace B would be four storeys in height and situated between the rear of Sundridge House and the proposed Terrace A building. The proposed building would comprise of three floors measuring 12 metres deep, 47 metres wide and 13 metres high. Six wheelchair units would

be provided and an internal platform lift for wheelchair users would be provided.

2.4 The proposed housing size and internal floor areas are as follows:

Housing size	Number of units	Internal floor area
1 bed / 2 person (over 2 floors)	10	58.3 square metres
2 bed / 3 person (single floor)	6	61.6 square metres
2 bed / 3 person (over 2 floors)	9	72.7 square metres

Unit types	GFA/Unit (m ²)	No. of Units	Total GFA (m ²)
1 Bed 2 person (2 Storey) Type A	58.3	6	583

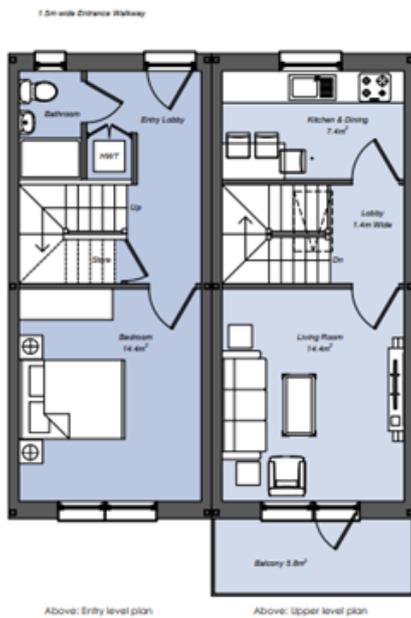


Fig. 4 Typical internal layout of one-bed unit

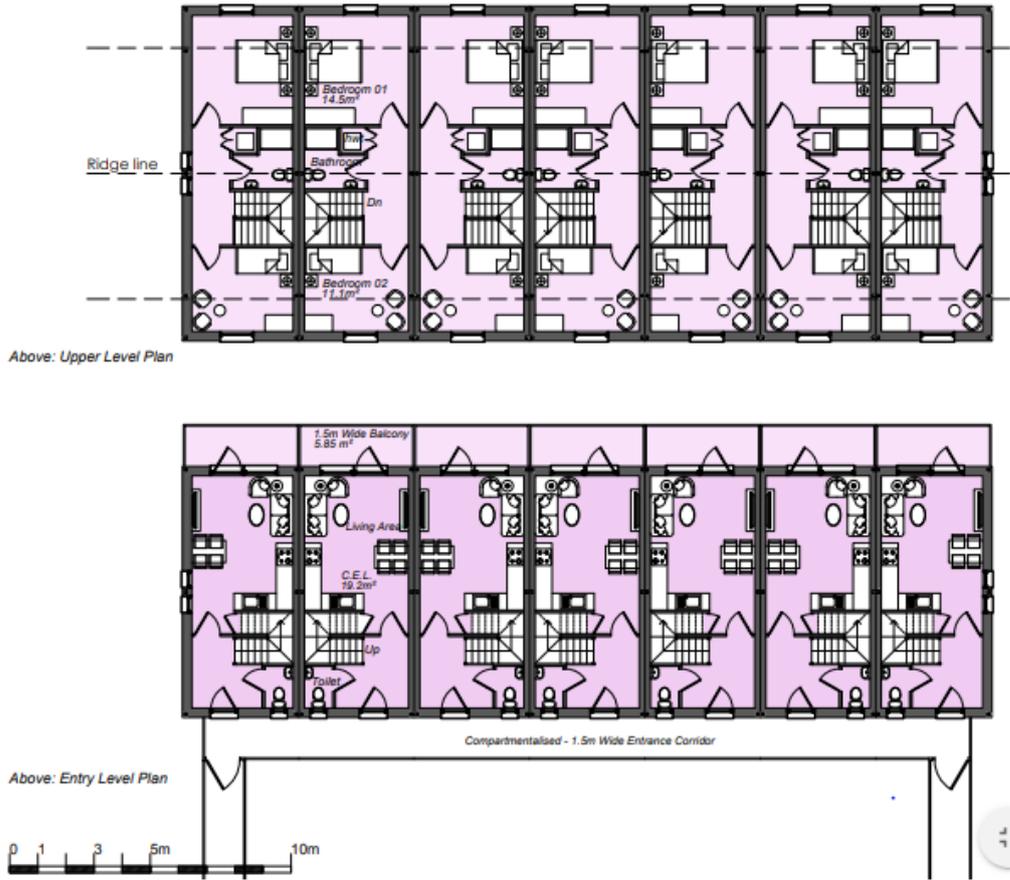


Fig 5. Typical internal layout of two-bed units

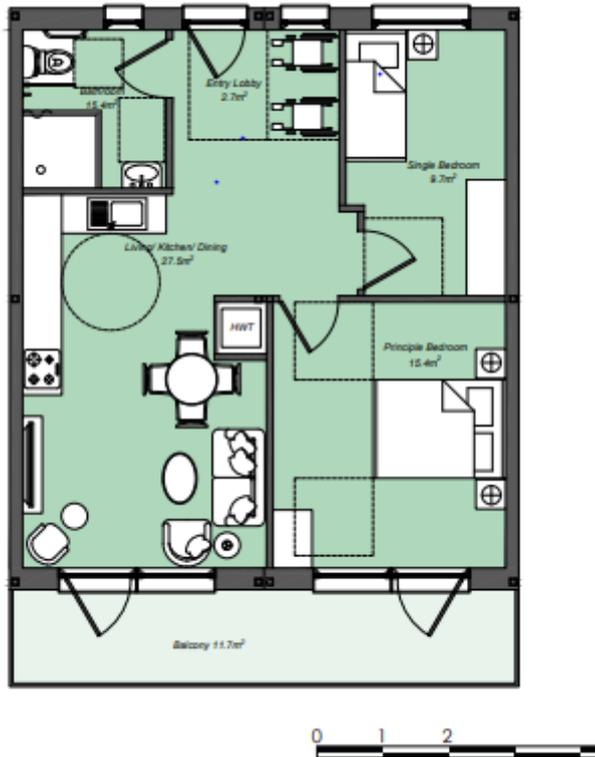


Fig.6 Internal layout of wheelchair unit.

- 2.5 A private balcony ranging between 5.85 square metres and 11.7 square metres would be provided for each residential unit. A total of 240 solar panels would be installed on the roof. A total of 15 dedicated residential parking spaces including 3 disabled residential parking spaces will be provided. A communal bin storage and cycle storage area would also be provided for the residential accommodation. Two communal residential entrances would be provided and the buildings would be connected via external decks.
- 2.6 The proposed modular homes would be mainly constructed off-site and assembled on-site. The external finishes of the modular buildings would comprise of the following:
- The external wall would be made of cement based hardie plank cladding finish. The external wall colour would be cobble stone (light brown) and timber bark (brown).
 - The roofing material would be made of anthracite grey standing Seam metal roof and solar photovoltaic panel.
 - The windows and external doors would comprise of anthracite grey, formica blue and tan colour balcony doors and windows.

The Appearance of the ZEDPods is best illustrated by the following visualisations: Site Aerial View and Site Perspectives.

The external appearance of the ZEDpods is proposed to include a mix of cladding colours. A range of colour options are available.

Preferred external finishes on elevations:



Fig 7: Proposed external finishes

- 2.7 The existing public car park would remain free for the members of the public and there is no restriction in terms of parking hours. As part of this proposal, the parking spaces would be realigned to accommodate the proposed modular homes. The realignment of the car park would result in a reduction of public parking spaces from a total of 104 spaces to 84 spaces, where 15 spaces would be provided for the residential accommodation and 69 spaces would be retained as free parking spaces.
- 2.8 The existing recycling facilities, electric charging points, motorcycle and disabled parking spaces would be retained or re-provided within the site.
- 2.9 New planting including boundary treatment and a total of 12 bird boxes would be introduced.

3. RELEVANT PLANNING HISTORY

- 3.1 01/0276/ADV – granted on 17/10/2001
Advertisement consent non-illuminated 48 sheet hoarding sign.

4. CONSULTATION SUMMARY

a) Statutory:

4.1 Highways – No objection

Access

The access arrangement is acceptable in principle subject to signage, road markings and surface treatments to differentiate the private residential car parking from the public parking spaces.

Parking

A total of 84 spaces are proposed for the re-development of the site as a whole, of which 15 spaces are for residential parking. The remaining 69 parking spaces are available for public use. The residential parking ratio would be 0.6 spaces per dwelling and is therefore below the recommend parking standards at 0.7 spaces per dwelling. Details of a car park management plan, construction management plan and provision of parking spaces, refuse and cycle storage provisions should be secured via planning conditions.

4.2 Drainage (lead local flood authority) – No objection

The revised Drainage Strategy (prepared by Delta-Simons, dated May 2020) indicates that the proposal would create 29.34m³ of volume storage in the proposed permeable paving, 35m³ of volume storage in the proposed attenuation tank situated in the middle of site between the two blocks and 18.66m³ to be stored overground to a depth 40mm to restrict surface water run-off to 2l/s for all events including the 1 in 100 year plus 40% climate change are acceptable. A planning condition requiring the detailed designs of the above measures should be submitted and approved by the Local Planning Authority prior to any commencement of work.

4.3 Thames Water – No objection

Groundwater and surface water drainage

Any discharge of groundwater or surface water into a public sewer will required a Groundwater Risk Management Permit and/or a prior approval from Thames Water Developer Services. Should planning permission be recommended, an informative should be attached

Waste water network and sewage treatment works infrastructure capacity

No objection to the planning application, based on the information provided. The proposed development is located within 15 metres of our underground waste water assets and an informative should be attached

Water network and water treatment infrastructure capacity

Based on the information provided, no objection to water network and water treatment infrastructure capacity. An informative advising that Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes is suggested. The developer should take account of this minimum pressure in the design of the proposed development. Thames Water must be notified should the mains water be used for construction purposes.

b) Local groups:

4.4 RSPB – Bromley Local Group – No objection

Swift is a rapidly declining bird species and integral swift nest bricks could support a thriving swift colony. RSPB would recommend a minimum of 12 integral swift nest bricks or bird boxes should be installed to enhance the biodiversity value of the surrounding.

4.5 Roslin Way Leisure Garden and Allotment Association - Objection

The Roslin Way Allotment Gardens has a legal interest in this application in respect of parking spaces. The lease agreement states: “ *Car Parking – Should the Council at some time decide to implement car parking fees for the general public, they shall simultaneously ensure that a reasonable number of spaces are made available for use of the registered tenants of the Association and that those tenants shall not be liable for the parking fees*”. This matter should be taken into consideration.

c) Adjoining Occupiers:

4.6 Eighty-four letters of objection were received and the grounds of objections are summarized as follows:-

4.7 **Inadequate public parking spaces** (addressed in section 6.6.5 - 6.6.10)

- Existing car park is very well used by shoppers visiting the local shops, visitors to the King’s Meadow, St Andrew church allotments opposite the site, the working men’s club including the pigeon racing club as there are parking restrictions on local roads during the day time Monday to Saturday.
- The car park was 75% - 80% full on 16/03 at 2pm.
- Free parking is needed to support the new Lidl which is replacing Waitrose.

- The car park survey is nearly a year old when Waitrose was still open.
- Loss of parking spaces would discourage shoppers to the local shops resulting in negative impacts on businesses and the local community. The proposal would result in a reduction of 30-40% parking spaces.
- The Waitrose is being replaced by Lidl. The public car park is critical in supporting the overflowing vehicles attending to the retail store.
- There are already serious parking issues on Brindley Way and Roslin Way. The loss of parking space would increase the parking demand on neighbouring roads

4.8. **Inadequate residential parking spaces** (addressed in section 6.6.11 – 6.6.12)

- Inadequate parking spaces for the proposed dwellings as most households have two cars.

4.9. **Electric charging points** (addressed in section 2.8. 6.4.1 and 6.6)

- What happens to the existing electric charging points? More electric charging points should be provided with the changes to the London Low Emission Zones in 2021.

4.10. **Recycling provision** (addressed in section 6.4.1 and 6.6.5)

- The location of the recycling facilities appears to be dangerous and inadequate spaces would be provided.
- The existing recycling station/facilities is omitted and there is no reference to indicate the existing car park is free of charge.

4.11 **Inadequate infrastructure** (addressed in section 4.3, 6.85 and 7.2)

- Inadequate infrastructure such as GP, drainage and water infrastructure to support the proposed development.

4.12 **Contamination** (addressed in 6.10.10)

- One of the reports indicates a possible issue with building on shrink and swell clays and recommends a site investigation. Whilst this could be overcome through engineering, a longer construction period and closure of the car park would be required if a problem arises.

4.13 **Parking charges and maximum hours** (addressed in 2.7 and 6.6.5)

- The conversion of the car park to a maximum of 3 hours Pay and Display car park will have a huge impact on visitors. The land was acquired by the Council with a covenant from the Allotment

Association. The Car park was sold to LBB with the provision to provide a free car park, not just for allotment holders.

- The pay and display car park will have an impact on business, shoppers, health of people using the open space and allotment.
- The revised TA indicates the car park charge will be removed. However, it suggests a time limit on parking would remain and is not acceptable.
- The removal of free parking will make the shops less attractive
- The car park is used as a “park and ride” saving people the drive into Bromley and is essential for the older groups.

4.14. Increase level of traffic (addressed in section 6.6.9 and 6.6.10)

- Introduction of a short stay car park would increase traffic flow along Roslin Way. Whilst the Waitrose store is now closed, there has been an increased amount of traffic on neighbouring roads due to the recently opened DVLC test Centre.

4.15. Residential amenities (addressed in section 6.51 to 6.58)

- Loss of privacy, light, outlook and enclosure.
- The proposal would have an impact on a child with autism where a bedroom would be overlooked by the proposed development.
- Noise and air pollution generated by cars and pollution during construction.
- Noise from metal stair case is a concern and should be considered.

4.16. Quality of accommodation (addressed in section 6.3.1 to 6.3.17)

- There are no outdoor spaces for the future residents particularly for the children.
- External lifts with exposed mechanical and electrical mechanism are unreliable and easily damaged by accident of vandalism.
- The proposal would be subject to fire risk.
- Safety concerns about putting houses in car park.
- Noise pollution to the future residents.
- Lighting proposed is inadequate and CCTV on a 24/7 operation basis should be provided or criminal activity will happen.

4.17. Crime and anti-social behaviour (addressed in section 6.4.7 to 6.4.9)

- The proposal will encourage more crime to the area as the building will give shelter and enclosure to drug dealers.
- No lighting and security arrangement for the site is proposed.

4.18. Design and height (addressed in section 6.4.1 to 6.4.6, 6.2.8 to 6.2.9, 6.10.1, to 6.10.10)

- Over-intensive development and the density is high.
- Design of the proposal out of keeping with the area.

- The proposal would have a serious impact on the environment both in design and environmental terms and it is questioned whether an adequate environmental assessment has been made for this development.
- The Council should consider other brownfield sites, such as vacant and disused buildings for housing development.

4.19. Air Quality and noise impact assessment (addressed in section 6.10.1 to 6.10.9)

- The air quality assessment was carried out near the end of 2019 when the Waitrose store was closed. The result of this report is extremely misleading. The diffusion tubes were located at 3 points in the car park, on 3 sides of the car park. No diffusion tubes were placed on the eastern side of the car park which is next to the supermarket.
- A further noise assessment was carried out during the lock down and is not considered acceptable.

4.19 Others: (addressed in section 6.8.2, representation summary, 6.1.1 to 6.1.13)

- There is a covenant preventing the erection of further buildings on this land.
- Site surveying works were carried out on the 8th April during the lock-down period and these are clearly not essential works and breaking the lock-down laws. Three drilled samples were taken and tested and it is not considered representative for the whole site.
- The site notices do not comply with the large printed instructions on the reverse and were not placed at a sensible height. The neighbouring consultations appear to be selective.
- The proposal is a waste of tax payer money and spending £3.7 million on this development is not justified.

D) A Letter of support from London Borough of Bromley - Head of Regeneration

The proposal would provide much needed housing for the residents in the Borough, including people in need of temporary accommodation. The housing will be for people with established links to the community and therefore will not be adding significant pressure to other services such as schools, GPs or hospitals. The proposal would maintain a good level of free parking spaces including electric charging points and disabled parking spaces. There is no plan to introduce parking charges at this site. Any temporary displacement of parking during the construction will be managed locally with our colleagues from the parking team. The buildings are mainly constructed off-site and the proposal would minimise noise and local disruption during the building phase. The proposal would comply with the current housing and parking standard including climate change requirements. The proposal would also include landscaping, improved lighting and CCTV, offer an

increased footfall opportunity to local trades providing a wider community and local economic benefits.

E) Letter of support from Councillor Peter Morgan

The proposed development is to support much needed housing in Bromley. As the Portfolio Holder for Housing Planning and Regeneration I am aware of many sites being proposed for housing, and I am pleased that one of the first being bought forward is in my own Ward. I am very conscious of the requirement for more housing. We have nearly 1,600 families who are officially homeless and whom we have a statutory as well as a moral duty to house. Presently nearly 1, 000 of these families are in nightly paid accommodation which is a very insecure way of living for a family. The car park site at Burnt Ash land represents an underused asset. I know the car park well. It is rarely 100% full and this project will keep the great majority of the spaces, provide much-needed housing, will improve the general appearance of the area with nice landscaping and will improve the security of the car park with much better lighting and CCTV cameras. Those who come to live there will all be potential customers for the shops. In short I fully support the new development and although change is always hard for people to accept. I trust that the loss of a few car spaces will be accepted by local people as a small price to pay for the great benefit of the families now struggling with their lives.

5. POLICIES AND GUIDANCE

5.1 National Policy Framework 2019

5.2 NPPG

5.3 The London Plan

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young people's play and informal recreation
- 3.7 Large residential developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.10 Definition of affordable housing
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- 3.13 Affordable housing thresholds
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.4a Electricity and gas supply
- 5.6 Decentralised energy in development proposals

- 5.7 Renewable energy
- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public Realm
- 7.6 Architecture
- 7.13 Safety, security and resilience to emergency
- 7.14 Improving air quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 7.19 Biodiversity and access to nature
- 8.2 Planning obligations

5.4 Draft London Plan

- 5.4.1 The 'Intend to Publish' version of draft London Plan (December 2019) is a material consideration in the determination of this planning application.
- 5.4.2 The draft new London Plan was submitted to the Secretary of State (SoS) on 9 December 2019, following the Examination in Public which took place in 2019. This is the version of the London Plan which the Mayor intends to publish, having considered the report and recommendations of the panel of Inspectors. Where recommendations have not been accepted, the Mayor has set out a statement of reasons to explain why this is.
- 5.4.3 The London Assembly considered the draft new London Plan at a plenary meeting on 6 February 2020 and did not exercise their power to veto the plan.
- 5.4.4 Ahead of publication of the final plan, the SoS can direct the Mayor to make changes to the plan. This affects the weight given to the draft plan. At this stage, the Council's up-to-date Local Plan is generally considered to have primacy over the draft London Plan in planning determinations. Where specific draft London Plan policies have been given particular weight in the determination of this application, this is discussed in this report.

5.5 Mayor Supplementary Guidance

- Homes for Londoners (2017)
- Housing (March 2016)
- Accessible London: Achieving an Inclusive Environment (2014)
- Sustainable Design and Construction (2014)
- Shaping Neighbourhoods: Character and Context (2014)
- Providing for Children and Young People's Play and Informal Recreation (2012)

5.6 Bromley Local Plan 2019

- 1 Housing Supply
- 2 Affordable Housing
- 4 Housing Design
- 30 Parking
- 32 Road Safety
- 33 Access for all
- 37 General Design of Development
- 72 Protected Species
- 73 Development and Trees
- 77 Landscape Quality and Character
- 78 Green Corridors
- 79 Biodiversity and Access to Nature
- 113 Waste Management in New Development
- 115 Reducing Flood Risk
- 116 Sustainable Urban Drainage Systems
- 117 Water and Wastewater Infrastructure Capacity
- 118 Contaminated Land
- 119 Noise Pollution
- 120 Air Quality
- 122 Light Pollution
- 123 Sustainable Design and Construction
- 124 Carbon reduction, decentralised energy networks and renewable energy
- 125 Delivery and Implementation of the Local Plan

5.7 Bromley Supplementary Guidance

- Affordable Housing (2008) and subsequent addendums
- Planning Obligations (2010) and subsequent addendums

6. ASSESSMENT

The main issues to be considered in respect of this application are:

- Land use
- Housing
- Standard of Amenity for future occupiers

- Design
- Impact on Neighbouring Amenities
- Transport and Highways
- Trees and Biodiversity
- Flooding and Drainage
- Energy and Sustainability
- Environmental Health - Air Quality and Contamination

6.1 Land use– Acceptable

6.1.1. The application site, Burnt Ash Lane is a free public car park with electric charging points and recycling facilities. The site is not designated or allocated for any particular use in the Bromley Local Plan (BLP) adopted January 2019 or the current London Plan (2016). As such, it is considered that there is no land use issue which arises from the proposed development.

6.1.2 The existing free public car park including the existing facilities would be retained or re-provided within the site. Given that the site is surrounded by a mixture of residential and commercial uses, it is considered that the introduction of residential use would not be incompatible to the existing and surrounding uses.

6.1.3. The proposed building would be located to the rear of Sundridge House and terraced houses on Miller Close. The proposal would result in a reduction of public parking spaces within the car park and have an impact to its surrounding area. The planning merits and impacts of this proposal are assessed in line with the development plan in the following sections of this report.

6.2 Housing – Acceptable

Housing and Affordable Housing Supply

6.2.1 Policy 3.3 (Increasing housing supply) of the London Plan states that there is a pressing need for more homes in London. Proposals should promote opportunity and provide a real choice for Londoners in ways that meet their needs at a price they can afford. Policy 3.11 (Affordable housing targets) and policy 3.13 (Affordable housing thresholds) of the London Plan outlines the threshold for affordable housing. [The London's practice note on the threshold approach to affordable housing on public land \(July 2018\)](#) and draft London Plan Policy H5 states that a minimum of 50 percent of affordable housing should be delivered on public land. The proposal should also achieve a tenure split of 60 percent rent and 40 percent intermediate. This is consistent with BLP Policy 2.

6.2.2 Table 3.1 under Policy 3.3 of the London Plan sets a minimum housing target for the Borough of 641 homes per annum. Table 4.1 of the draft

London Plan sets a ten year housing target between 2019/2020 to 2029/2030. The minimum housing target in Bromley will be increased to 774 homes per annum upon the adoption of the new London Plan.

- 6.2.3. The Council's draft Housing Strategy 2019-2029 also recognises that there is an increasing need for housing and affordable housing in the Borough due to the rising population of Bromley.
- 6.2.4 The latest Annual Monitoring report published by the Greater London Authority in October 2019 (Year 2017/2018) indicates that the net housing completion in Bromley was above the minimum housing target at 686 units. However, it should be noted that the number of affordable housing delivery remains lower than anticipated, recorded at 88 units.
- 6.2.5. A planning appeal decision was issued on 26th June 2019 that has implications for the assessment of planning applications involving the provision of housing. The appeal at Land to the rear of the former Dylon International Premises, Station Approach Lower Sydenham SE26 5BQ was allowed. The Inspector concluded that the Local Planning Authority cannot support the submission that it can demonstrate a five year housing land supply having given his view on the deliverability of some Local Plan allocations and large outline planning permissions. According to paragraph 11d) of the NPPF in the absence of a 5 year Housing Land Supply the Council should regard the Development Plan Policies for the supply of housing including Policy 1 Housing Supply of the Bromley Local Plan as being 'out of date'.
- 6.2.6 In accordance with paragraph 11(d), for decision taking this means where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or,
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 6.2.7 In line with Paragraph 11 of the NPPF, there is a presumption in favour of sustainable development. The proposal would deliver 25 additional new homes achieving a 100 percent affordable housing provision, in a sustainable location with adequate availability and access to local amenities. The applicant has confirmed that the proposed tenure is 100 percent affordable rent and this is above the minimum requirement at 60 percent. The applicant has also advice that a proportion of intermediate unit may be required to meet the local housing demand and has confirmed that a minimum of 60 percent (equivalent of 39

habitable rooms) of the proposed accommodation would be maintained on site at any time. This provision would be secured by a planning condition.

- 6.28 Overall, it is considered that the proposal would also positively contribute to the Council's affordable housing stock providing much need affordable homes meeting the housing demand in the Borough. Given that the site is not located within any protected areas and there are no heritage assets of particular importance identified within the car park site. It is considered that the provision of 25 affordable homes at this location would be acceptable subject to consideration of all other matters.

Housing Mix

- 6.2.9 The London Plan Policy 3.8 seeks to achieve a mixed and balanced community and new development should offer a range of housing choice in terms of housing size and tenure. London Plan Policy 3.9 states that communities should be mixed and balanced by tenure and household income, supported by effective design, adequate infrastructure and an enhanced environment.

- 6.2.10 The proposal would provide 10 x 1 bed units and 15 x 2 bed units. It is noted that there are no larger family units (3 bedrooms or more) provided and the proposed housing size and mix would be limited to one and two bed units. However, it should be noted that the proposed modular homes would be located above a car park and a balance should be struck between a wider choice of housing sizes and the importance to maintain or provide an adequate parking provision for the members of the public and the future residents. Given that the site is located above a car park, it is considered that the proposed housing mix is acceptable at this location.

Density

- 6.2.11 London Plan Policy 3.4 states that planning decisions should take into account local context and character, the design principles in Chapter 7 of the London Plan, public transport capacity, and that development should optimise housing output for different types of location within the relevant density range. This approach is supported by Bromley Local Plan Policy 2 and 37.

- 6.2.11 The setting of the site is categorized as "urban" as the site is surrounded by predominantly dense development such as terraced houses, a mix of different uses, medium building footprints and typically buildings of two to four storeys. The PTAL rating of the site is rated at 2 and the appropriate density range of this site is between 200 to 450 habitable rooms per hectare (HRH). The proposed residential density would be 316 HRH and would comply with the relevant policies.

6.3 Standard of Accommodation - Acceptable

Internal floor area

- 6.3.1 London Plan Policy 3.5 'Quality and design of housing developments' requires new housing to be of the highest quality internally and externally. The London Plan explains that the Mayor regards the relative size of all new homes in London to be a key element of this strategic policy issue. Local Plans are required to incorporate minimum space standards that generally conform to Table 3.3 - 'Minimum space standards for new development.' Designs should provide adequately sized rooms and convenient and efficient room layouts. Guidance on these issues is provided by the Mayor's 'Housing' SPG 2016.
- 6.3.2 In March 2015, the Government published 'Technical housing standards - nationally described space standard.' This document deals with internal space within new dwellings across all tenures. It sets out requirements for the gross Internal (floor) area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. The Minor Alterations to the London Plan 2016 and the Mayor's 'Housing' SPG 2016 reflect the national guidance.
- 6.3.3 All of the proposed units would meet or exceed the National Housing Standards minimum internal space standards and adequate internal living space would be provided.

Wheelchair unit and inclusive living environment

- 6.3.4 Paragraph 3.3 under London Plan Policy 3.1 states "The Mayor is committed to ensuring a London that provides equal life chances for all its people, enabling them to realise their potential and aspirations, make a full contribution to the economic success of their city - and share in its benefits - while tackling problems of deprivation, exclusion and discrimination that impede them. This includes understanding and addressing the physical and social barriers that prevent disabled people participating"
- 6.3.5 London Plan Policy 3.8 requires that 10% of new housing meets Building Regulation requirement M4(3) Wheelchair users dwelling; 90% of new housing meets Building Regulation M4(2) accessible and adaptable dwellings. London Plan Policy 7.2 requires new development in London to achieve the highest standards of accessible and inclusive design and supports the principles of inclusive design.
- 6.3.6 Paragraph 2.3.10 under Standard 11 of the London Housing SPD states that LPAs should seek to ensure that dwellings accessed above or below the entrance storey in buildings of four storeys or less have step-free access.

6.3.7 The proposal would provide 6 wheelchair user units on the first floor level in Terrace A. An internal platform lift would be provided to ensure a step free environment can be provided. As such, it is considered that the proposal would achieve an inclusive living environment and would comply with the policies above.

Dual Aspect, Privacy and Outlook

6.3.8 Standard 28 of the London Housing SPD states that proposals should demonstrate how habitable rooms within each dwelling are provided with an adequate level of privacy in relation to neighbouring properties, the street and other public spaces.

6.3.9 Standard 29 of the London Housing SPD states new development should minimise the number of single aspect dwellings. Single aspect dwellings that are north facing exposed to noise levels above which significant adverse effects on health and quality of life occur or which contain three or more bedrooms should be avoided.

6.3.10 The proposed accommodation is designed to achieve a 100 percent dual aspect with northward and southward facing habitable room windows. The side windows of the proposed buildings would be either secondary windows or landing windows. The proposed building - Terrace B would be located approximately 13.5 metres to the south of the proposed building – Terrace A and positioned approximately 23.5 metres north from the Sundridge House. Due to the siting of the proposed buildings and the distance between the buildings, it is considered that the proposal would provide a good standard of living accommodation for the future occupiers.

Private outdoor space

6.3.11 Standard 26 and 27 of the London Housing SPD requires a minimum of 5sq.m private outdoor space to be provided for a 1 to 2 person dwelling and an extra 1sq.m to be provided for each additional occupant. The minimum depth and width of all balconies and other private extension spaces should be 1,500mm.

6.3.12 Paragraph 2.3.31 of the Housing SPD states "Private open space is highly valued and should be provided for all new housing development. Minimum private open space standards have been established in the same way as the internal space standards, by considering the spaces required for furniture, access and activities in relation to the number of occupants".

6.3.13 A private balcony would be provided for each residential unit with a floor area ranging between 5.9sq.m and 11.7sq.m. It is noted that 9 out of 15 proposed balconies for the 2 bedroom units would be just below the minimum requirement at 6sq.m. However, as the proposed modular accommodation would be provided over two floors and the internal

floor area would exceed the minimum requirement measuring 72.7sq.m, on balance, it is considered that the overall standard of accommodation would remain good and acceptable.

Child Play

6.3.14 According to the London Plan child yield calculator in the SPG and based on the information in the application, the child yield of this proposal would be 17.1 meaning that 171sq.m of play spaces should be provided.

6.3.15 Paragraph 4.10 of the London Providing for Children and Young People's Play and Informal Recreation SPG states "*Whilst the mayor will expect provision to be made on site, off-site play provision including the creation of new provision, improvements to existing play facilities and/or an appropriate financial contribution secured by legal agreement towards this provision may be acceptable in accordance with Policy 3.6 where it can be demonstrated that there are planning constraints and....if there is existing provision within an acceptable distance of a proposed development, boroughs should consider the option of off-site financial contributions as an alternative....*"

6.3.16 The site is located above a public car park which makes it difficult to provide any on-site child play area without removal or further reduction of the public car park. Kings Meadow is the nearest outdoor park with a children's play area and sports facilities from the site this would be a walking distance of approximately 90 metres and a planning obligation would be required to maintain and improve the existing outdoor park and child play provision and this requirement would be secured by a legal agreement.

6.3.17 Overall, it is considered that the proposed accommodation is designed to achieve a high quality inclusive living accommodation with dual aspect and adequate indoor and outdoor living spaces.

6.4 Design - Acceptable

6.4.1 The proposal would provide a total of 25 modular homes and would comprise of two buildings (Terrace A and Terrace B). The existing parking car park would be realigned to provide 84 parking spaces including 15 residential parking spaces. The existing vehicular access, recycling and electric charging points would be retained and/or re-provided within the site.

6.4.2 The proposed buildings would be sited broadly in parallel with Sundridge House and above the car park. The proposed buildings would be connected via a link at first floor level. The access to the proposed buildings would be via two secured communal entrances in the car park. Residential parking spaces and pedestrian access leading

to the proposed residential accommodation would be well defined and porous paving including new planting would be introduced.

- 6.4.3 Terrace A would be three storeys in height and comprise of two residential floors and facing Roslin Way Leisure Garden and Allotment. The proposed building would measure 12 metres deep, 29 metres wide and 10 metres high providing 7 x 2 flats.
- 6.4.4 Terrace B would be four storey in height and comprise of three residential floors. Terrace B would be situated between the rear of Sundridge House and the proposed building -Terrace A. The proposed building would measure 12 metres deep, 47 metres wide and 13 metres high providing, 10 x 1 bed flats and 8 x 2 bed flats.
- 6.4.5 The proposed modular homes are designed with a pitched roof with integrated roof mounted solar array. The appearance of the buildings would be modern and contemporary. The proposed accommodation is designed to provide a good standard of living environment for the future occupiers. The floor plate of the proposed unit would be rectangular in shape and each of the units would be provided with a private balcony and designed with a dual aspect. The siting of the proposed building is designed to optimise the potential of the site and to ensure adequate residential amenities of the neighbouring properties can be maintained. The standard of accommodation is outlined in the following section of this report.
- 6.4.6 The roofing material would be made of anthracite grey standing Seam metal roof and solar photovoltaic panel. The external finishes of the modular buildings would comprise of cement based hardie plank cladding. Overall, it is considered that the siting, design and appearance of the proposed building would be acceptable.



Fig 8: CGI of proposed Terrace A – North Elevation



Fig 9: CGI of proposed buildings – South Elevation

Secure by Design – acceptable

- 6.4.7 London Plan Policy 7.3 (Designing out crime) states development should reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating. This approach is supported by BLP Policy 37 (General Design).
- 6.4.8 The Designing out crime officer has advised that the car parks in Bromley have had issues with anti-social driving in the evenings and at night. Additional measures would be required to ensure the proposal can achieve secure by design accreditation. In line with the recommendation from the Designing out crime officer, boundary treatment and fencing are proposed along the perimeter of the site and in the car park. It is considered that the proposed boundary treatment would positively improve the sense of security, in particular during the night hours.
- 6.4.9 The Designing out crime officer has advised that the vehicular access leading to the communal residential entrances and residential parking spaces should be fenced up. However, the installation of this fencing would reduce the manoeuvrability of the overall car park. The applicant has advised that CCTV will be installed and this will cover the communal access to the secured staircases, mailboxes, cycle and waste storage area. The CCTV will be connected to the Council's CCTV system. The communal doors would be fob controlled. The windows and doors for the proposed dwellings would be certified and comply with the required secured by design standard. Subject to the secured by design accreditations including the fencing details and

CCTV being secured by planning condition, it is considered that the proposal would be acceptable.

6.5 Impact on Neighbouring Amenities - Acceptable

Loss of sunlight, daylight, privacy and outlook

6.5.1 The domestic terraced houses on Miller Close and residential flats above the ground floor shops in Sundridge House are the nearest residential accommodation which would experience the impact of this proposed development, in particular the rear residential windows and residential gardens. The houses in Miller Close are two storeys in height and comprise of 3 floors including accommodation at roof level. The houses are located to the west of the site. Sundridge House is a 3 storey building comprising of 4 floors including accommodation at roof level. Sundridge House is located to the south of the site.

6.5.2 The proposed buildings would be would be three storey (Terrace A) and four storey (Terrace B) in height. Terrace A and Terrace B would comprise of two floors and three floors respectively. The proposed buildings would be arranged broadly in parallel with Sundridge House, aiming to minimise the impact of the residential amenities enjoyed by the neighbouring properties. The main habitable room windows in Terrace A would be facing Brindley Way and the car park. The side obscured glazed windows in Terrace A would be either secondary windows or landing/corridor windows and would be positioned approximately 22.1 metres from the rear windows of Miller close.

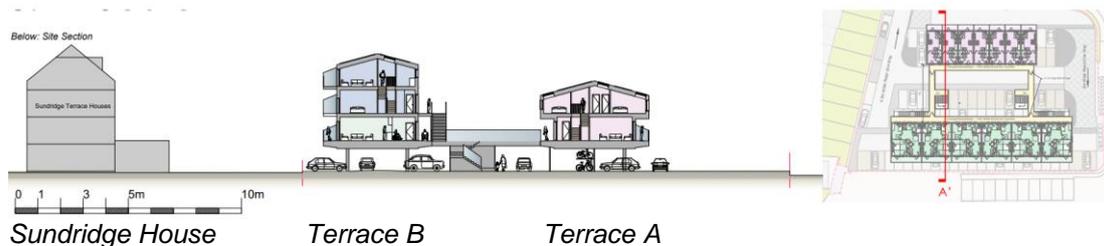


Fig 10. Section plan A-A

6.5.3 The main habitable room windows in Terrace B would be facing the rear of Sundridge House. However, it should be noted that the proposed building would be located approximate 24.7 metres from the rear windows of Sundridge House. The side obscured windows would be secondary windows or landing/corridor windows.

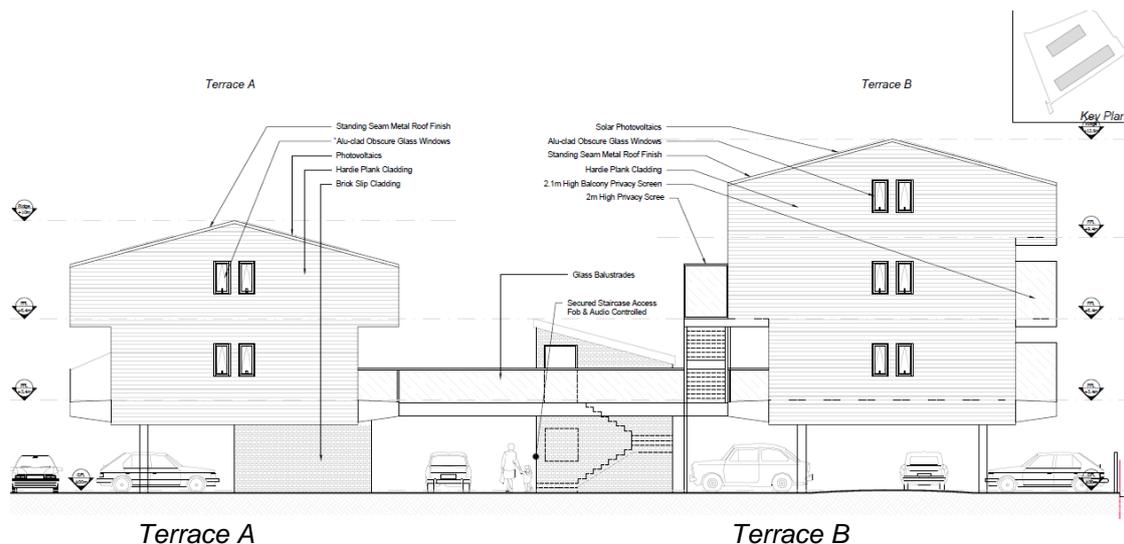


Fig 11. Side elevation of Terrace A and Terrace B

6.5.4 Whilst the proposed building would be visible from the neighbours' windows, the proposed building is designed to maintain an adequate distance to the neighbouring properties. The positioning of the proposed buildings has taken into account the location and relationship of the neighbouring properties and windows. The proposed floor plan indicates that the main habitable room windows would be facing the road or positioned at a distance to maintain an acceptable level of privacy and outlook within an urban environment. The flank walls of the proposed Terrace A and Terrace B would be located approximately 22 metres and 19.5 metres respectively. The proposed Terrace B would be located approximately 24 metres north from the rear of Sundridge house. Due to the siting of the proposed buildings, orientation and distance from the neighbouring properties, it is considered that the proposal would not have an adverse impact on residential amenities in terms of loss of privacy and loss of outlook.

6.5.5 The proposed buildings are linked via an external deck and access is via the internal and external communal stairs. Whilst the proposed external deck would be located between the proposed buildings (Terrace A and Terrace B) and would be located over 19 metres away from the rear of Miller Close, officers consider that the external deck and external stairs should be adequately screened in order to ensure the proposal would not give rise to any unintended loss of privacy or overlooking. Subject to the screening details to be secured by a planning condition, it is considered this part of the proposal would be acceptable.

6.5.6 A sunlight and daylight report is submitted which demonstrates the proposal would not result in a significant loss of sunlight and daylight enjoyed by the neighbouring properties on Miller Close and Sundridge House. The vertical sky component would range between 29.55 percent and 38.48 percent and would be in excess of the 27% as recommended by the Building Research Establishment (BRE) guidance. With regard to the sunlight, the BRE guidance states that

only windows with an orientation within 90 degrees of south need be assessed as sunlight is less important than daylight in the amenity of a room and is heavily influenced by orientation. North facing windows may receive sunlight on only a handful of occasions in a year, and windows facing eastwards or westwards will only receive sunlight for some of the day. Due to the orientation of the neighbouring windows, it is considered that the proposed would not result in a significant loss of daylight and sunlight.

Noise

- 6.5.7 Concerns from local residents regarding noise generated by cars and the proposed development including the use of metal stair case have been raised. The proposed residential use is considered compatible with its surroundings. Brindley Way and Roslin Way are both local roads connected to Burnt Ash Lane and the car park. The traffic associated to the proposal would be limited to 25 residential units with 15 residential parking spaces. As such, it is considered that any noise that may be generated from the proposed development would not be dissimilar to its neighbouring uses. The external stairs would be made of concrete step treads and no metal external stairs would be used.
- 6.5.8 Construction activities are likely to cause a temporary disruption to the public car park, additional noise and disturbance, additional traffic generation and dust. A number of planning conditions are recommended aiming to minimise these impacts. A detailed construction programme including a construction environmental management and logistic plan to manage and control the working hours would be secured by planning conditions.

6.6 Transport and Highways - Acceptable

Access and layout

- 6.6.1 The existing vehicular access to the car park, including the vehicles height restriction barrier near the car park entrance (approximately 1.98 metres), motor cycle space, disabled parking spaces with electric charging points would also be retained in-situ. The existing one-way system within the car park would also be retained for cars and would not be changed as a result of the proposed realignment works. The existing height barriers would only be open for waste collection vehicles.
- 6.6.2 Residential waste and recycling waste associated to the existing facilities will be collected within the site. A swept path analysis is provided and confirmed waste collection vehicles can leave the site in a forward gear via a two-way system. The Council's waste guidance note states that 1 x 1100 litre bin for non-recyclable , 1 x 240 litre bin for paper and 1 x 240 litre bin for bottles should be provided for every 6 flats. A total of 6 x 1100 litre bin and 1 x 240 litre for non-recyclable, 4 x

240 litre bin and 1 x 140 litre for paper and 4 x 240 litre and 1 x 140 litre bin for bottle and 1 x 240 for food waste would be provided in the communal residential storage area.

6.6.3 The residential parking spaces would be centrally located within the site and near to the communal entrances to the residential flat, communal residential cycle stores and communal residential bin storage areas.

6.6.4 The Council’s highway and waste divisions were consulted and raised no objection to the layout and access arrangements of the proposal. The details of signage and road marking including pedestrian paths should be secured by planning conditions and clearly marked out prior to the first use of the site.

Public parking spaces

6.6.5 Burnt Ash Lane car park is a free public car park. The site would remain as a free public car park with dedicated residential parking spaces for the future residents. The use of the existing car park is subject to the following conditions and there are no changes proposed within the current application. A penalty charge may be payable for the following contraventions:

- Parking in a designated disabled person’s bay without displaying a valid disable badge.
- Parking a vehicle outside bay marking
- Parking a vehicle over a maximum un-laden weight of 1,524 kilograms

6.6.6 As a result of the proposal, the number of parking spaces including a motor cycle space would be reduced from 104 to 84, of which 15 parking spaces would be allocated for residential parking spaces. The remaining public free parking spaces would be reduced to 69 spaces. The proposal would have an impact on the availability and capacity of the car park. A transport assessment including car park occupancy surveys in support of this proposal have been submitted.

6.6.7 The car park occupancy surveys were carried out on the 17th June 2019 (Monday), 19th June 2019 (Wednesday), 20th June 2019 (Thursday), 22nd June 2019 (Saturday) between 6am and 10pm each day. The surveys were carried out over a period of 4 days during the weekday and weekend covering 17 hours per day. This survey provides an understanding of the parking demand and occupancy level of this public car park. The occupancy of the car park on each day is tabled below:

Date/time	6am	8am	10am	12pm	2pm	4pm	6pm	8pm	10pm
17/06	12	19	52	58	59	49	30	21	18

Mon									
19/06	20	28	49	75	67	48	36	31	20
Wed									
20/6	18	32	47	60	53	40	38	27	20
Thru									
21/06	14	23	58	64	61	43	23	20	14
Sat									

6.6.8 The survey indicates that the busiest period during the survey period is around 12 pm to 2 pm. The average car park occupancy on Wednesday is 42 and is higher than the average car park occupancy on Saturday at 36. The survey also indicates that the car park occupancy would fluctuate during the day and week. The car park has not reached its capacity with empty and free spaces available.

6.6.9 Concerns were raised regarding to the survey date being carried out prior to the nearby major retail store vacating their site. The proposal would increase traffic volumes in the area and any overspill parking demand associated to the nearby retail store and the proposal would result in overspill of parking onto the neighbouring roads.

6.6.10 The reduction of parking spaces would have an impact on the availability of the parking spaces and its capacity. However, it should be noted that average occupancy of the car park during the survey period is 37. The average highest occupancy of the car park during the survey period is 65. Based on the survey data, it is considered that an acceptable number of public parking spaces can be retained within the site. The proposal would not result in any significant overspill of parking spaces onto the neighbouring road, in the event the car park is at its capacity. It should be noted that the neighbouring retail unit is designed and supported by its ancillary parking spaces. As such, it is considered that the reduction of parking spaces would be acceptable.

Residential parking spaces

6.6.11 Table 1 in the BLP Policy 30 (Parking) sets the off-street parking standard for new residential development and the standards, subject to the particular characteristics of the development and the public transport accessibility. The site has a PTAL rating of 2 and a minimum of 0.7 parking spaces should be provided each 1 or 2 bed unit.

6.6.12 A total of 15 parking spaces would be provided achieving a ratio of 0.6 spaces per dwelling and below the policy requirement. However, consideration should be given to the fact that the site is located within an urban part of the Borough. The nearest bus stop is located on Burnt Ash Lane, approximately 3 to 5 minutes walking time from the site. Consideration should also be given to the proposed housing mix with a sizable proportional of one bedroom units. On balance, it is considered that the deficiency of 0.1 parking spaces per dwelling would not warrant as a reason to refuse this application. A car park management

plan detailing the allocation and management of the residential parking spaces would be secured by a planning condition and this would enable the uses of the residential parking spaces to be optimised between the future occupiers.

6.6.15 The draft London Plan sets the minimum standards for electric charging facilities for residential development, a minimum of 20 percent parking spaces should have active charging with passive provision for all remaining spaces. A minimum of three residential active electric charging points would be provided and the remaining spaces should be passive. These provisions and details would be secured by a planning condition.

Cycle storage

6.6.14 A communal residential and secured cycle storage area would be provided. In line with the London Plan Policy 6.9, a minimum of 40 long-stay and 1 short stay cycle storage spaces would be required. A communal storage area for 40 long-stay spaces would be provided and would comply with the policy requirement. Two short-stay parking spaces would be provided and is not ideally due to its close proximity to the adjacent parking space. Having reviewed the proposed layout, it is considered that the short-stay cycle storage can be provided within the site and this detail would be secured by a planning condition.

6.7 Landscaping and biodiversity - Acceptable

6.7.1 At present, the site is covered by hardstanding and there is no planting within the site. New soft landscaping would be introduced in the car park including a 1.5 metres high primitive fence along the site boundary.



Fig 12: Proposed Landscaping plan

6.7.2 RSPB has advised that the population of swifts is plummeting and has requested a minimum of swifts bricks should be incorporated into the proposal. RSPB has acknowledged the use of swifts bricks would not be compatible to the proposed modular home and considered that 12 bird boxes would be acceptable in this instance. As such, it is considered that the introduction of new landscaping, planting including bird boxes would improve the biodiversity value of the site and is considered to be acceptable and these provisions would be secured by planning conditions.

6.8 Flooding and Drainage - Acceptable

Surface water drainage

6.8.1 The existing car park site is fully covered by hardstanding and is located in Flood Zone 1 (low risk). The site is not subject to surface water flooding. The proposal would incorporate a landscaping area which would result in a decrease in surface water runoff.

6.8.2 An updated site survey was carried out in April 2020. A resident has raised concerns regarding site/survey works being carried out during the lock down period. The Council's building control division has confirmed that the works did not constitute any breach from the Government's lock down rules, only that there should be social distancing of 2 metres.

6.8.3 In line with the national and local planning policies, the Council's drainage officer has stated that the acceptable discharge rate allowable

for the 1 in 100 year plus 40% climate change event is the greenfield run-off rate or a maximum of 2 l/s.

- 6.8.4 A drainage report is submitted which follows the sequential approach as recommended by Thames water to the disposal of surface water and no objection is raised from Thames Water. The drainage report indicates that soakaway or discharge of water to a watercourse is not considered to be appropriate or feasible on this site. Therefore, discharge of surface water will be to the existing surface water sewer present on-site, or to the 225 mm public surface water sewer located approximately 5m south of the site, whichever is deemed the most practical option.
- 6.8.5 In order to restrict surface water run-off rate at 2 l/s, an estimated storage volume of 36 m³ will be required to accommodate the 1 in 30 year event and 83 m³ will be required for the 1 in 100 year plus 40% CC event. An underground geocellular attenuation storage tank and porous paving area would be provided at the surface level. The porous paving with a maximum subgrade depth of 0.3 m can provide up to 29.34 m³, whilst a tank measuring 0.8m by 2.5 m wide by 20 m long would provide 35 m³ of attenuation combining to provide a total of 64.34m³ of attenuation. The location of the attenuation storage tank and recommended porous paving areas are indicated on the drawing below and the detailed design of these provisions confirming its sizes would be secured by a planning condition.



Fig 13. Location of porous paving and underground attenuation tank.
(Porous paving colour in blue. Underground attenuation tank colour in yellow)

Water and foul water

6.8.5 New connections connecting to the public water and sewage network will be required and this is covered under Building Regulations legislation (approved document Part H). Thames water was consulted and raised no objection. Thames Water has advised that a ground water risk management permit from Thames water will be required for any discharge of ground water into a public sewer. The site is located within 15 metres from underground waste water assets and Thames water aims to provide customers with a minimum pressure of 10m head (approx. 1bar) and a flow rate of 9 litres/minute. Should planning permission be recommended, informatives advising the above would be attached.

6.9 Energy and Sustainability – Acceptable

6.9.1 The applicant has provided an energy strategy report which indicates solar panels would be used and installed at the roof level to provide on-site renewable energy. A total of 240 solar panels would be installed on the roof. The proposal demonstrates that the development would achieve the required carbon reduction. A pre-occupation planning

condition requiring the details be implemented in accordance with the submitted plan would be attached.

6.10 Noise, Air Quality and Land Contamination - Acceptable

Noise

- 6.10.1 The acoustic assessment originally discounted the noise impact of the retail store adjacent to the site which is currently closed and a condition was put forward, offering a suggestion on how such a condition might be worded. This was not considered acceptable in assessing the merits and harm of the proposal. Whilst the retail unit is closed at present, the impact of the retail unit should be included in the noise assessment as the proposed modular homes would be located in close proximity to a mixture of commercial and non-domestic uses, including noise impacts from the nearby supermarket and car park below. A noise assessment including the noise data of a retail store is considered to be essential to confirm the suitability of residential use.
- 6.10.2 An updated noise impact assessment (NIA) including local noise data parallel or equivalent to a retail unit is provided and this has allowed for an assessment of likely plant and delivery noise impacts to be calculated. The revised NIA includes internal noise level calculations for properties in Terrace B, closer to the commercial activities on the adjacent site. The revised NIA has confirmed which areas need specific acoustic protection measures and each modular home is to have a mechanical ventilation and heat recovery (MVHR) system providing sufficient ventilation without the need to open windows.
- 6.10.3 The Council Environmental Health Division has advised that the revised NIA can be accepted which indicates how noise impacts associated with the locality can be addressed through the construction methods, materials uses and associated services to an extent that should protect the amenity of future occupiers. The acoustic performance of the material specifications of the modular home should be secured by planning conditions as outlined in the NIA to ensure amenity of future occupiers of the development. The proposed Terrace B could give rise to stacking issues between the proposed units and details of appropriate noise insulation should be able to afford adequate protection to future occupiers. Subject to the construction methods, acoustic performances of the materials used and building elements as indicated in the report including insulation details, it is considered that adequate amenity can be provided for the future occupiers.
- 6.10.4 The proposed residential use is considered to be a use compatible to its surroundings. The applicant has confirmed concrete step treads would be used for the staircases and no metal would be used. Any noise associated to the use of the residential parking spaces would not be dissimilar to the use of the residential parking spaces or on-street

parking in the area. Overall, it is considered that the submitted details have demonstrated adequate amenity can be provided for the future occupiers.

Air Quality

- 6.10.5 London plan policy 7.14 and policy SI1 of the Draft New London Plan state that development should be at least 'air quality neutral' and not lead to further deterioration in poor air quality. The site is located within Bromley Air Quality Management Area.
- 6.10.6 An updated air quality and air quality neutral assessment including a site-specific three-month Nitrogen Dioxide(NO₂) diffusion tube survey is provided and confirmed that the NO₂ concentration do not exceed the relevant objectives within the proposed development boundary. The proposal would have a "negligible" to "medium" risk of air quality during the construction period. The operational vehicle movements during the construction of the modular homes are expected to be low and the impact of this proposed development is considered to be negligible.
- 6.10.7 The Council's Environmental Health Division has raised no objection to the proposal and recommended that an updated Air Quality Neutral Assessment (AQN) and a Construction Environmental Management Plan (CEMP) be submitted and agreed by the Local Planning Authority prior to commence of the work. A further condition requiring any Non Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases of the development shall comply with the GLA's supplementary planning guidance 'Control of Dust and Emissions During Construction and Demolition' dated July 2014 (SPG) should be attached.
- 6.10.8 Concerns from a resident were raised regarding to the timing of the survey which was carried out when the retail store was closed in the summer 2019 and the location of where the diffusion tubes were placed. Officers would point out the survey was carried out covering a period of three months and whilst the retail shop adjacent to the site was closed, it is noted that the shops and public car park site were open during the survey period. The diffusion tubes were placed within the car park site at three different locations to ensure the whole site could be covered and a representative result derived.
- 6.10.9 The three months diffusion tube monitoring result indicates that the annualise mean nitrogen oxide (NO₂) level for the site is between 24.5 microgram/cubic metres (µg/m³) and 25.3 µg/m³. This is well below the national air objective and European Direction limit and target values for the protection of human heath levels at 40 µg/m³. As such, it is considered that the proposed residential use would be acceptable.

Land Contamination

6.10.10 The application is supported by a Phase I desk study and recommends that a Phase II intrusive ground investigation be carried out to confirm and ensure that no pollutant linkages/pathways are created as a result of any previous and proposed site works. The proposed modular homes are to be above ground with no garden areas, groundworks will still be associated with the development. The Council's Environmental Health Division was consulted and considered that the details of further ground investigation works should be secured by a planning condition.

7. OTHER ISSUES

Planning obligations and CIL

- 7.1 Developer contributions associated to new development are secured by means of planning conditions attached to planning permission, a planning obligation under Section 106 of the Town and Country Planning Act 1990, or the Community Infrastructure Level (CIL). This is in line with BLP Policy 125 and the Council's Planning Obligations SPD.
- 7.2 The proposal is liable to the Mayor of London's CIL and is subject to planning obligations. In line with the Council's Planning Obligation SPD, the following planning contributions are identified and should be secured prior to the development: -
- Health contribution: £ 16, 375.00;
 - Education contribution: £ 89, 485.48; and,
 - Child Play £10, 000.00.
- 7.3 The applicant has confirmed that the proposal would provide 100 percent housing with a minimum of 60 percent affordable rent unit. This provision will be secured by a planning condition, up to the maximum level required in Policy.
- 7.4 As the Council is unable to enter into a planning obligation with itself as both applicant and planning authority, the applicant has confirmed the required planning obligations for health, education and child play to mitigate the impact of the proposal development will be transferred to the Council's funding and delivery programmes prior to the planning decision being issued.
- 7.5. These obligations meet the statutory tests set out in Government guidance, i.e. they are necessary, directly related to the development and are fairly and reasonably related in scale and kind to the development.

- 7.5 The proposal is liable to the Mayor of London's CIL and the applicant has completed the relevant form.

8. CONCLUSION

- 8.1 The proposal would provide 25 affordable rent modular homes and would make a significant contribution to the Borough's housing stock, meeting the housing need of the Borough. A mixture of one and two bed flats with dedicated residential parking spaces and private outdoor space would be provided.
- 8.2 The proposed accommodation is well designed and the layout would provide a good standard of living environment for the future occupiers. The proposed modular homes would be mainly constructed off-site and assembled and constructed on site.
- 8.3 The existing vehicular entrance, electric charging points, disabled parking spaces and recycling facilities would be retained in-situ. The realignment of the car park would result in a reduction of parking spaces from 104 to 84 spaces, including 15 residential parking spaces. The proposal is designed to achieve secure by design accreditation. A car park occupancy survey is submitted which indicates adequate free parking spaces can be maintained at the site. New boundary treatment and various measures would be used to ensure a safe and secure living environment can be provided for the future occupiers.
- 8.4 The proposed buildings would be three and four storeys in height and this is considered compatible to the surrounding buildings. The proposed building is also designed to ensure adequate residential amenities can be maintained for the neighbouring properties.
- 8.5 Having regard to the presumption in favour of sustainable development, the impact arising from this proposal would not significantly and demonstrably outweigh the benefits which can be derived from this proposal when assessed against the policies in the National Planning Policy Framework taken as a whole. As such, it is recommend planning permission be granted, subject to the planning conditions.
- 8.6 Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

RECOMMENDATION:

PERMISSION BE GRANTED SUBJECT TO TRANSFER OF CONTRIBUTIONS AND PLANNING CONDITIONS.

SUMMARY OF CONDITIONS AND INFORMATIVES

Compliance

1. Time period
2. In accordance with the approved plans and documents
3. Retention of existing recycling facilities and electrical charging point facilities.
4. Solar panels
5. Internal Platform lift and wheelchair units
6. Side obscured glazed windows
7. A minimum of 50 percent affordable housing (equivalent to 33 habitable rooms) including a minimum of 60 percent affordable rent unit (equivalent to 20 habitable rooms).

Pre-commencement

8. Slab levels
9. Sustainable drainage design details including (attenuation tanks and porous paving)
10. Phase II contamination report.
11. Construction management plan including updated air quality neutral assessment.
12. Construction programme detailing the timing of car parking closure periods and relevant mitigation plan.

Above ground

13. External materials, including privacy screen external stairs and decking.
14. Acoustic performance of windows including mechanical ventilation and insulation details.

Pre-occupation

15. Waste collection strategy
16. Residential waste storage area
17. Cycle storage area including short-stay provision
18. Parking spaces and residential parking spaces
19. Residential parking management plan
20. Secured by design
21. Detail of boundary treatment and including CCTV cameras
22. Landscaping details
24. Signage, road marking including pedestrian path and residential parking spaces
25. Re-provision of four disabled public parking spaces and provision of three disabled residential parking spaces to be provided.
26. Electric charging points
27. Bird boxes
28. Evidence confirming the required obligations are transferred and completed to the Council's education, housing and child play funding and delivery programmes/stream.

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Agenda Item 7

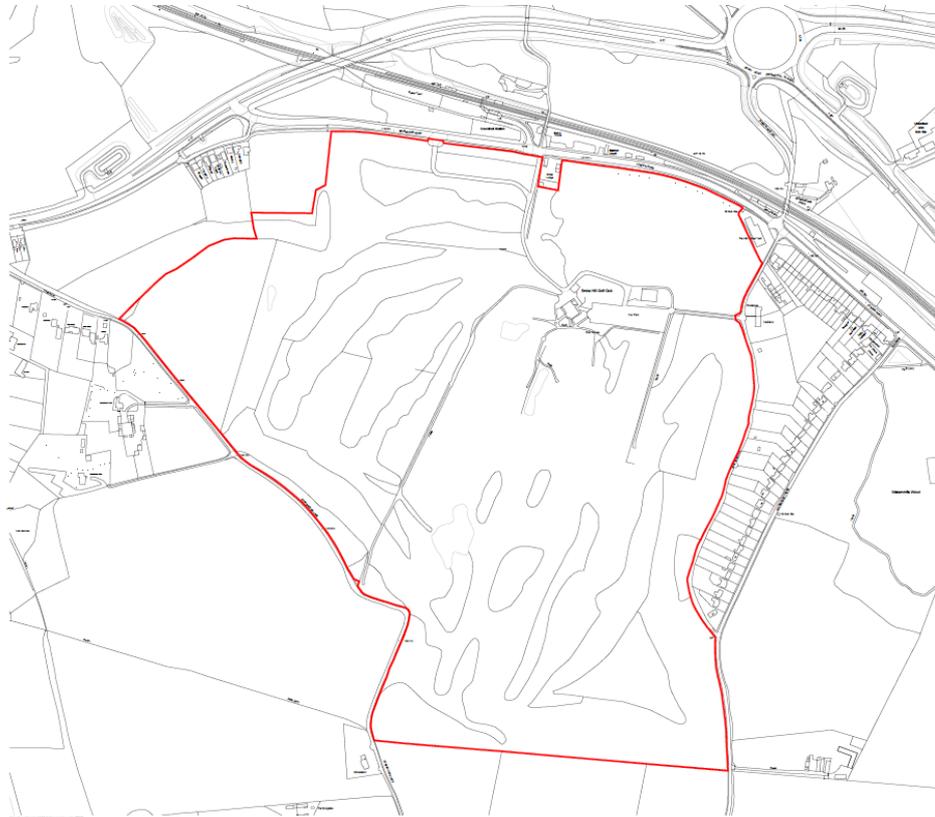
Committee Date	14.07.2020	
Address	Former Broke Hill Golf Course Sevenoaks Road Halstead Sevenoaks Kent TN14 7HR	
Application number	20/00984/ADJ	Officer: Suzanne Lyon
Ward	Adjacent Local Authority	
Proposal	Outline application for residential development of up to 800 dwellings, incl. affordable housing units and self-build plots; retirement care community for up to 180 C2 units; primary school hub with associated sports facilities/outdoor space; sports hub incl. rugby and hockey pitches with separate car park and clubhouse areas; 2 ha of commercial B1 use; local centre incl. commercial, retail & community facilities and undercroft car parking for Knockholt station; country park/open space incl. landscaping, infrastructure & groundworks; with all matters reserved except for access	
Applicant	Agent	
Quinn Estates	Montagu Evans LLP	
Reason for referral to committee	Previous Case went to DC Committee	Councillor call in No
RECOMMENDATION	Raise Objection	

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The location and scale of the proposed development undermines the purposes of the Green Belt.
- The proposed development would have the potential to add significant pressure to existing medical practitioner facilities within Bromley.
- The proposal is likely to result in a number of impacts on transport services and local roads in Bromley.

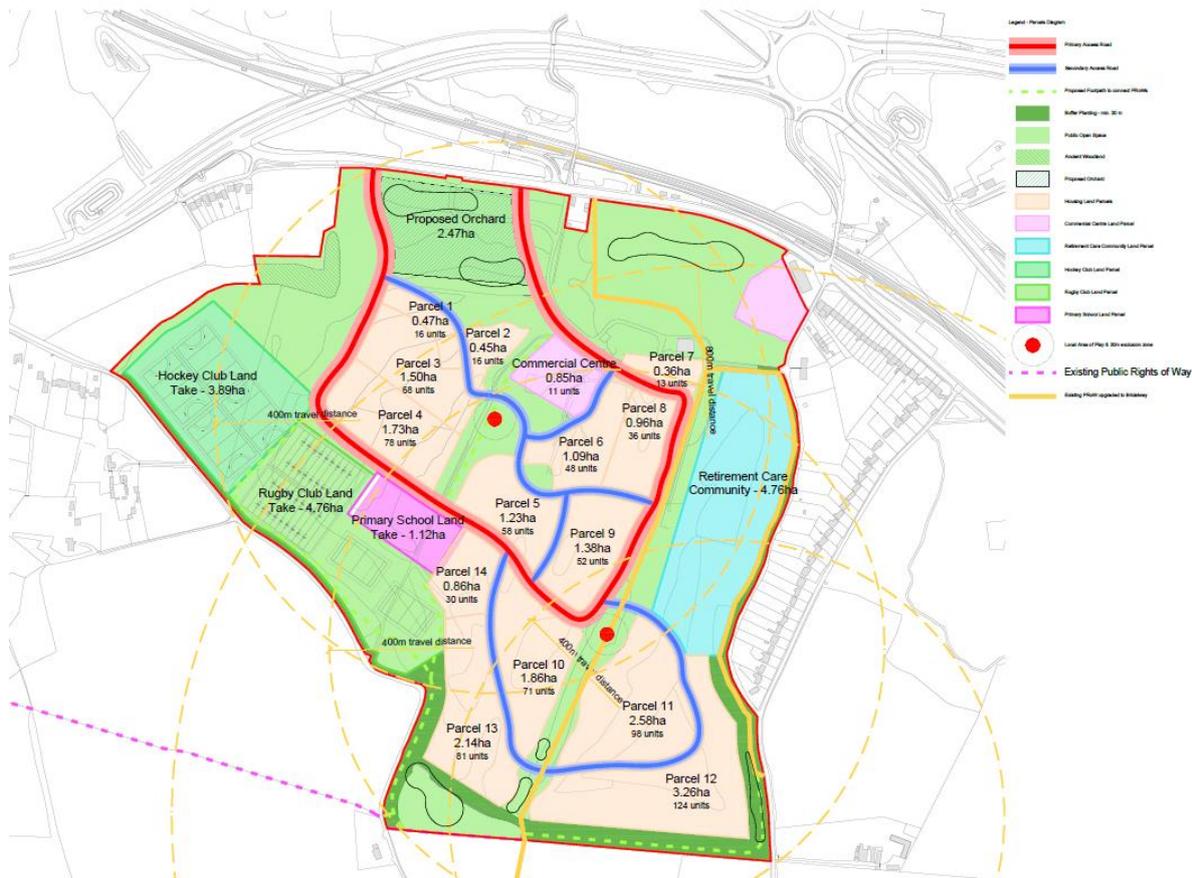
2 LOCATION

- 2.1 The site is located on the southern side of Sevenoaks Road and comprises the Broke Hill Golf Course. The site is located within the Metropolitan Green Belt



3 PROPOSAL

- 3.1 Outline application for residential development of up to 800 dwellings, incl. affordable housing units and self-build plots; a retirement care community for up to 180 C2 units; primary school hub with associated sports facilities/outdoor space; sports hub incl. rugby and hockey pitches with separate car park and clubhouse areas; 2 ha of commercial B1 use; local centre incl. commercial, retail & community facilities and undercroft car parking for Knockholt station; country park/ open space incl. landscaping, infrastructure & groundworks; with all matters reserved except for access
- 3.2 Amendments were received (11th March 2020) to reduce the number of dwellings from 850 to 800, clarify the number of retirement units (180) and change the site layout
- 3.3 The application is an Adjoining Authority Consultation and requires the Council to provide comments on the impacts of the development on the London Borough of Bromley, as set out below.



4 RELEVANT PLANNING HISTORY

4.1 No recent and relevant planning history

5 CONSULTATION SUMMARY

5.1 Highways - Objection

- The previous application, 19/03935, had a highway refusal ground. The change in the description seems slight although there is a reduction from 850 to 800 dwellings. Therefore these comments are still applicable.
- The London Borough of Borough has a number of concerns about the transport impact of this proposed development. Whilst noting that the report sets out the ambition for the Garden Village to be a 'self-sustaining and vibrant village for new residents' the reality of this and how it will be achieved is questionable in terms of transport.
- Noting the reference to the site's 'unrivalled accessibility and public transport credentials', much seems to be being made of the adjacent Knockholt station, whilst no doubt this will be useful for commuting to the CAZ a 2tph service cannot be described as unrivalled when general aspirations in London are for a very minimum of 4tph. At 2tph the service is unlikely to make an attractive travel option given the wait time when compared to private cars. This development will not have been taken into consideration as part of the Kent

Route Study which identified capacity issues on services through Knockholt, therefore the pressure on service this would bring is of concern but is for Network Rail to fully appraise and recommend mitigations for the developer to fund. Equally there are also concerns about rail heading into Bromley to take advantage of lower fares from other fare zones close to London.

- In addition to rail, high frequency local bus services to town centres and schools will be required to reduce the impact of traffic on local roads. These buses should be able to serve the whole of the new village therefore streets should be able to accommodate movement buses. Further details of the cycle links are required to ensure they serve corridors of demand.
- The development will have some impact on roads in Bromley; however in order to assess the impact more accurately the following items will need to be addressed.
- Junction capacity assessments will be required for access to London Road/ Sevenoaks Road Primary & Secondary in addition to any other access points. Careful consideration would need to be given to a construction logistics plan to minimise the impact on road safety and peak time congestion. Furthermore the station car park (for commuter) should also be assessed separately as it would have a significant impact during the morning and evening peak hours.
- Whilst the investment in the Primary School is welcome, it will require a Primary school- Transport Assessment (TA). Furthermore the lack of Secondary School facilities on site is a concern and may lead to car borne trips to school in the surrounding area; therefore consideration should be given to school bus provision school.
- Whilst the mixed use nature of the development is a welcome step towards creating a sustainable community, the employment centre i.e. Gin Distillery, Care home and start up business will lead to trip generation if employees are commuting to the site, given the catchment of these employment sites it is unlikely that all trips will be made by train or from within the Garden Village. It is also concerning that the case for employment centres is being supported by the good highway access 'it has unrivalled access to the District's main arterial roads, including the A21 and the M25, meaning that accessibility to the highway network for business operations is quick' which indicates that the trip generation for these sites may have an impact on local roads. Therefore further details of modes of travel for staff members, access, car parking, public transport access, cycle parking facilities etc. should be discussed and indicated on the plan.

5.2 **Town Centre Regen Team – No objection**

- It is considered that the proposal has no negative impacts on Bromley town centres and therefore no objections are recommended.

5.3 **NHS Bromley Clinical Commissioning Group (CCG) - Objection**

- Objection is raised on the basis that the development would add pressure to existing busy GP practices in Bromley. GP practices in Bromley would not be able to take on the extra capacity required by the development and no options for an on-site branch or new practice have been planned for as a viable option by the Commission.

5.4 **Bromley Biodiversity Partnership - Objection**

- Regarding the above planning application Orpington Field Club members are very concerned about development in this area. While it is not within London Borough of Bromley, in practical terms it is part of Bromley's green belt. Development will link Bromley and Halstead contributing to urban sprawl, and merging Halstead with Bromley. This is contrary to the NPPF section 13, paragraphs 133 and 134.

5.5 **Education – Objection**

- The 6% drop in units is not going to have a significant impact on education need locally. Therefore the original comments are still applicable.
- The development lies approximately 0.5 mile from the edge of Pratts Bottom community and 0.8 miles from Pratts Bottom Primary School. According to KCC the proposed development has an expected yield of 202 pupils. As part of their response to the application the KCC have requested that a 1FE primary school to be provided via S106 contributions as part of the development. This will provide 210 places which is closely matched to expected yield from the development. However, the information provided by KCC also indicates that with a 5% surplus included in their planning for primary school places there is currently a 100 place surplus which equates to a 18.6% surplus in total in the Sevenoaks Northern Villages Primary School Planning Group area.
- Whilst this is a significant overprovision based on the pupil yield projections of the proposed development, the provision of a new 1FE primary school would not significantly worsen the current situation and is likely to have minimal/limited impact on school in Bromley's Planning Area 8 (Orpington). It is useful to note that our closest school Pratts Bottom is currently at capacity (80 out of 81 places filled). However, the timing of the availability of any new places is a concern as the addition of the new places in advance of the yield being realised could cause over provision and create short term excess capacity in school places.
- However, the KCC have also asked that land is set aside for the school to expand to 2FE (420 pupils) if needed later for the wider local area (Sevenoaks Northern Villages Primary School Planning Group). This would be a concern for Bromley as Pratts Bottom Primary School is closer in proximity than any of the existing schools in the Sevenoaks Northern Villages Primary School Planning Group and is likely to be most affected by any over provision. It is also unclear from KCC's evidence how the potential creation of a new school at Fort Halstead would impact on need for school places across the Sevenoaks Northern Villages Primary School Planning Group.

6 **POLICIES AND GUIDANCE**

6.1 *NPPF (2019)*

6.1.1 The site is within the Green Belt and not previously developed, excepting golf course buildings. The proposed development is not appropriate in the Green Belt and is by definition, harmful to the Green Belt. Para 143 advises that such development should not be approved except in very special circumstances.

6.1.2 The NPPF requires local Plans to include strategic policies which set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for development, including infrastructure and housing. (para 20).

6.1.3 It also advises that Local planning authorities are under a Duty to Co-operate with each other on strategic matters that cross administrative boundaries (para24).

6.2 *Sevenoaks Emerging Local Plan*

6.2.1 Sevenoaks District Council has begun Judicial Review proceedings after the Government Planning Inspector refused to endorse its new Local Plan

7 **ASSESSMENT**

7.1 The main issues relating to the application are as follows:

- The impact on the Green Belt and character of the London Borough of Bromley
- The effect on the vitality and viability of Bromley and Orpington Town Centres
- The impact on local residents in the London Borough of Bromley
- The impact on the highway network in the London Borough of Bromley
- The impact on healthcare provision in the Borough
- The impact on education provision in the Borough

7.1.1 According to Sevenoaks' emerging Local Plan the site is not allocated for housing. The applicant argues that the Council is failing to deliver the homes that are needed or provide adequate sites for housing. This is the basis for the application, promoting the site for housing on these grounds.

7.2 Green Belt

7.2.1 The Bromley Local Plan strongly protects the Green Belt and resists inappropriate development unless very special circumstances clearly outweigh the harm by reason of inappropriateness or any other harm.

7.2.2 NPPF para 134 sets out the 5 purposes of the Green Belt. The location and scale of the proposed development at Broke Hill Golf course undermines the purposes of the Green Belt within which it is set.

7.2.3 The emerging Sevenoaks Plan assesses the necessary infrastructure to bring forward development sustainably. The plan does not include the proposed development and therefore infrastructure requirements arising from, but not met within, the proposed development will result in the need to travel to access services. This will, produce unanticipated increases in demand for services in nearby settlements both within Bromley and Sevenoaks, as has been highlighted in respect of GP facilities.

7.2.4 It will be important to ensure that other potential harms are effectively mitigated, such as visual harm, the impacts on the adjacent SINC and any adverse drainage implications.

7.3 Impact on Town Centres

7.3.1 The Town Centre Regeneration Team raises no objections in terms of the economic impact of the development on Bromley or Orpington Town Centres. Therefore it is not considered that the development would give rise to a significant impact on the vitality and viability of the area.

7.4 Residential Amenity

7.4.1 With regard to the impact on residents in the Borough, the development is located some distance away and is unlikely to affect the nearest properties. There are no properties immediately to north of site and none adjoining site to west.

7.5 Highways

7.5.1 The amendment includes a slight reduction from 850 to 800 dwellings. Bromley has a number of concerns about the impact of this proposed development on transport services and local roads in Bromley. Whilst much is made of the sites 'unrivalled accessibility and public transport credentials' with reference to the proximity of Knockholt station, this development will not have been taken into consideration as part of the Kent Route Study which identified capacity issues on service going through Knockholt. The 2 trains per hour service is unlikely to make an attractive travel option in comparison to car use in this suburban location. The capacity of the commuter station car park would need to be assessed by Network Rail as the proposed development would have a significant impact during the morning and evening peak hours. Equally there are also concerns about rail heading into Bromley to take advantage of lower fares from other fare zones close to London.

7.5.2 The employment centre proposed may lead to trip generation by train and road from outside the village and impact local roads, despite the claims made to "unrivalled access to the District's main arterial roads including the A21 and the M25." The development may also lead to car borne trips to secondary schools in the surrounding area and to and from the primary school proposed as part of the development.

7.6 Healthcare Provision

7.6.1 The proposal includes no on-site healthcare facilities. The nearest GP practices are in the London Borough of Bromley and it is considered that the proposal would add pressure to these facilities which are already near full capacity. The NHS Bromley Clinical Commissioning Group (CCG) has raised objections on the basis that the increase in patient numbers cannot currently be supported and therefore Members may consider that the proposal would add a concerning strain on existing medical practitioner facilities on the Borough.

7.7 Education Provision

7.7.1 The 6% drop in units is not considered to have a significant impact on education need locally.

7.7.2 The proposal includes a one form entry primary school provision and no secondary school provision. In the absence of evidence to demonstrate how the creation of new schools in Sevenoaks would impact on local school needs, the projected expansion of the on-site primary school may have the potential to impact on the capacity of a nearby primary school within the Borough.

7.8 Conclusion

7.8.1 Having had regard to the above it is considered that the raising of objections in this case would be warranted.

RECOMMENDATION: Raise Objection

- 1 The location and scale of the proposed development undermines the purposes of the Green Belt within which it is set.
- 2 In the absence of new on-site medical practitioner facilities, the proposed development would have the potential to add significant pressure to existing medical practitioner facilities within Bromley which are already near or at full capacity.
- 3 The proposal is likely to result in a number of impacts on transport services and local roads in Bromley, including concerns relating to the local rail capacity, car parking demand (including on-street demand) at Knockholt Station and the future car trip generation created from the on-site commercial centre and lack of secondary school.

Report No.
HPR2020/016

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: DEVELOPMENT CONTROL COMMITTEE

Date: 14 July 2020

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

Title: SHORTLANDS VILLAGE CONSERVATION AREA

Contact Officer: Simon Went, Principal Conservation Officer
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Chief Officer: Tim Horsman, Assistant Director (Planning)

Ward: Bromley Town; Shortlands

1. Reason for report

1.1 An assessment of the proposed Shortlands Village Conservation Area has been prepared. This assessment will form the basis of a public consultation exercise which will seek views regarding the designation of the proposed Conservation Area. .

2. RECOMMENDATION(S)

2.1 That Members note the Shortlands Village Conservation Area assessment at Appendix 1.

2.2 That Members agree to undertake a public consultation exercise regarding the potential designation of the Shortlands Village Conservation Area as shown in Appendix 1, based on the proposed consultation materials at Appendices 2, 3 and 4 (noting that these materials may be amended prior to consultation).

Corporate Policy

1. Policy Status: Not applicable
 2. BBB Priority: Regeneration Quality Environment
-

Financial

1. Cost of proposal: Cost of consultants already incurred, cost of staff time and consultation
2. Ongoing costs: N/A
3. Budget head/performance centre: Planning Policy and Strategy
4. Total current budget for this head: £0.596m
5. Source of funding: Existing Revenue Budget for 2020/21

Staff

1. Number of staff (current and additional): 1
 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
-

Procurement

1. Summary of Procurement Implications: N/A
-

Customer Impact

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

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors' comments: The assessment of the proposed conservation area was shown to Bromley Town Councillors on an informal basis in April 2020. Email from Councillor Dykes notes that Bromley Town Councillors are supportive of the Shortlands Village Conservation Area proposed in the assessment at Appendix 1.

3. COMMENTARY

- 3.1 A character assessment of the proposed Shortlands Village Conservation Area has been prepared by specialist independent consultants and is shown in Appendix 1. The assessment supports the designation of a conservation area encompassing the entire area as proposed, and identifies potential options for designation.
- 3.2 It is recommended that the conclusions of the assessment – namely the potential options for the creation of the Shortlands Village Conservation Area - are now consulted on throughout and adjacent to the proposed Conservation Area. Consultation responses would inform any future decision whether to designate a conservation area and the chosen option for designation.
- 3.3 A draft consultation questionnaire is provided at Appendix 2. A draft consultation letter to be sent out to residents within the proposed conservation area is provided at Appendix 3. A draft consultation letter to be sent out to residents of immediately adjacent roads is provided at Appendix 4. These consultation materials may be amended prior to launching the consultation.
- 3.4 The consultation would also be advertised in the local press.

4. POLICY IMPLICATIONS

- 4.1 The proposed consultation has no policy implications.

5. FINANCIAL IMPLICATIONS

- 5.1 The publication can be undertaken using existing resources.

6. LEGAL IMPLICATIONS

- 6.1 Designation of a conservation area following consultation will be subject to a future decision. Designation will follow relevant statutory requirements.

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	None

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SHORTLANDS VILLAGE

LONDON BOROUGH OF BROMLEY

HISTORIC AREA ASSESSMENT

FEBRUARY 2020



Beams Ltd, The Castle, Hertford SG14 1HR
Tel: 01992 504331
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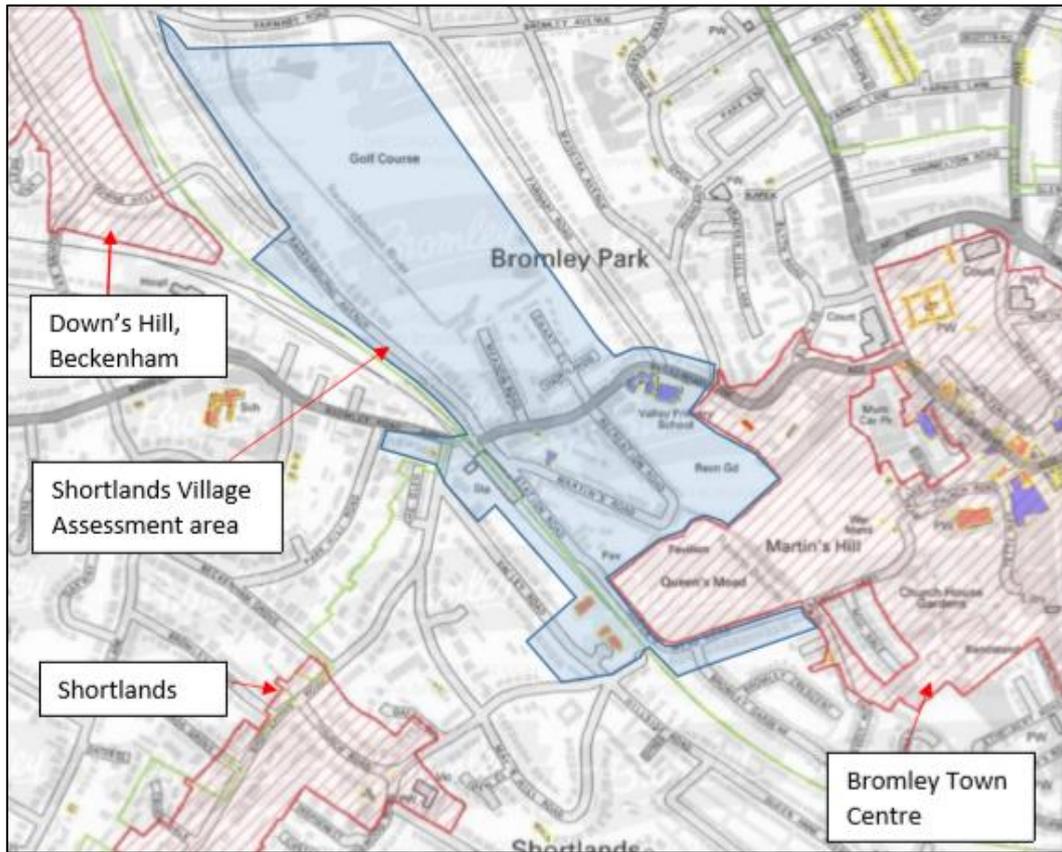


Fig. 1. Shortlands Village assessment area and surrounding conservation areas



Fig. 2. Station Road, looking south

INTRODUCTION

This report was commissioned by Bromley Borough Council in December 2019 to assess Shortlands Village for conservation area designation (Fig. 1). The proposed area is directly adjacent to the Bromley Town Conservation Area to the east, with Downs Hill Beckenham Conservation Area to the north-west and Shortlands Conservation Area to the south-west.

The purpose of the report is to establish whether Shortlands Village warrants conservation area designation based on an assessment of its special architectural and historic character (Fig. 2). The report will also look at the townscape qualities which contribute to the overall character of the area and which is a significant aspect of historic area assessment.

This report has been produced using guidance laid out by Historic England in *Conservation Area Designation, Appraisal and Management: Historic England Advice Note 1* (2019) and *Understanding Place. Historic Area Assessment* (2017).

Planning Policy context

A conservation area is defined under section 69 (1: a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as “an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance”.

The same section of the P (LB & CA) Act 1990, 69 (2) goes on to state that Local Planning authorities should “determine whether any parts or any further parts of their area should be designated as conservation areas; and if they so determine, they shall designate those parts accordingly.”

The NPPF 2019, Para. 186 states that “When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of

its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.”

Were Shortlands Village to be upgraded to conservation area status the resulting additional controls would be as follows:

- The requirement in legislation and planning policy to preserve or enhance the character and appearance of the area
- Control over demolition of unlisted buildings
- Control over works to trees
- Limitations on types of advertisements
- Restriction on types of development which can be carried out under permitted development rights
- Support for Article 4 directions to remove permitted development rights where avoidable damage is occurring
- Clarification of archaeological interest

SUMMARY OF CHARACTER

Shortlands Village is the area directly adjacent to Shortlands Station on the east side of the railway. It is centred on the high street of Beckenham Lane with streets to the north and south of mainly modest terraced housing with views to open space and trees at the end of the streets. The assessment area also includes small areas to the west of the railway. These include the area of the two listed pumping stations and housing on the opposite side of Valley Road, the station area and semi-detached houses at the top of Valley Road and the listed cottage at the bottom of Bromley Road and neighbouring houses on the same side up to Park Hill Road.

The village was built following the arrival of the railway in 1858 and the subsequent straightening of the River Ravensborne and rebuilding of Beckenham Bridge in the 1870s. Up to this date the area was the unspoilt river valley floor of the Ravensborne, bounded by hills on either side that were popular with wealthy Londoners desiring estates close to the capital. It was mostly built in a short period after 1876 although some building work did continue into the early twentieth century, particularly on Ravensbourne Road.

It is characterised by the modest stature of the housing in contrast to the far grander detached Victorian housing on the surrounding hillsides. Lacking the views from the hillsides and being built on a flood plain, it was reserved for the less well-off who would have likely been in service to the larger households or were conceivably early commuters to London. Given the important catalyst for development, the railway station is a key element in the assessment area and is important for its surviving period detail and character.

The open land wrapping around what is in effect a railway village defines the built-up area and provides an attractive backdrop to the simple artisan streets. The setting on the river valley floor with views to the hills above on either side is also an important component of the character of the area. These green areas and their trees, in particular numerous fine specimen pine trees all contribute to the distinctive character of the village.

The area contains three grade II listed buildings, the two pumping stations and the Old Cottage opposite the station. There are also three locally listed buildings, Valley Primary School, The Congregational Church (now a nursery) and the Valley Coffee House. The following are key points of character within the area:

- Modest artisan terraced and semi-detached housing off Beckenham Lane
- Predominantly small plot sizes with modest front gardens behind low boundary walls and small rear gardens.
- The grade II listed buildings, The Old Cottage and the two pumping stations.
- The locally listed Congregational Church and Valley Coffee House and their historic links to the Shortlands Mission founded by Samuel Cawston, a non-conformist influenced by the temperance movement.
- The locally listed Valley Primary School built in an Arts and Crafts style by Evelyn Helicar with recreation land to the rear incorporating Martin's Field.
- The verdant setting of the railway village seen through long views at the ends of the roads and above the tops of the houses.

- Shortlands Station, platforms and viaduct which preserve their historic architectural character. The viaduct acts both as a boundary to the village as well as contributes to its particular architectural character.
- The Railway Tavern and other early buildings of interest on Station Road and Valley Road.
- Ravensbourne Avenue and its grander leafier character with more detailed and decorative semi-detached housing, some of an impressive scale in large plots with wide gaps and views to the rear.
- Mature trees found particularly on Ravensbourne Avenue and around Queen's Mead. The elegant sculptural pine trees are a distinctive feature of the area.
- The limited palette of London stock brick with red brick reserved for decorative detail on door and window surrounds with clay tile or slate roofs.



Fig. 3. Aerial view of Shortlands (Google maps)

TOWNSCAPE INTEREST

Location and topography

Shortlands Village is located in the north-west quarter of the London Borough of Bromley in south-east London. About ten miles south-east of central London, it lies about one and a half miles east of Beckenham and half a mile west of Bromley. Shortlands has been a parish in its own right since 1870. Historically it lay within Beckenham parish and the Bromley and Beckenham Hundred in the county of Kent.

The village lies at the bottom of a long flat-bottomed valley, shaped by the River Ravensbourne (Fig. 3). The river is a tributary of the Thames and runs north-westward through the village which is built on the floodplain. Running along the west side of the river, are the Thameslink and Southeastern railway lines. Raised on a viaduct and embankment they bridge Beckenham Road, before the Southeastern line bends westward and the Thameslink carries on northward. Beckenham Road, winds down from Bromley, becoming the main road through the village and heads west towards Beckenham crossing the river via Beckenham Bridge, then going under the railway bridge. To either side, within the suburban development that lines the sides of the valley, are protected remnants of historic woodlands.

Urban layout

The road layout of the village was created working in conjunction with the existing roads, the newly constructed railway, the river and the topography of the valley. The names of the roads refer to the names of local places and the river, invoking a sense of history and place.

Beckenham Road, follows the route of an ancient road which wound down from Bromley to Beckenham, crossing the river and heading up past the Shortlands Estate. Queen's Mead

Road follows and extends the route of the old Glass Mill Lane, which also came down from Bromley to cross the river further south. Valley Road, which runs along the west side of the railway line, appears to follow the route of an old footpath along the base of the valley. The siting of the pumping stations by the railway line would have been logistical, originally for coal delivery.

Station Road and Ravensbourne Avenue were new roads constructed to run between the railway tracks and the river. Ravensbourne Avenue is thought to follow an earlier drive up to Beckenham Place. The river was straightened to reduce the risk of flooding and Martin's Road and Recreation Road were built as a result of this new alignment. Shortlands Gardens leading onto Chart Close, Meadow Road and Farnaby Road all follow old field boundaries and the valley contours.

There is a clear hierarchy to the streets, Recreation Road having the smallest terraced houses, Ravensbourne Avenue having the most spacious plots, and Queen's Mead having perhaps the grandest situation. The planned layout and plot size of the streets were aimed at providing desirable homes for working people. This can be seen in the size of the plots, the space between buildings, the size of the buildings and the level of architectural detail.

Garden space seems to have been considered essential. All the houses have rear gardens of reasonably good size and, except for one row of houses on Shortlands Gardens, all the original nineteenth century dwellings seem to have been provided with a low walled front garden.

Large areas of the flood plane were developed as public open space for the village, to the north is Shortlands Golf Club while to the south and east are Queen's Mead, the Valley School Recreation Ground and Martin's Hill Open Space



Fig. 4. Valley School Recreation Grounds, looking east up to Pixfield Court

Open space, gardens and trees

A key feature of Shortlands Village is the manner in which it is encircled by the remaining open land of the river valley. This has now been tamed into the Shortlands Golf Course to the north and the Valley School Recreation Grounds, Queen's Mead Bowling Club, Queen's Mead and Martin's Hill to the south and east. The latter two are part of Bromley Town Centre Conservation Area and not part of this assessment.

The bowling green on the north side of Queen's Mead has a group of elegant pines around its manicured green and there are clusters of trees at the end of Martin's Road and Recreation Road which all contribute to the verdant envelope of Queen's Mead. Valley School Recreation Grounds lies between St Martin's Hill and the school on Beckenham Lane. This includes the field below Pixfield Court, and which forms part of its setting. It is bounded by hedges and trees preserving a rustic character and contributes positively to the setting of both Pixfield Court as well as Shortlands Village itself (Fig. 4). The Shortlands Golf Club is a long strip of land to the east of the river and Ravensbourne Road that has been a golf club since the late nineteenth century. The greens are surrounded by groups of trees, in particular birches.

Recreation Road, Martin's Road, Shortlands Gardens and Meadow Road have tiny front gardens with very little room for planting so that the views of trees and green open land at the ends of the roads provide an attractive contrast and softening effect to the built environment. The replacement apartment blocks on Martin's Road have expanses of lawn in front that harmonise with the views of Queens Mead beyond. There is also a group of trees between Martin's Road and 10 Station Road which are protected by a TPO and can be partially seen from Queen's Mead and the bowling green.

Station Road and Beckenham Lane lack greenery with the exception of a few surviving front gardens that haven't been converted to hard standing and the area of lawn where the two roads meet.

Ravensbourne Avenue is in complete contrast to the above roads and is green and verdant. This is particularly evident on the railway embankment which dominates the south end of the road with its numerous tall mature trees, in particular a run of elegant sculptural pine trees. The road itself is tree lined, at the south end these are mature whereas further north the trees are younger and the road filled with more light as a result. The road also has a verge on both sides which has an additional softening effect. The trees and verges combine with well planted front gardens and large gaps between the pairs of house with views to gardens and trees beyond, creating a green suburban idyll. The Shortlands Golf Club opens on to Ravensbourne Avenue on the east side and has a hedge running along its boundary and provides additional views of trees and greens beyond the car park.

The west side of the railway was always higher status with larger plots and as a consequence is greener in character. Bromley Road has a number of large mature trees within the front gardens rather than directly on the street. The Old Cottage on the corner has a mixed laurel and holly hedge to screen the plot from the busy junction.

The station area is rather bleak in contrast to the surrounding roads but does retain two large trees on its boundary and a group of trees in front of the new apartment block to the south which have a TPO. Numbers 5 and 7 Valley Road have low boundary walls with tall hedging to screen the ground floors. However, it is the listed power stations that really contribute most to the character of the road in terms of greenery. They are both set in large landscaped plots with views to trees on the railway embankment beyond. The Old Pumping Station has been converted and the surrounding gardens are domestic in character with low hedges, lawns and specimen trees.



Fig. 5. View from pedestrian bridge at Queens Mead, looking north

Gaps and views

The area is characterised by the numerous views, both short and long to the wider area of open land and surrounding wooded hillsides. The railway carves through the river plain creating an important gap in development, this provides distinctive views both along the line and broader wider views from the height of the viaduct to the hillsides on either side of the river valley. These views are particularly memorable from the station platforms and from the pedestrian bridge between Queen's Mead and Valley Road (Fig. 5). The views along the railway looking northwest with the tower and chimney of the pumping stations punctuating the skyline above the tree screen along the railway are particularly appealing.

There are a number of landmarks both within and outside the assessment area that create arresting views. These include the two pumping stations discussed above as well as Pixfield Court and St Peter and St Paul's parish church on the top of Martin's Hill. The church is visible in a key views, looking up from the Queen's Mead area and the pedestrian railway bridge. Pixfield Court is viewed across the Valley School Recreation Grounds from the footpath that runs next to the river, this is an important surviving historic view.

Green views of the surrounding open space at the ends of the roads are a key characteristic of the area. Key examples are found at the end of Recreation Road and Martin's Road, which has wide gaps either side of 1-11 Martin's Road with views along the footpath parallel to the river on the left and across Queen's Mead framed by elegant pines on the right. Shortlands Gardens and Meadow Road have views to the north with trees within the golf course visible above the low buildings at the ends of these roads.

There are views along the roads in both directions. Those that stand out are Station Road and Beckenham Lane. Station Road has memorable views along its length, when looking south it is possible to see the chimney of the power station rising above the viaduct and the trees of Queens Mead closing the view of the end of the road. (Fig. 2). Beckenham Lane

curves creating interesting views when looking eastwards with the wooded hillside rising behind. Conversely from Valley Primary School, looking west, the hillsides rise above the railway viaduct. There are also key views into the golf course at Ravensborne Avenue.

The lower status roads have few gaps being mostly terraced housing. Ravensbourne Avenue has wide gaps between the pairs of semi-detached houses allowing for views through to rear gardens and the golf course beyond. The gap created between Martin's Road and Recreation Road for the culvert and footpath is also important, there are both views along it and to the rear of the houses on either side.

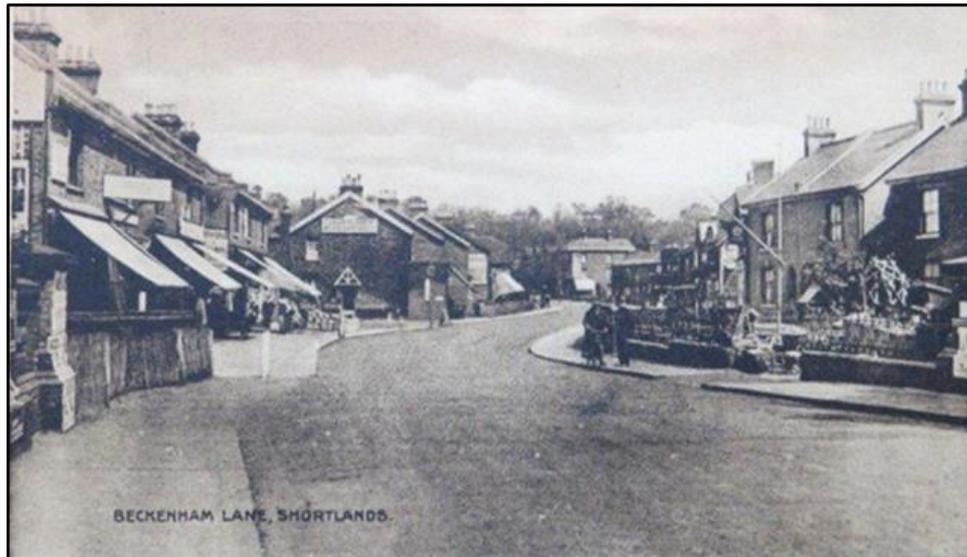


Fig. 6. Beckenham Lane, looking east, old postcard

HISTORIC INTEREST

Early History

The assessment area of this report bridges the historic parishes of Beckenham and Bromley which together formed the hundred of Beckenham and Bromley. The River Ravensbourne formed the natural boundary between the two.

There is evidence of pre-Roman settlement within the wider area at Toots Wood to the south of Shortlands with an iron age hill fort most probably created by the Belgae, a Celtic tribe from north-west France. Roman pottery has also been unearthed on the same site suggesting later settlement during the Roman period. There is no direct evidence of Anglo Saxon settlement but the name of Beckenham suggests their presence, “ham” being an Anglo-Saxon suffix for village or estate while Bromley is thought to derive from the Anglo-Saxon “Brom-leag” meaning a field or heath where broom grows.

The manor of Bromley was given to the Bishop and Church of Rochester by Ethelbert, King of Kent in the eighth century and remained part of the see of Rochester until 1845 when it was sold to Coles Child. At the time of the Domesday survey in 1086, the manor of Beckenham was owned by Odo of Bayeux and leased to Ansgot of Rochester. In the thirteenth century the De La Rochell family owned the manor of Beckenham. It descended in the family and then by marriage to the De Bruyn family eventually descending to the St John family. In 1773 Frederick St John, Viscount Bolingbroke sold it to John Cator who went on to build Beckenham Place to the north of Shortlands.

Eighteenth century maps show the road between Beckenham and Bromley running the existing course of the Bromley Road, crossing the River Ravensbourne at a water splash and following the position of Beckenham Lane across the river valley floor. Shortlands House (now Bishop Challoners School) is thought to date from the early eighteenth century, Shortlands farm sat at the bottom of the slope close to the river, the listed cottage by the station is the remainder of this group of buildings and predates Shortlands House. The name Shortlands is thought to derive from the medieval field system of Shortelands and Longelands describing the length of the fields.

A 1723 estate map of Woolley Farm, owned by Peter Burrell, and illustrated in Borrowman's volume on Beckenham, shows the field layout to the west of what is now the railway. Shortlands Lane and Shortlands Green are named as is Bromley Mead Farm which became Shortlands Farm. The road leading west is the Bromley Road with buildings at the top which are likely to represent Shortlands House (Fig. 7).

By the mid eighteenth century most of the land that is now Shortlands to the west of the railway line was part of the Langley Estate which was focused on Langley Park to the south and consisted of 423 acres owned by Jones Raymond, a merchant and director of the East India Company and South Sea Company. The rest of the land in Shortlands including the Kelsey and Foxgrove estates was owned by the Burrell family. Jones Raymond's sister Amy, was married to Peter Burrell who sold the Foxgrove estate to John Raymond in 1765 having owned it since the late seventeenth century. On John Raymond's death in 1768, his two sisters, Amy and Bridget, inherited both the Langley and Foxgrove estates. When Bridget died in 1789, Amy Burrell was able to acquire her share and the three great estates in the area, Foxgrove, Langley and Kelsey, merged creating one of the largest estates in the country under the ownership of the Burrell family. It then descended to Peter Burrell, later Lord Gwydir.

Nineteenth Century

An 1809 survey of Lord Gwydir's estates illustrates that he owned most of Shortlands, the other major landowner was John Cator based at Beckenham Place. On Lord Gwydir's death in 1820 the estate was sold, 272 acres were within Shortlands and were bought by three men, Edward Cranfield, Emmanuel Goodhart and Robert Gibson, all of whom were subsequently named in the tithe awards of 1832 as landholders.

In 1848 Mrs Palmer, the owner of Shortlands House and estate sold it to William Arthur Wilkinson, MP for Lambeth and Chairman of the Metropolitan Railway. He built agricultural workers cottages next to Shortlands Farm at the bottom of the hill. On May 3rd 1858 the West End and Crystal Palace railway opened with an end of the line station at Shortlands known initially as Bromley Road Station. In 1861 The London, Chatham and Dover Company secured a monopoly over the line and extended it to Dover. There was initially a temporary station structure for passengers however in the 1860s the present station and platforms were built.

Prompted by the arrival of the railway, Wilkinson sold 136 acres of the Shortlands estate in two building plots at £500 per acre in 1863. In July 1864 The Bromley Record wrote "The Shortlands Estate is now being turned into a fashionable neighbourhood. Till the railway reached it, it was only known as a gentleman's seat, with picturesque surroundings, a farmstead and a few neat cottages". Wilkinson died soon after in 1865, bequeathing money to build a church, St Mary's Shortland, which became the parish church of the newly created parish of Shortlands in 1870. In 1876 the family sold the rest of the estate to W. E. McAndrew who went on to sell it for development.

The 1870 Ordnance Survey map was surveyed in 1863 exactly the date that Wilkinson sold most of his estate for development (Fig. 8). It illustrates how rural it was at this date with a patchwork of fields between Beckenham and Bromley with the small hamlet of Clay Hill being the only sizeable settlement between the two. Wilkinson's labourer's cottages are shown, the hatching over this area spreads down the east side of Valley Road suggesting this was ready for development. There are two small station buildings on either side of the line, one may conceivably be the Shortlands Tavern. Shortlands House dominates the hill to the west and Pixfield Court owned by the Latter family to the east. A print from the 1860s is evidence that the three semi-detached houses with two storey bays on Station Road pre-date the development of the area. In 1864 The North West Kent Water Company sank a

shaft in a meadow near the railway line on Valley Road and began to pump water. The Old Pumping Station was built soon after and was worked by two engines.

The censuses of the period show the biggest growth in the number of households was between 1871 and 1881 when the number of households tripled in Shortlands, this would mostly reflect the developments west of the railway where grand suburban villas were going up but also smaller areas to the east of the station focused on Recreation Road, Martin's Road and to a lesser extent Meadow Road.

Prior to development, the river valley was a patchwork of low lying meadows and fields through which the river meandered. A sketch of the area by William Baxter, a local trader and historian, predating development shows a large field to the south of Beckenham Lane known as Upper Common Mead (now Queen's Mead) with a diagonal footpath across it. On the other side of the road was the smaller Lower Common Mead where Ravensborne Avenue and Meadow Road are now situated. The previously meandering River Ravensborne was straightened as it crossed the Upper Common Mead to follow the line of the footpath which now runs parallel to Martin's Road. In 1876, the new bridge was built to replace the water splash allowing the area to the east of Beckenham Lane to be developed.

In 1876 Abraham Nettlefield the owner of an area known as Frogs' Island on Beckenham Lane named "from the vociferous croaking of the bull frogs" decided to build. He built the row of unusual half hipped semi-detached cottages and so began the development of the area. The rest of the area was mostly built over the next four years. Although building on the river's flood plain was not without challenges as in 1878 the river flooded, Beckenham Lane was submerged and the new bridge damaged, it was demolished in 1886 and the present bridge built.

Samuel Cawston bought Bromley Hill House above Shortlands from Lord Farnborough in 1880 and went on to develop the Bromley Hill Estate on its land. He had a strong interest in temperance and mission work and founded the Shortlands Mission and the Valley Coffee House which is thought to be designed by Ernest Newton. The mission hall was on Martin's Road although this was rebuilt in the early twentieth century to a more flamboyant design.

In 1889 the school was built on Beckenham Lane to an Arts and Crafts design by Evelyn Helicar and appears as the largest building in the area on early maps. In 1894, the Beckenham Ladies Golf Club was founded on meadow land to the north of Meadow Road with access to the west onto Ravensbourne Avenue.

The Ordnance Survey map of 1898, surveyed in 1894, shows that Beckenham Lane and Martin's Road were complete by this date (Figs. 9 and 10). Recreation Road is almost complete with the exception of a section in the middle on the west side. This includes the set of five semi-detached houses dated 1887 with alternate half hipped and pitched roofs. The station is also shown with the full length of its platforms and the present station building at street level set behind a house in the present car park, Wilkinson's labourer's cottages have been demolished. The north side of Beckenham Lane is less advanced with Shortlands Gardens not even laid out and only a few houses on Meadow Road and none on Ravensbourne Road. Queen's Mead has become a more formal park with trees planted around its edge and several of the villas on the south side built. On Valley Road the semi-detached houses on the east side of the road next to the station are built as is the terrace on the west side close to the pumping stations.

Twentieth Century

In 1908 the mission hall on Martin's Road was rebuilt to a flamboyant design by George Baines on a 'T' plan. By the time of the 1913 Ordnance Survey map, which was revised between 1907 and 1910, Meadow Road and Shortlands Road have been laid out and completed (Fig. 11). Cator Lodge, the attractive semi-detached houses on Ravensbourne Road, the handsome houses overlooking Queen's Mead and the bowling green have also been laid out. On Valley Road, the terrace shown in 1894 has been extended, this doesn't correspond to the existing buildings on this site which are semi-detached. A new building has appeared at the junction of Station Road and Martin's Road which is labelled the laundry in later maps and which has since been replaced with a modern build.

The Ordnance Survey map published ca. 1934 and revised in 1930-31 shows the development of the semi-detached houses along Station Road as well as the Main Pumping Station thought to date from the 1920s. The nursery to the north of Meadow Road has disappeared and a new building likely to be the Golf Club House has appeared between 30 and 48 Ravensbourne Avenue. The bowling green club house has also been built by this date.

By the late 1950s the central section of Martin's Road on both sides had been replaced by large blocks of flats. The plots on either side of the west end of Martin's Road now have modern apartment blocks.

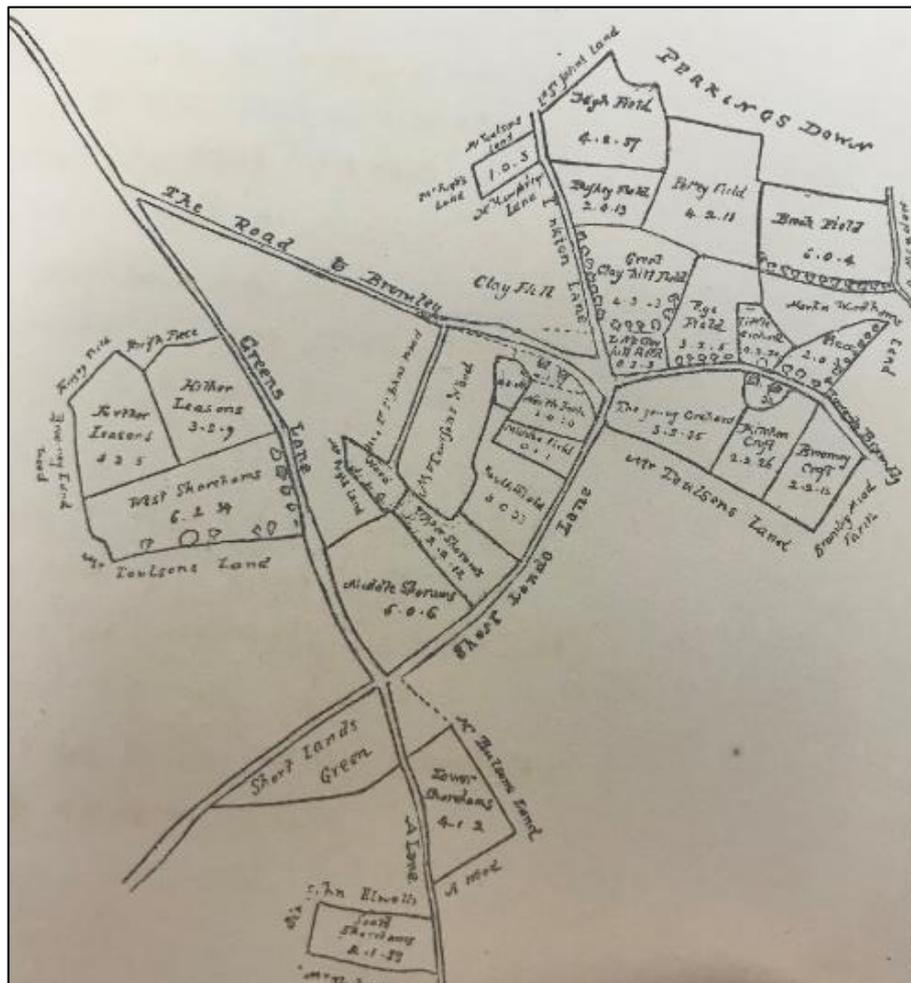


Fig. 7. Wolsey Farm map, property of Peter Burrell, 1723

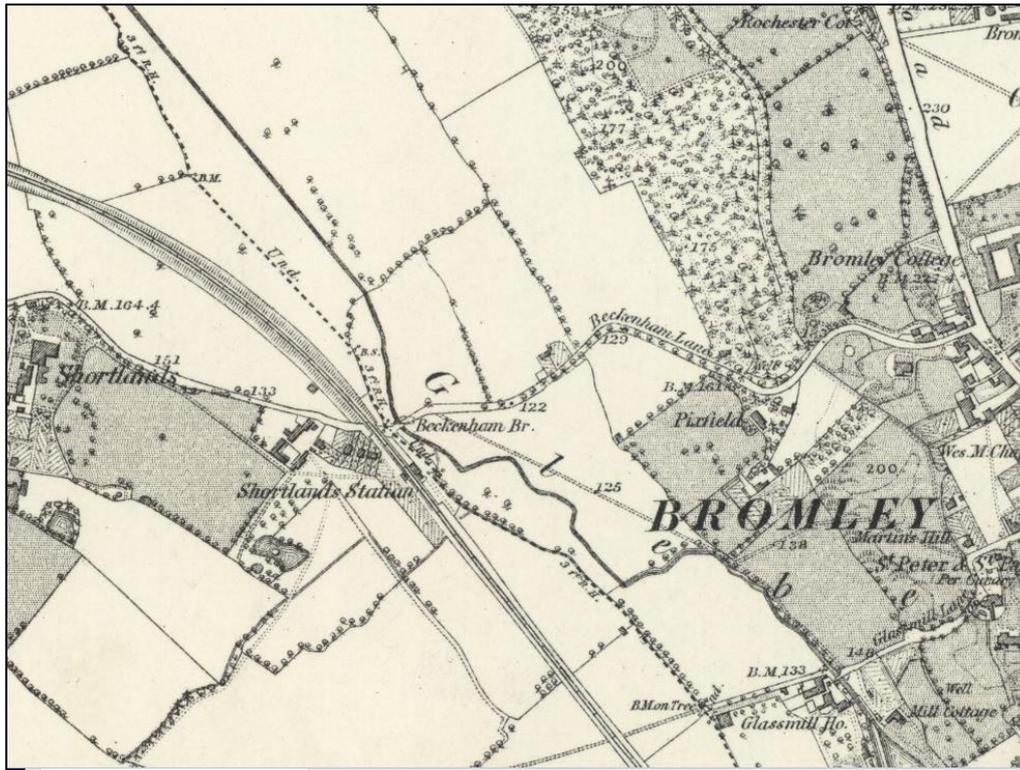


Fig. 8. Ordnance Survey map, 1870

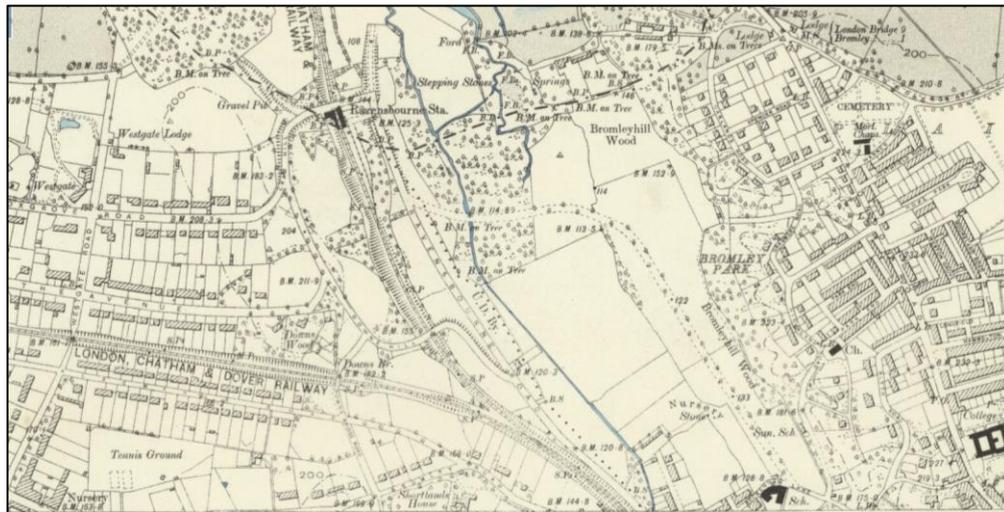


Fig. 9. Ordnance Survey map, 1898



Fig. 10. Ordnance Survey map, 1898



Fig. 11. Ordnance Survey, 1913



Fig. 12. Ordnance Survey, ca.1934

ARCHITECTURAL INTEREST

West of Railway:

Bromley Road

This is the historic road from Bromley to Beckenham rising steeply up to Clay Hill with Shortlands House prominently sited at the top. There are large mature trees on both sides of the road planted in front gardens with the building line generally set well back from the road in generous plots. The proposed area for the conservation area covers the end by the Station on the west side up to Park Hill Road.

The key building here is The Old Cottage, the oldest surviving building in the area and a grade II listed structure (Fig. 13). It is a survival from Shortlands Farm, formerly Bromley Mead Farm, that was a group of agricultural buildings situated at the bottom of the hill close to the river. It dates from the seventeenth century and is timber framed structure of two storeys, stuccoed with an old tile roof. The central chimney stack and front door indicates a baffle entry plan, which is typical of the seventeenth century. The windows to either side are wide leaded casements set in projecting bays which suggest a nineteenth or early twentieth century alteration. The central doorway is also a later alteration although the flat hood may be early.

By the 1890s The Old Cottage was an isolated survival, its farm buildings having been demolished and three large plots carved up to Park Hill Road facing onto Bromley Road. The first houses to be built were a semi-detached pair close to the junction of Park Hill Road. One would surmise that the left hand unit is the surviving number 250 and the right hand unit was demolished in the 1960s to make way for Drayton Court, the apartment block on the corner site. However, the side elevation of number 250 with windows and red brick detailing contradicts the evidence of the maps and is confusing. It is however a handsome red brick Victorian villa of two storeys with an attic (Fig. 14). To the left is a double height bay with a gable above with an attic window. The central door reached up four steps has a gothic pointed porch with columns to either side and gothic capitals. The original half-light door survives. It has lost its front garden which is now hard standing.

By the first world war, a pair of semi-detached houses, number 254 and 256, had been built directly adjacent to The Old Cottage and survive. These are two large two storey Edwardian semi-detached houses which retain their front gardens and are well screened behind trees at the front of the plot (Fig. 15). Their ground floors are red brick with half-timbered and pebble dashed first floors. They have prominent gable ends with brackets over square bay windows below. Number 256 preserves decorative timberwork supporting the porch. The doors are both original. The red brick stacks are prominent and visible from Shortlands Road.

The infill housing, number 252 and 252a and Drayton Court hold little architectural interest.

Valley Road

This was laid out after the railway was built. The first building to be built was the listed Old Pumping Station in the 1860s followed by plots on the other side of the road in front of the Main Pumping Station. The Main Pumping Station dates from the 1920s. Numbers 5 and 7 close to the station on the east side date from the 1880s while Nightingale Court appears to date from the late twentieth century. The rest of the road was laid out predominantly in the 1930s and is not part of the assessment area.

Numbers 5 and 7 are two and half storey semi-detached houses in red brick with tiled roofs (Fig. 16). Their gables are half timbered with pebble dashed infill. The original front doors

were set back within their porches although number 7 has now been closed in. Number 5 has a large side extension in matching materials and has modern windows. While attractive there has been a high degree of alteration. Nightingale Court, the modern block at the corner holds little architectural interest.

Both of the pumping stations are listed grade II and collectively, despite later conversion and infill development, contribute positively to Valley Road not only through their architectural interest but also through their verdant leafy settings. The older station is next to the pedestrian railway bridge and dates from 1866 (Fig. 17). It is a tall two storey building on a plinth built of Kentish ragstone under a hipped slate roof. It is built in a romantic French gothic style with circular turrets, lance windows and buttresses, the effect is charming particularly when viewed from the railway bridge.

The later Main Pumping Station is between one and three storeys built of Kentish ragstone under a pantile roof and was clearly designed to compliment its neighbour in terms of materials (Fig. 18). However, it takes its architectural style from more classical references with second floor lunette windows inspired by Roman baths and neo-Georgian style windows with a mixture of round and flat architraves. Its character is more substantial and block like than the earlier pumping station but collectively they form a distinctive group.

Opposite the Main Pumping Station is a group of three tall semi-detached houses, numbers 46 to 56 (Fig. 19). The land slopes upwards from the road on this side and the houses are set back behind long front gardens. The right hand pair, numbers 46 and 48, have four storeys to the front with the entrance at first floor level and a hipped slate roof with distinctive bracketed eaves. This pair has a more elegant early Victorian character than the other two, numbers 50 to 56, which have pitched roofs and dormers. An engraving of the 1860s shows three pairs of houses in the style of numbers 46 to 48. This might be artistic license but it may also indicate that the other two houses were later replacement buildings. Supporting the idea of a rebuild is the fact that the maps show a continuous terrace at this point which does not correspond to these semi-detached pairs of houses.

Shortlands Station

When the railway first opened in 1858 there was a temporary station. Subsequently a new station was built on the west side of the viaduct in the 1860s. It was set back behind another building which was only demolished in the twentieth century to increase the parking area in front.

The station is a single storey red brick building with slate roof set adjacent and perpendicular to the west side of the railway viaduct (Fig. 20). It has projecting gables at either end and a modern canopy over its central entrance. It retains its original sash windows with small panes in the upper half with a nine over two arrangement. Internally it is vaulted and leads under the viaduct to two sets of staircases up to the platforms.

The platforms are the most architecturally interesting aspect of the station preserving original and decorative ironwork fencing around the stairwells topped with mitres referencing the Bishops of Rochester (Fig. 21). Iron columns and beams support the roof that now has a modern corrugated roof covering. Each platform has two built structures constructed of London stock brick with red brick detailing preserving original windows and doors (Fig. 22). The quality of the surviving iron work is extremely good and the views out from the platform towards St Martin's Hill are impressive (Fig. 23). The buildings are undesignated but should at the least be considered for local listing particularly the platforms.

East of Railway:

Beckenham Lane

This is the continuation of the historic Bromley Road as it crossed the river valley floor hence its meandering character which lends itself to interesting views along the road. Development began in the 1870s following the straightening of the River Ravensbourne to the south. Most of the building work went up within a four year window between 1876 and 1880 although some of the more prominent buildings were built in the 1880s and there have been later additions. The road is mostly two storeys built of London stock brick which creates unity along the road despite the varied types of buildings most of which are set back from the pavement and on small narrow plots.

As the road begins its ascent up Martin's Hill there are two Arts and Crafts houses that it is proposed to include within the conservation area, these are number 2 Farnaby Road and 14 Beckenham Lane (Fig. 24). These are brick and rendered asymmetric compositions with steep roofs, jutting gables and small painted windows. They are prominently sited on the curve of the road on steeply rising ground. They are in contrast both in terms of scale and style to the rest of the assessed area.

South side

Commencing at the east end, this stretch begins with Valley Primary School designed by Evelyn Helicar in 1889 (Fig. 25). This is a large low complex of buildings sited at the bottom of Martin's Hill with the land rising steeply behind. It is predominantly red brick with tile hung gables and sits directly on the pavement with brick buttressing. The window openings are large and prominent but have sadly been replaced by modern windows. The juxtaposition of tiled pitched roofs is arresting as the road curves around the school. To the rear is an attached building with a domestic appearance with an entrance arch through which the school is entered.

Adjacent to the west numbers 39 to 47 form two pairs of simple artisan cottages their simplicity relieved only by bay windows at ground floor level (Fig. 26). Number 39 is attached to the left hand pair and is gable ended and grander with slightly projecting windows to the front. All are London stock brick with slate roofs set back from the road some with low brick walls or picket fences. The windows are modern and numbers 45 and 47 now have rendered pebble dash fronts.

Numbers 49 to 53 is a handsome three storey tall parade of shops (Fig. 26). These are constructed of brick which is now painted. The third floor is half timbered with pebble dash infill with dormers above the windows breaking through the eaves. Number 49 no longer has its shop front, while number 51 and 53 have quite well preserved shop fronts. The windows are all modern. Number 55 on the corner of Recreation Road is a stand alone building of London stock brick with a slate hipped roof to the road. It is flat fronted with a modern shop front and windows.

Number 57-63 is a terrace of four houses constructed of London stock brick with a slate hipped roof at either end set back behind small front gardens (Fig. 27). They have a bay window and recessed porch on the ground floor and a wider than average window on the first floor. Number 57 has a modern shop front and may not originally have been planned as such, it has lost its front garden which is now hardstanding. Number 65 is a detached house that is an infill development likely to date from the 1930s and is of little architectural interest.

Number 67-73 is a grander terrace of houses constructed of London stock brick with red brick decorative detailing (Fig. 27). The roof is pitched with sprocketed eaves now covered in pantiles. The ground floors have bay windows, flush front doors and two windows on the first

floor. They have red brick flat segmental arches above the windows and doors which are partially carved with wave patterns. There are also terracotta decorative panels above the entrance doors and several decorative red brick courses. Sadly the front boundaries have disappeared and this is now hard standing for parking.

Number 75 to 85 is a parade of shops built in an ad hoc way but unified in its use of materials (Fig. 28). The initial buildings on this site were smaller and shallower. Number 77 is clearly a later infill and must replace an earlier building given the map evidence. Number 75, 83 and 85 are tall buildings which are prominent in views along the road.

The Valley Coffee House (no 87 and 87b) was built in 1881 as part of the Shortlands Mission (Fig. 29). It was built as an alternative to a public house in response to the temperance movement. It is vernacular in style with steep roofs, half hipped at either end with decorative ridge tiles and tile hung gables to the front, in the centre is a dormer window. It is constructed in London stock brick with a clay tile roof. The first floor windows are modern and may reflect an earlier arrangement. On the ground floor the shop fronts are timber framed, the fascias and tops of the windows with small panes are original where they survive. The central three doors, one to access the first floor and those to either side to access the shops are modern. It was extended in the mid-20th century to the right with a flat roof brick extension. The architectural effect is charming and rustic.

Originally there was a larger gap between the Valley Coffee House and its neighbour to the west. However, it was partially infilled in the Edwardian period but set back. By the 1940s there were two houses squeezed in. Number 89 is clearly older than number 89a. They have slate pitched roofs and London stock brick elevations with red decorative brick work. The shop fronts are modern.

Numbers 91 to 99 now form a terrace of shops but were originally two pairs of semi-detached houses seen in early photographs with walled front gardens (Figs. 6 & 30). No 93a has infilled the gap and the whole group is now rendered and shop fronts inserted. It is not clear when number 99 which is at the west end was added on. As a whole the alterations are so great to the front that they no longer hold much architectural interest as a group.

North side

This side begins a modern development, Shelbey Court of little architectural interest on the corner with Farnaby Road. This is followed by a small parade of shop, numbers 34-42, built in the early twentieth century and unusually for the area in yellow brick with distinctive gables each with an oriel window with the exception of the wider unit at the west end which has an additional flush window (Fig. 31). The shop fronts are now modern.

To the west begins a run of distinctive half hipped semi-detached houses built by Adrian Nettleford commencing in 1876 on the area known as Frog's Island. There are four east of Shortlands Gardens and five to the west varying in design. Those to the east are closer to the road with smaller gardens behind low walls and are in a straight building line with ground floor bay windows and entrances to the side (Fig. 32). The pair next to Shortlands Road is a pair with shops onto the road. The right-hand shop is entirely modern but the left preserves its tilted fascia, brackets and characterful shop front. They are built of London stock brick with red brick used decoratively in segmental arches and decorative brick courses on the bay windows.

Those houses to the west of Shortlands Road have flat front elevations and deeper front gardens which have varied planting and small trees (Fig. 33). More distinctively they are set back from each other as the road curves creating an arresting rhythm in longer views. The corner house on Shortlands Road has a shop although unlike the pair opposite its other half

does not. The windows have been replaced and some openings altered, elsewhere the fronts of some of the houses have been rendered.

To the west is a group of narrow semi-detached houses with side entrances and ground floor bay windows, each set well back from the other so that from the west their side elevations create an appealing rhythm (Fig. 34). Number 80 and 82 has a large shop front covering the width of the building and is unlikely to be original. The materials are London stock brick with runs of decorative red brick courses and probably clay tile roofs originally, number 94 preserves this. Number 94 also has an early shop front, although possibly added at a later date, as well as an eye catching wooden bracketed porch onto Meadow Road.

West of Meadow Road are two sets of small terraces dating from the early development constructed of London stock brick (although now rendered) with tiled roofs (Fig. 35). One is three houses (96-100) the other four (102 to 108). This was always a parade of shops although they are now largely modern, no. 108 has the best preserved shop front with brackets and fascia. On the first floor are single windows now all modern. To the west is a small brick terrace, modernist in style with a flat roof and a parapet probably dating from the 1930s. The brackets are original but the shop fronts modern.

South of Beckenham Lane:

Station Road

This road was laid out after the building of the railway and has some of the earliest buildings in the area. It runs parallel and adjacent to the railway and the railway viaduct contributes to its distinctive character which includes long views to Queen's Mead at the south end and across to the chimney of the 1920s Pumping Station (Fig. 2).

The blocks of flats at the end of Martin's Road are modern and hold little architectural interest. The Shortlands Tavern further south is a simple London stock brick building with a hipped tiled roof which has been remodelled probably in the Edwardian period as a public house (Fig. 36). It has a glazed tile ground floor on the north elevation above which is a bracketed hood across its full width. The north elevation also has a Serliana window with a door opening onto the door hood which was probably once a balcony. The first floor is rendered on the north and west elevations. The west elevation has five arches along the ground floor that appear to have been infilled. The 1870 Ordnance Survey map shows a building in this location which is likely to have been built in connection with the railway and may well be the Shortlands Tavern although it is only recorded as a public house from 1881.

To the south are a series of tall three storey terraces and semi-detached houses that pre-date the development of the rest of Shortlands Village and which have an elegant early Victorian character (Fig. 38). Number 1 to 4 has gable ends with two storey side extensions with parapets for their entrances and large bay windows. The adjacent houses are three semi-detached pairs with low hipped roofs, double storey bay windows and recessed porches. Number 5 and 6 have been rendered.

Martin's Road

This is one of the first roads laid out and completed within the area. It is residential in character with modest two storey terraced houses with small front gardens. The middle of the road was rebuilt with social housing in the twentieth century. Views along Martin's Road from the Beckenham Lane end are framed with a backdrop of Queen's Mead seen through pine trees (Fig. 38).

In 1908 the Congregational Church was built to a design by George Baines which combines traditional ecclesiastical forms with more contemporary Voyseyesque flourishes (Fig. 39). It

is constructed of red brick with stone facings and set back from the street behind a modern metal fence. There is a central hall with a large gothic tracery window to the street accessed from the three sided entrance porch below. This has wooden double doors on either side and a gothic tracery window between. There are hipped roof side extensions to the street with gothic tracery windows and decorative finials on the roof. Most striking are the tapering towers on the front elevation that are topped with flamboyant metal finials. The roof has a cupola visible in longer views from the side. To the rear was a mortuary chapel which has distinctive fish scale roof tiles. The building is now used as a nursery.

91 to 79 are small rather charming workers cottages probably built in two phases. They are constructed in London stock brick with red brick details and originally slate roofs behind what were once small front gardens. The entrances were originally slightly recessed but now mostly have modern flush doors. They are punctuated with small projecting gables which add interest and are echoed at the south end of the road. Opposite, number 82 to 76 were probably similar but have now been rendered and lack the charm of those on the other side of the road.

The central section of Martin's Road is dominated by social housing replacing terraces that had gone up in the 1880s. This development is three storeys high but doesn't over dominate due to the central section being set back from the building line behind long lawns. The buildings are brown and red brick with partially rendered ground floors under hipped pantile roofs. The doors to each block are under flat hoods and the windows are all modern UPVc.

The south end of the road has similar workers cottages as described above (28 to 14 east side and 35-13 west side) although these have the addition of dentilled eaves (Fig. 40). Many are rendered and painted however a few retain their stock and red brick elevations. The gables have preserved their decorative barge boarding particularly on the east side (numbers 26, 20 and 14). It is also on the east side that the small front gardens are better preserved.

The road turns to meet Recreation Road. The terraced housing here is a continuation with dentilled eaves. On the side overlooking Queen's Mead several houses now have pairs of modern lean-to porches. No 1 has a modern side extension.

Recreation Road

This road is better preserved than Meadow Road which it links to. They share similar views of trees and Queen's Mead at the south end (Fig. 41). Also at this end is the culvert of the River Ravensbourne and parallel footpath between the backs of the terraces of Meadow Road and Recreation Road. The character is small scale and domestic.

Numbers 2 to 20 on the west side are five semi-detached houses similar to those on Beckenham Lane built by Alfred Nettlefield. The roof shape alternates between half hipped gambrel roofs and pitched roofs, all with dentilled brick eaves. They have tiny front gardens, some behind picket fences and side entrances accessed between the gaps in the houses. Originally built of brick they are now all rendered. Chimney stacks are located in the centre over the ridge. These are the largest houses in scale on the road.

Elsewhere the houses are diminutive workers cottages. The road was complete by the early 1890s with the exception of numbers 22 to 40 (Fig.42). These are smaller with a lower ridge height than the rest of the road. They are flat fronted London stock brick terraces with a window on each floor, flush front doors and set behind tiny gardens with charming picket fence boundaries.

The east side of the road has many examples of bay windows on the ground floor, some canted others square with tiled or leaded roofs (Fig. 43). These add interest in longer views of the road. The character of the houses is overwhelmingly small and artisan with only a few exceptions, the Nettlefield houses mentioned above and numbers 52 and 54 which are double fronted but still small in scale.

Queen's Mead Road

Queen's Mead Road curves around Queen's Mead on its west and south sides and is a continuation of Station Road. It is lined with an avenue of trees, many of which are mature specimens (Fig. 44). On the south side of Queen's Mead are handsome Victorian villas overlooking the park, where the road bends in front of these is the railway footbridge across to Valley Road.

On the north side of Queen's Mead is the bowling club this has a small weatherboarded club house built in the 1920s which contributes positively to the charm and appeal of this area.

On the south side of Queen's Mead are a row of handsome detached, semi-detached and terraced houses set back behind low walled gardens often with hedges screening the house. The grander houses are closer to Glass Mill Lane. On the corner of Glass Mill Lane originally stood Glass Mill House later The Valley, this was demolished by the 1970s and replaced with a modern development of little architectural interest. To the south of this is a run of five handsome detached villas. The first, number 13, is different in style possibly later and seems to have originally stood within the curtilage of The Valley. It is two storeys under a hipped tiled roof with a finial on the ridge and curved tile hung two storey bay window and recessed porch to the front.

The next four houses are similar in character and detail (Fig. 45). These are two and a half storey London stock brick houses with red brick front elevations with stone dressings and pitched slate roofs. They have a large and small gable to the front, steps up to the half glazed door with leaded stained glass main entrances and square bays to either side, the smaller bay to the right has a balcony above which spans the main entrance creating a porch. Number 15 has lost its balcony but they are otherwise in a good state of preservation, much of the stone work has been painted. The overall effect of these houses is grand and high status with their prominent position overlooking the park

Adjacent is a group of three semi-detached pairs of houses that are smaller in scale. The outer pairs appear to have red brick elevations while the pair in the middle are brown. Originally they had hipped roofs but these have mostly been converted to gable ends now. They have small half-timbered gables to the front and double height square bay windows. Most eye catching of all they all have steep pitched roof timber porches with finials under which are stained glass entrance doors.

The two semi-detached houses up to Bromley Gardens (35-41) are similar in detail but larger in scale and were built with pitched roofs and an attic floor with a dormer to the front (Fig. 46). The other side of Bromley Gardens (43-53) the semi-detached houses reduce in scale again but retain pitched roofs. They are stock brick with red brick elevations and double height canted bay windows. 47-53 have dentilled eaves and diagonally laid brick work below. 43-45 just has the diagonally laid brick work. No. 53 next to the railway has a large side extension.

North of Beckenham Lane:

Shortlands Gardens

This was laid out later than the other roads and appears in maps surveyed from 1907 onwards. It runs parallel to Beckenham Lane and in effect is two *cul de sacs* either side of the road leading to Chart Close which was laid out in the 1960s (Figs 47 and 48).

The east side is terraced in the same style on both sides, this is replicated on the north side of the western *cul de sac*. There is a break between the terraces four houses along. They are modest artisan scale houses built in stock brick with red brick elevations, some of which are now rendered and/or painted. Their most distinctive feature is the ground floor square bay windows with lean-to tiled roofs. The windows were originally sash but have now mostly been replaced and doors are set in shared recessed porches. They have tiny, mostly walled front gardens.

Number 2 to 16 on the west side of Shortlands Gardens are different in detail and more austere in character. They are also red brick terraced houses with a break four houses along. However, they are set directly onto the pavement. They appear to be flats with two doors set within a recessed porch for each house. They have barge boarded gables some preserving finials on top.

Meadow Road

This road is a mixture of small terraces and semi-detached houses set behind small often walled front gardens (Fig. 49). The end of the road once led to a market garden nursery but now leads to the rear of the clubhouse of the golf course. The first sections to be built are on the west side near Beckenham Lane and further up on the east side near the clubhouse. By 1907 the road was complete with a few later insertions. The houses are constructed of London stock brick with some red brick detailing. There are occasional fully red brick elevations but the road is now predominantly rendered and/or painted. The roofs are pitched with mostly pan tile roofs. There is more variety of detail and form on this road than elsewhere off Beckenham Lane.

The west side commences with a terrace of four houses with canted bays on the ground floor with tiled roofs, recessed porches and two narrow windows on the first floor. The next pair, numbers 7 and 9 would originally have had a similar form but number 9 has been completely remodelled and holds no architectural interest. Numbers 15 and 17 have lower ridges but deeper canted bays and have preserved their brick elevations while number 19 is detached and has a gable end to the road and a double height square bay (Fig. 50). At the end of the road on the west side, numbers 25 to 41 is one single terrace of double height bays with half-timbered gables above, small mono pitched roofs over front doors with door lights above. They have pairs of sash windows on each floor which are now almost entirely replaced. Sadly, they have all been pebble dashed and some painted losing much character in the process. Number 45 at the end of the road is a modern insertion.

On the east side of the road Numbers 50 to 44 is a similar terrace to 25 to 41 without half-timbered gables and retaining their red brick elevations (although two have now been painted). Number 42 and 40 is a handsome semi detached pair of London stock brick houses with large double height bays with brick dentilled eaves (Fig. 51). They have contrasting yellow brick segmental arches above the window openings and entrances are to the side rather than the street.

Numbers 34 to 28 are now mostly painted but were constructed of stock brick with red brick detail and follow other examples with monopitched roofs running across their bays, creating

a shared porch. Number 30 uniquely has timber posts and a timber grill supporting the porch roof. 20 to 26 is a slightly different terrace perhaps built later as it has different proportions. It has red brick ground floors, rendered and painted first floors and a monopitch roof that runs the full length of the terrace across the porch area and square ground floor bays. They are set marginally further back so their gardens are deeper. Number 18 to 4 is a single terrace with canted double height bays and recessed porches. The houses at either end have gables the rest have hipped roofs over their bays. They have unusual carved stone lintels over the window openings and porch.

Ravensborne Avenue

Ravensbourne Avenue runs between the river and the railway probably following the line of an earlier private carriage drive up to Beckenham Place and was laid out by the mid-1890s and work began on building the houses after this date (Fig. 52). The proposed conservation area covers both sides of the road from the station up to Downs Hill on the west side and continues on until Farnaby Road on the east side. The east side has semi-detached houses of varying scale and design set back behind long well planted gardens behind low brick walls in wide plots. The small section of houses on the west side are mostly modern either detached or terraced. The road is elegant and verdant and the scale of the plots and the houses and their details is evidence of the higher status of this road in comparison to the other roads of Beckenham Lane.

Cator Lodge is an individual building at the beginning of the road (Fig. 53). It was built as a toll house to access the drive to Beckenham Place. It has a red brick ground floor and rendered first floor with circular imprints indented into the render under a clay tile covered asymmetric pitched roof which sweeps down on its south side. It has a gable end to the street as well as a further projecting gable on the south side. The ground floor was previously open for the taking of tolls but has now been infilled, to the right is a triangular oriel window with leaded roof and decorative brickwork with leaf patterns projecting at intervals to either side. The windows on the first floor are timber framed casements with red brick architraves. The effect is vernacular and charming.

Number 4 and 6 are later infill semi-detached houses. Beyond is a run of characterful originally hipped roofed stock brick with red brick detail semi-detached houses set within wide plots with prominent gaps between them leading to views of trees behind, sometimes above new garages. There are six pairs either side of the gap into the Shortlands Golf Club. Those on the south of the gap have mostly double height bay windows with small hipped roofs and monopitched porches. Numbers 8 to 14 and the north side of the gap have ground floor bays with monopitched roofs stretching across the porch and bays (Fig. 54). Rather than a gable to the front, as at 8 to 14, the houses to the north have small triangular attic dormers set in the roof slope above the windows, which in several cases have now been removed. These houses are particularly notable for the posts and fretwork that support their monopitched porch roofs, numbers 12 and 14 are particularly well preserved. Many of the houses are now rendered and painted but number 8 and 26 retain their brick elevations and are evidence of the extent of the use of red brick for decorative effect. Some of the houses have lost character through unsympathetic loft and side extensions.

Numbers 72 to 82 are rather ordinary hipped roofed 1920s/30s semis with semi-circular double height bays with gables above. Beyond at numbers 88 to 94 are two pairs of more architecturally interesting houses. These were built by 1914 and there are three further pairs further along at numbers 124-134. These are two and a half storeys with pitched roofs with gable ends to the road (Fig. 55). They are large with half-timbered gables, brick ground floors and rendered first floors. Their front elevations are broken up with wide square bay windows with leaded top lights and attractive pitched roof porches supported on brackets with half-light leaded front doors. As a group the effect is rhythmic and eye catching.

Number 108 to 114 are really good handsome turn of the century villas that were completed by 1913 (Fig. 56). They are two and a half storeys, hipped roofed, stock brick with red brick detail, gables to the front with flat door hoods supported on timber posts (rebuilt at number 114). The square double height bays are entirely red brick with rendered gables and unusual windows which fill the entire top of the gable.

116-118 is a very plain possibly 1930s infill with a brick base and rendered first floors with some surviving Critall windows to the front. 120-122 is an uninspiring 1930s mock Tudor pair of semis. Next door is a run of pitched roof gables to the front houses that were described earlier. The rest of the road up to Farnaby Road is an unexceptional yet attractive run of semi-detached 1930s houses.

The west side of Ravensbourne Road up to Downs Hill is modern 1960s/70s houses. 95 and 97 appear to compliment the gable to road houses on the opposite side 99 Ravensbourne Avenue and its other side 1 Downs Hill are the only clearly historic semis in this section. They are brick and pebble dash set back and up by the railway track with half-timbered gables to the front and not of great interest.

Golf Club.

The club house to the golf club was built in 1973 replacing the 1920s club house that had been situated on Ravensbourne Avenue (Fig. 57). This one is accessible from Meadow Road and takes full advantage of the long view across the golf club to the north. It is a single storey flat roofed building with timber cladding and large windows with a modernist character.



Fig. 13. The Old Cottage, north-east elevation



Fig. 14. 250 Bromley Road, north east elevation



Fig. 15. 256 Bromley Road, north east elevation



Fig. 19. 46 to 50 Valley Road, east elevations



Fig. 16. 5 & 7 Valley Road, west elevation



Fig. 20. The Station and forecourt, north elevation



Fig 17. Old Pumping Station, west elevation



Fig. 18. Main Pumping Station, west elevation



Fig. 21. Station platform, ironwork



Fig. 22. Station platform, looking south



Fig. 25. Valley Primary School, south and west elevations



Fig. 23. Station platform, looking east



Fig. 26. 39 to 55 Beckenham Lane, north elevations



Fig. 24. 2 Farnaby Road and 14 Beckenham Lane, west elevations



Fig. 27. 57 to 73 Beckenham Lane, north elevations



Fig. 28. 75 to 85 Beckenham Lane, north elevations



Fig. 31. 34 to 42 Beckenham Lane, south elevation



Fig. 29. Valley Coffee House, north and west elevation, now boarded up



Fig. 32. 48 and 50 Beckenham Lane



Fig. 30. 89 to 99 Beckenham Lane, north elevations



Fig. 33. 60 to 78 Beckenham Lane



Fig. 34. 80 to 94 Beckenham Lane, west elevations



Fig. 37. 1 to 10 Station Road, west elevations



Fig. 35. 96 to 108 Beckenham Lane, south elevation



Fig. 38. Martin's Road, looking south elevation



Fig. 36. Station Tavern, north elevation



Fig. 39. Congregational Church, Martin's Road, south west elevation



Fig. 40. 33 to 13 Martin's Road, north west elevations



Fig. 43. 37 to 69 Recreation Road, east elevations



Fig. 41. Recreation Road, looking south



Fig. 44. Queens Mead, looking west



Fig. 42. 26 to 40 Recreation Road, west elevations



Fig. 45. 17 Queen's Mead, north elevation



Fig. 46. 35 to 41 Queens Mead, north elevations



Fig. 49. Meadow Road, looking north towards the golf club



Fig. 47. Shortlands Gardens, looking west



Fig. 50. 15 to 23 Meadow Road, west elevations



Fig. 48. Shortlands Gardens, looking east.



Fig. 51. 40 to 50 Meadow Road, east elevations



Fig. 52. Ravensbourne Avenue, looking north



Fig. 55. 88 to 94 Ravensbourne Avenue, west elevations



Fig. 53. Cator Lodge, south elevation



Fig. 56. 108 to 114 Ravensbourne Avenue, west elevations



Fig. 54. 8 and 10 Ravensbourne Avenue, west elevation



Fig. 57. The Shortlands Golf Club clubhouse, north and west elevations

CONCLUSION

Shortlands Village is an historically and architecturally interesting suburb that, as with so many suburbs in London, developed following the arrival of the railway and station in the area. In Shortlands' case the station opened in 1858 prompting a flurry of sales of land for development. Initially this was focused on the hillside to the west of the railway with large high status housing. Development in the river valley to the east of the railway was limited until the River Ravensbourne had been straightened and a new bridge built in 1876. In the short space of four years Beckenham Lane and the roads to the south went up, the north side of Beckenham Lane followed on later with Ravensbourne Avenue being built by 1913. Key buildings for the community such as the Shortlands mission buildings and the school were built in the 1880s.

The east side of the railway is mostly characterised by the modest scale of its housing, with the exception of Ravensbourne Avenue and Queen's Mead Road. The houses were built for those on lower incomes working in service to the wealthier households or commuting into London. The community had the enormous benefit of the preserved open spaces of the river valley surrounding it, both defining the parameters of the village as well as being of benefit to the community's health and well being.

There are buildings of interest that predate the main period of development, both within the village area on Station Road and on the west side on Valley Road and Bromley Road, most notably the seventeenth century Old Cottage. These add an additional layer of interest to the proposed conservation area. Of particular interest are the two pumping stations, both listed, at the southern end of Valley Road.

The area is under developmental pressure, as with all London suburbs, particularly those with good transport links to the centre. Most development has been restricted to loft conversions and extensions with some minor infill development which to date has not had a particularly detrimental effect. However, there are several houses that have been remodelled in a way which has harmed their historic character such as 9 Meadow Road or the two storey infill extension between 48 to 54 Ravensbourne Avenue. Some more recent developments have been unsympathetic to the historic context in which they are situated, in particular, Krueger House at the top of Martin's Road, which is out of scale and poorly designed for its context in such a prominent position. Permitted development rights have also allowed an unwelcome degree of change to windows and doors which has had a detrimental effect on the area. Without the creation of a conservation area these patterns of development will continue to the long term detriment of the historic character of the area.

The only existing heritage constraints within the built-up areas are the three statutory listings and two local listings. The national listings provide strong statutory protection for these buildings and their settings. However, local listing does not afford statutory protection although it is normally linked to a local plan. Without strong protection, particularly against demolition, it is little more than a means to highlight a building of local architectural and historic interest that does not meet the criteria for national listing. The locally listed Valley Coffee House is a case in point and is currently under threat of demolition. Were this within a conservation area or had it met the criteria for national listing, permission for demolition would be required.

Upgrading the area to a conservation area would impose constraints on development that fall outside permitted development rights within conservation areas. Applications would be required to either preserve or enhance the conservation area thereby ensuring a higher standard of design and greater sensitivity to the historic character of the area. The effect of which would be to manage change more sympathetically within the area.

Given the importance of the green open spaces and the trees to the character of the area, conservation area status would afford additional control over works to trees both in open spaces, gardens and along the roads.

The key to designating a conservation area is whether it meets the “special architectural and historic” interest criteria. This report has shown the historic interest of the development of this area with the enormous changes that occurred following the arrival of the railway. This has clearly been sufficiently interesting to afford protection to the Shortlands Conservation Area. The question remains then, whether the Shortlands Village area is of sufficient architectural interest. Too often the larger grander higher status buildings command attention and are protected within conservation areas. Shortlands Village’s overriding character is that of modest railway village with artisan housing for those on low incomes and is no less interesting for that. It is a clearly defined historic community within Shortlands with the amenities that stem from this and has a special architectural interest of its own distinct from the more historically affluent areas of Shortlands.

The setting of the village within the open spaces of the river valley is also key to the area’s character. Some of this is already protected within the Bromley Town Centre Conservation Area. However, conservation area status would protect the Valley School Recreation Grounds, Queen’s Mead Bowling Club and the Shortlands Golf Club (although this does have Metropolitan Open Space status) thereby preserving the boundaries of the village as it was originally conceived and protecting the open space for future generations.

It is this report’s conclusion that the proposed assessment area does warrant designation as a conservation area due to the special historic and architectural interest of the area. Conservation Area protection would ensure that the areas distinctive character would be preserved and enhanced going forward.

In addition, in order to highlight the interest of the station and its platforms it is also suggested that this should be locally listed within the proposed conservation area.

Proposal

There are three alternatives to how the area is upgraded and is open for discussion. The area could simply be added to the existing Bromley Town Centre Conservation Area and would be regarded as a separate character area within this (Option A). Alternatively the southern section around Queens Mead and across the pedestrian bridge to Valley Road might be added to the existing Bromley Town Centre Conservation Area, the rest of the assessment area would then form a new Shortlands Village conservation area, this would have the advantage of being a more clearly defined artisan village with fewer exceptions (Option B). Finally, the third option would be to create a new Shortlands Village conservation area for the entire assessment area (Option C).

Recommendation

1. Create a new Shortlands Village Conservation Area based on the three options laid out, options A, B or C.
2. It is the view of this report that the most satisfactory option in order to preserve the special character of the Shortlands Village area would be option B (Fig. 58).
3. Locally list Shortlands Station and platforms.

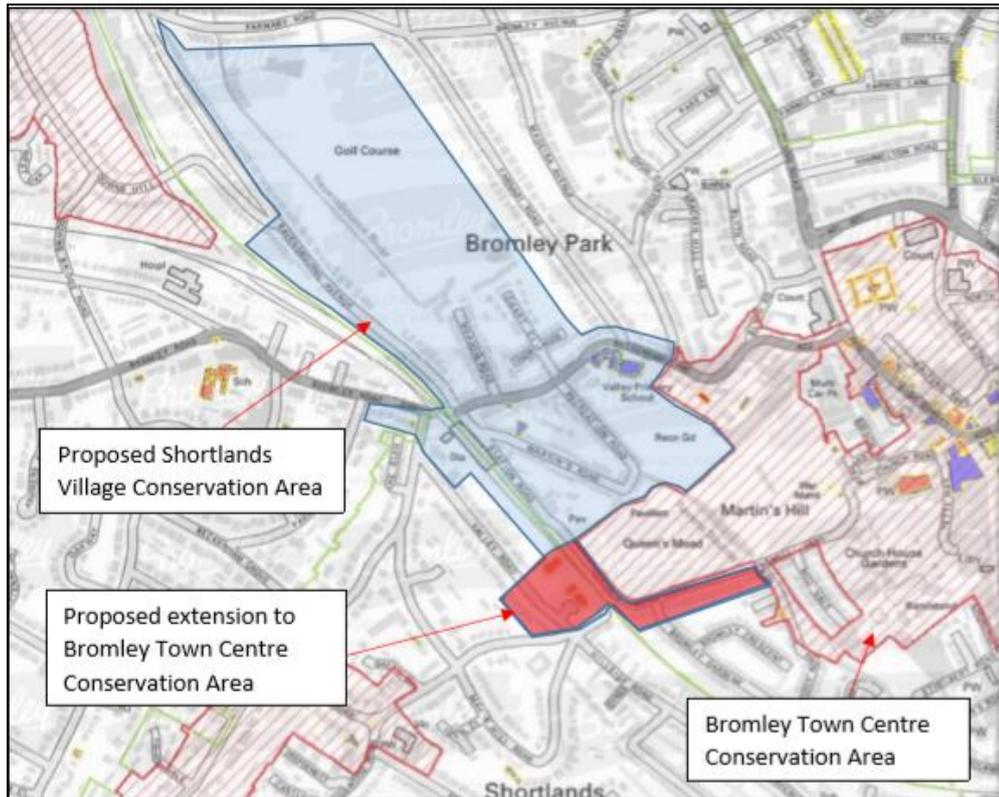


Fig. 58. Proposal, option B

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Maps

Ordnance Survey map, 1870, 1st edition, 1:2500

Ordnance Survey map, 1898, 2nd edition, 1:2500

Ordnance Survey map, 1913, 3rd edition, 1:2500

Ordnance Survey map, ca. 1934, 4th edition, 1:2500

Other

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Understanding Place Historic Area Assessments (second edition) Historic England 2017

Websites

Hidden London. Shortlands, Bromley downloaded 13.02.2020 <https://hidden-london.com/gazetteer/shortlands/>

**Proposed Shortlands Town Centre Conservation Area
Consultation**

Questionnaire

The closing date for your response is [date]

This questionnaire accompanies the Shortlands Conservation Area consultation and it is a way to help us capture your views. You should read this questionnaire in conjunction with the main assessment.

Please be aware that all comments will be publically available to view at the Council offices and potentially our website. If you have any questions please contact us,

Simon Went BA (Hons) MSc IHBC - Principal Conservation Officer
Planning Division
London Borough of Bromley | Civic Centre
Stockwell Close | Bromley
BR1 3UH
Phone: 020 8464 3333 ext. 3115 mobile 07814 357551

Email: conservation@bromley.gov.uk

Questionnaire – What do you think about the Proposal?

Q1. How strongly do you agree or disagree with:
(please tick)

	Strongly agree	Agree	Neither agree or disagree	Disagree	Strongly disagree
The proposal to designate the new Shortlands Conservation Area					
The proposed conservation area boundary					
The content of the character assessment					

Q2. Would you like to see any other conservation measures taken in the area?
(Please tick)

Yes	
No	

If yes, please tell us what and why?

Q3. Are there any other comments that you would like to make?

Name

Group/ Organisation/ Client (If you are representing on)

Email address (postal address if you do not have one)

We will automatically include these details in a database to notify you of future information and consultation on planning policy. If you do not wish us to hold these details on our database please tick this box,

We will hold this information on Bromley Council's planning consultation database and will only use it to contact you for these purposes. We will remove details from the database on request.

Thank you for taking the time to given us your views

We will place a consultation report on our website in the near future

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[Date 2020

«Addressees»
«Address_Line_1»
«Address_Line_2»
«Address_Line_3»
«Post_Town»
«Post_Code»

THIS IS NOT A CIRCULAR

Dear Owner/ Occupier,

**Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

Re: Proposed Shortlands Conservation Area

The Council's Development Control Committee of **insert date** resolved to approve, for the purpose of public consultation, an area for consideration as the Shortlands Conservation Area.

As part of the public consultation exercise, I am writing to you to seek your views on the proposal to designate the area indicated on the accompanying plan as a Conservation Area. The above property falls within the proposed designation.

Conservation Areas are areas of special architectural or historic interest, the character or appearance of which is desirable to preserve or enhance. Local Planning Authorities have a statutory duty to consider whether parts of their area should be designated as Conservation Areas.

I welcome any views you might have on this proposal and in particular any comments you may have on the proposed boundary of the Conservation Area. Your comments will be reported back to a future Council Committee meeting. The Council will then consider designating the proposed Conservation Area.

All properties within **[and adjoining]** the proposed Conservation Area are being consulted along with Council members and relevant external agencies. . Please provide your comments on the attached questionnaire and return to the following email address: conservation@bromley.gov.uk no later than **[date]**

Simon Went, Principal Conservation Officer
Bromley Council
Civic Centre
Stockwell Close

Bromley
Stockwell Close
Bromley
BR1 3UH

If you are not the property owner, would you please pass this letter and accompanying information on to the appropriate person.

Thank you for your assistance and I look forward to receiving your views on this proposals. If you wish to discuss this matter please contact Simon Went, Principal Conservation Officer on: 020 8464 3333 ext. 3115 mobile 07814 357551 simon.went@bromley.gov.uk

Yours «faithsinc»,

?

[Date 2020]

«Addressee»
«Address_Line_1»
«Address_Line_2»
«Address_Line_3»
«Post_Town»
«Post_Code»

THIS IS NOT A CIRCULAR

Dear Owner/ Occupier,

**Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

Re: Proposed Shortlands Conservation Area – Adjoining Property

The Council's Development Control Committee of [insert date] resolved to approve, for the purpose of public consultation, an area for consideration as the Shortlands Conservation Area.

As part of the public consultation exercise, I am writing to you to seek your views on the proposal to designate the area indicated on the accompanying plan as a Conservation Area. The above property adjoins the proposed designated Conservation Area.

Conservation Areas are areas of special architectural or historic interest, the character or appearance of which is desirable to preserve or enhance. Local Planning Authorities have a statutory duty to consider whether parts of their area should be designated as conservation areas.

I welcome any views you might have on this proposal and in particular any comments you may have on the proposed boundary of the conservation area. Your comments will be reported back to a future Council Committee meeting. The Council will then consider designating the proposed Conservation Area.

All properties within and adjoining the proposed Conservation Area are being consulted along with Council members and relevant external agencies. Please provide your comments on the attached questionnaire and return to the following email address:

conservation@bromley.gov.uk no later than [date]

Simon Went, Principal Conservation Officer
Bromley Council
Civic Centre
Stockwell Close
Bromley

BR1 3UH

If you are not the property owner, would you please pass this letter and accompanying information on to the appropriate person.

Thank you for your assistance and I look forward to receiving your views on this proposals. If you wish to discuss any of the above, please contact Simon Went, Principal Conservation Officer on: 020 8464 3333 ext. 3115 mobile 07814 357551 simon.went@bromley.gov.uk

Yours «faithsinc»,

?

Report No.
HPR2020/015

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: **DEVELOPMENT CONTROL COMMITTEE**

Date: **14 July 2020**

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

Title: **UPWARDS EXTENSION PERMITTED DEVELOPMENT RIGHTS**

Contact Officer: Ben Johnson, Head of Planning Policy and Strategy
E-mail: ben.johnson@bromley.gov.uk

Chief Officer: Assistant Director (Planning)

Ward: (All Wards);

1. Reason for report

- 1.1 The Government published new Permitted Development (PD) rights on 24 June 2020. These PD rights will allow purpose built blocks of flats to extend upwards by up to two storeys to provide new residential units. The PD rights are due to come into force on 1 August 2020. There are a number of restrictions on the use of the PD rights and prior approval is required in relation to a number of potential impacts. This report provides information on the new PD rights.
-

2. **RECOMMENDATION(S)**

- 2.1 **That Development Control Committee note the details of the new Upwards Extension PD right and the discussion of potential impacts as set out in this report.**

Impact on Vulnerable Adults and Children

1. Summary of Impact: No impact
-

Corporate Policy

1. Policy Status: Not Applicable
 2. BBB Priority: Regeneration
-

Financial

1. Cost of proposal: No upfront cost, but potential for loss of application fees. The regulations note that a fee is payable but the amount is not identified. The assessment of prior approval is likely to be akin to a full planning application in terms of complexity and resources required; however, based on fees associated with other prior approvals, the fee for the new upwards extension permitted development right is likely to be less than a full planning application fee.
 2. Ongoing costs: As above, there is potential for ongoing loss of planning application fees.
 3. Budget head/performance centre: N/A
 4. Total current budget for this head: N/A
 5. Source of funding: N/A
-

Personnel

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: Part 20, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
 2. Call-in: Not Applicable
-

Procurement

1. Summary of Procurement Implications: N/A
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

Background

- 3.1 The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 was published on 24 June 2020. These regulations include a number of amendments to the Town and Country Planning (General Permitted Development) Order 2015 (“the GPDO”), most notably the introduction of Part 20 which allows the construction of new dwellinghouses on detached purpose built blocks of flats (“upward extensions”). This new PD right comes into force on 1 August 2020.
- 3.2 Upwards extensions were first proposed by the Government in 2015¹. At this time, they were intended to be specific to London. The Government and the Mayor of London subsequently jointly consulted on detailed proposals in February 2016², featuring three potential options (which were noted at the time as not being mutually exclusive):
1. The introduction of a specific permitted development (PD) right to allow for upwards extensions in London.
 2. Encouragement of local development orders (i.e. PD rights introduced by local planning authorities covering a specific part of their area) for additional storeys in specific areas.
 3. A policy in the London Plan to support upwards extensions.
- 3.3 The Government published its response to the consultation in February 2017³, and also published a housing white paper⁴ in the same month. These documents noted the intention to take forward a policy option through the National Planning Policy Framework (NPPF) to support the delivery of additional homes by building up. The updated NPPF was published in July 2018; paragraph 118(e) supports upwards extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.
- 3.4 In October 2018, the Government then consulted⁵ on a new PD right to extend certain existing buildings upwards to provide additional, well designed, new homes to meet local housing need. The Government response to this consultation, published in May 2019⁶, noted the intention go ahead with the proposed PD right; this response recognised the need to respect the design of the existing streetscape, while ensuring the amenity of existing neighbours is considered.

¹ HM Treasury, Fixing the Foundations: creating a more prosperous nation (July 2015), Paragraph 9.21, available here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/443897/Productivity_Plan_print.pdf

²Department for Communities and Local Government & Mayor of London, Consultation on upward extensions in London (February 2016), available here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/516952/160217_Consultation_on_Upward_Extensions_in_London.pdf

³ Department for Communities and Local Government, Summary of responses to the technical consultation on implementation of planning changes, consultation on upward extensions and Rural Planning Review Call for Evidence (February 2017), available here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/589747/Summary_of_responses_to_the_technical_planning_consultation.pdf

⁴ Department for Communities and Local Government, Fixing our broken housing market, available here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/590464/Fixing_our_broken_housing_market_-_print_ready_version.pdf

⁵ Ministry of Housing, Communities and Local Government, Planning Reform: Supporting the high street and increasing the delivery of new homes (October 2018), available here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/752222/Planning_reform_-_supporting_the_high_street_and_increasing_the_delivery_of_new_homes.pdf

⁶ Ministry of Housing, Communities and Local Government, Government response to consultation on Planning Reform: Supporting the high street and increasing the delivery of new homes (May 2019), available here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/799220/Government_Response_to_Planning_Reform_Consultation.pdf

New permitted development right

- 3.5 The new upwards extensions PD right (Part 20, Class A PD right) allows the construction of up to two additional storeys of new dwellinghouses immediately above the existing topmost residential storey on an existing purpose-built, detached block of flats. Prior approval is required in relation to a number of impacts (as outlined elsewhere in this report).
- 3.6 The term “Block of flats” is tightly defined in the regulations, meaning a building which is divided horizontally and consists of separate and self-contained premises constructed for use for the purposes of a dwellinghouse, and any ancillary facilities constructed solely for use by occupiers of the building. The term “Purpose built” is also defined, meaning a building that was built as and remains as a block of flats. These definitions would exclude blocks of flats which also feature commercial or other uses, for example as part of a ground floor frontage, and would also exclude blocks of flats which have been converted from other uses.
- 3.7 For the purposes of Part 20, Class A, the definition of a dwellinghouse includes flats, whereas it does not in relation to most other types of PD right. ‘Storey’ is not defined in the GPDO although it tends to be around 3 metres (measured floor to floor) for residential uses. The draft new London Plan requires a minimum floor to ceiling height of 2.5 metres for residential uses, which is likely to result in storey heights in excess of 3 metres when measured floor to floor.
- 3.8 The PD right allows any or all of the following engineering operations or work:
- engineering operations reasonably necessary to construct the additional storeys and new dwellinghouses;
 - works for the replacement of existing plant or installation of additional plant on the roof of the extended building reasonably necessary to service the new dwellinghouses;
 - works for the construction of appropriate and safe access and egress to the new and existing dwellinghouses, including means of escape from fire, via additional external doors or external staircases;
 - works for the construction of storage, waste or other ancillary facilities reasonably necessary to support the new dwellinghouses.
- 3.9 Development is not permitted in any of the following circumstances:
- The existing residential use was granted through the following PD rights.
 - Part 3, Class M (change from retail, financial and professional services, betting offices, pay day loan shops or launderettes to residential use)
 - Part 3, Class N (change from amusement arcade/centres or casinos to residential use)
 - Part 3, Class O (change from offices to residential use)
 - Part 3, Class P (change from storage or distribution centres to residential use)
 - Part 3, Class PA (change from light industrial to residential use)
 - Part 3, Class Q (change from agricultural buildings to residential use)
 - The existing building is less than 3 storeys in height, above ground level. As noted above, storey is not defined but 3 storey buildings would generally be around 9-10 metres in

height. The GPDO defines ground level as the level of the surface of the ground immediately adjacent to the building or plant or machinery in question or, where the level of the surface of the ground on which it is situated or is to be situated is not uniform, the level of the highest part of the surface of the ground adjacent to it.

- The building was constructed before 1st July 1948, or after 5th March 2018. This is the only restriction in the GPDO based on a specific construction date. Construction is not defined in the GPDO; regardless, information on definite construction dates is often limited, which means that assessment against this part of the regulations could be difficult.
- The additional storeys are constructed other than on the principal part of the building, defined as the main part of the building excluding any front, side or rear extension of a lower height, whether this forms part of the original building or a subsequent addition.
- The floor to ceiling height of any additional storey is more than 3 metres in height; or more than the floor to ceiling height of any of the existing storeys, whichever is the lesser, where such heights are measured internally.
- The new dwellinghouses are not flats. Houses are not eligible to use the PD right, although the explanatory notes which accompany the regulations state that Government also intends to introduce further permitted development rights for building upwards, including for new and bigger homes.
- The overall height of the roof of the extended building would be greater than 7 metres higher than the highest part of the existing roof (not including existing plant).
- The extended building (not including plant) would be greater than 30 metres in height (measured from ground level, the definition of which is set out above). 30 metres is the definition of a tall building as set out in the draft new London Plan.
- Any engineering operations to facilitate the new dwellinghouses would include the provision of visible support structures on or attached to the exterior of the building upon completion of the development. This means that the building itself must be structurally capable of accommodating the additional storey(s). The PD right allows some engineering operations to strengthen existing walls and foundations (see below).
- Any engineering operations would fall outside the existing curtilage of the building. Engineering operations are permitted within the existing curtilage to strengthen existing walls; strengthen existing foundations; or install or replace water, drainage, electricity, gas or other services.
- Works for the installation of additional plant on the roof of the extended building is not permitted if there is no existing plant on the building.
- Works for the replacement of existing plant or installation of additional plant on the roof of the extended building is not permitted if the height of any replaced or additional plant (as measured from the lowest surface of the new roof) on the principal part of the new building would exceed the height of any existing plant (as measured from the lowest surface of the existing roof) on the principal part of the existing building. "Principal part" has the same meaning as noted above.
- Works for the construction of appropriate and safe access and egress to the new and existing dwellinghouses, including means of escape from fire, via additional external doors or external staircases, would extend beyond the curtilage of the existing building.

- Works for the construction of storage, waste or other ancillary facilities reasonably necessary to support the new dwellinghouses would:
 - extend beyond the curtilage of the existing building;
 - be situated on land forward of a wall forming the principal elevation of the existing building; or
 - be situated on land forward of a wall fronting a highway and forming a side elevation of the existing building.
- The land or site on which the building is located, is or forms part of:
 - article 2(3) land, which includes conservation areas and areas of outstanding natural beauty (AONB). Bromley has 44 conservation areas and part of the Kent Downs AONB covers the south east of the Borough;
 - a site of special scientific interest (SSSI). There are six SSSIs in Bromley;
 - a listed building or land within its curtilage. There are 410 listed buildings in Bromley;
 - a scheduled monument or land within its curtilage. There are nine scheduled monuments in Bromley;
 - a safety hazard area;
 - a military explosives storage area; or
 - land within three kilometres of the perimeter of an aerodrome. Biggin Hill is defined as an aerodrome for the purposes of the GPDO.

3.10 Development is only permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for prior approval related to the following potential impacts (where they are relevant):

- transport and highways impacts of the development;
- air traffic and defence asset impacts of the development;
- contamination risks in relation to the building;
- flooding risks in relation to the building;
- the external appearance of the building;
- the provision of adequate natural light in all habitable rooms of the new dwellinghouses. The GPDO notes that the local planning authority must refuse prior approval if adequate natural light is not provided in all the habitable rooms of the dwellinghouses. The explanatory memorandum to the regulations notes that local planning authorities are expected to exercise their planning judgement when considering the detailed floor plans and elevations in their assessment of adequate natural light in habitable rooms;
- impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light; and

- whether because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15 March 2012 issued by the Secretary of State. None of the protected vistas identified relate to Bromley.
- 3.11 The local planning authority can refuse an application where, in the opinion of the authority, the proposed development does not comply with any conditions, limitations or restrictions set out in the GPDO; or where the developer has provided insufficient information to enable the authority to establish compliance.
- 3.12 Unlike a standard planning application, prior approval applications are not assessed against Development Plan policy under section 38(6) of the Planning and Compulsory Purchase Act 2004. However, the Development Plan (the Bromley Local Plan and the London Plan) may be a relevant material consideration where it is relevant to a particular prior approval category; for example, Local Plan policies which aim to prevent adverse impacts on the local road network may be relevant when assessing the transport and highways impacts of the development. The GPDO notes that the local planning authority must, when determining an application take into account any representations made to them as a result of any consultation; and have regard to the NPPF, so far as relevant to the subject matter of the prior approval.
- 3.13 The GPDO sets out detailed procedures for assessing prior approval applications. This includes:
- submission of information and documentation such as detailed floor plans. The local planning authority may require the developer to submit other such information as the authority may reasonably require in order to determine the application, including assessments of impacts or risks; and statements setting out how impacts or risks are to be mitigated, having regard to the NPPF. In order to assess whether an application is able to utilise PD rights in line with the GPDO restrictions, information will be required to, inter alia, identify floor to ceiling measurement and measurements of the proposal including the height of the proposed extension above any existing roof; and the height of existing and proposed plant (compared to the lowest point of the existing and proposed roof). Some of this information may require verification. As noted above, an application can be refused where insufficient information is provided to establish compliance with the GPDO requirements;
 - requirements to consult with various bodies in relation to particular prior approval categories, for example, the Environment Agency should be consulted in relation to development in certain flood zones; and
 - requirements to serve notice by site display (for a minimum of 21 days) and serve notice on all owners and occupiers of the flats within existing block of flats and any adjoining owner or occupier. Applicants are required to provide a list of all addresses of the flats within the existing block of flats but this may not identify all owners (i.e. where an occupier is not the owner). This could create additional procedural difficulty for the Council.
- 3.14 Any development that is permitted must be completed within a period of 3 years starting with the date prior approval is granted. Any prior approval will also be subject to the condition that before beginning the development, the developer must provide the local planning authority with a report for the management of the construction of the development, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on occupiers of the building and adjoining owners or occupiers will be mitigated.
- 3.15 Any new dwellinghouse created under Class A is to remain in use as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.

- 3.16 The development must not begin before the receipt by the applicant from the local planning authority of a written notice giving their prior approval. Unlike other PD rights with prior approval, there is no deemed approval if a decision is not made after 8 weeks; however, applicants could appeal non-determination.
- 3.17 The local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval.
- 3.18 There will be a specific fee for upwards extension applications. This will likely be set out in a future amendment of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations. It is likely that this fee will be less than typical planning application fees, based on the level of fees for other forms of PD right and their equivalent planning application fee.
- 3.19 The Community Infrastructure Levy (CIL) will be payable on the new floorspace. The local planning authority can also require planning obligations, although national Planning Practice Guidance (PPG) states that any obligations should be limited only to matters requiring prior approval and should not, for instance, seek contributions for affordable housing.

Discussion

- 3.20 The upwards extension PD right sets out detailed requirements and limitations on use. The determination of these applications is likely to be akin to a full planning application in terms of required officer resources, although it is likely to attract a lower fee than an equivalent full planning application. These applications are likely to be contentious and complex, and it is envisaged that there will be significant procedural difficulties, for example related to information requests.
- 3.21 The PD right will heighten expectations of applicants about what development is permissible but it is important to note that there are numerous prior approval categories and that Development Plan policy will apply where related to these categories. This may result in an increase in appeals, which will further strain resources.
- 3.22 In terms of the built environment, the implications of the PD right are as yet unknown, and will only become evident once it comes into force. However, the potential impacts are significant, in terms of the impact on local character and amenity. As noted above, Development Plan policies could apply where related to prior approval categories, for example, policies covering non-designated heritage assets, areas of special residential character (ASRCs) and development adjacent to conservation areas could apply to the assessment of external appearance.
- 3.23 As noted above, there are a number of restrictions on the use of the upwards extension PD right. Bromley has a number of conservation areas, SSSIs and listed buildings, as well as a portion of the Kent Downs AONB and an aerodrome at Biggin Hill (which means that PD rights are restricted within 3km of its perimeter).
- 3.24 The Biggin Hill and AONB restrictions effectively rule out the use of the upwards extension PD rights across much of the south of the borough. In the rest of the borough, conservation areas will be the main restriction on use of the PD rights, which means that the upwards extension PD rights will be eligible, in principle, in large parts of every ward (except Chislehurst which is largely covered by a conservation area). The extent of existing purpose built flats across the borough is unknown, but they are generally not likely to be a particularly prevalent form of housing across large parts of the borough.

- 3.25 In terms of the minimum and maximum height restrictions, it is noted that buildings under 3 storeys (approximately 9-10 metres) cannot utilise the PD right; that the floor to ceiling height of any additional storey cannot be more than 3 metres in height or more than the floor to ceiling height of any of the existing storeys (whichever is the lesser); and that the extended building cannot exceed 30 metres. These restrictions will most likely mean that buildings ranging from 9-10 metres to around 26 metres (approximately three to eight storeys) will be eligible for the PD right.
- 3.26 Prior approval permissions have often been used as a 'fallback' position, whereby developers secure permission and then subsequently submit another planning application for a more comprehensive development on the same site, noting that if this permission was not granted then there is an extant prior approval that can be delivered. Fallback positions can be material considerations in the determination of planning applications although the weight given would depend on whether the applicant has secured the prior approval permission; it is not enough to just highlight that prior approval permission could be sought, as there is no guarantee prior approval will be granted. Where prior approval permission has been granted, an applicant would also need to demonstrate that there is a realistic intention to implement the prior approval, in order for the fallback to be given weight. It is noted that the upwards extension PD right must be completed within three years of the date of grant of prior approval, which will factor into any consideration of the weight given to a fallback position.
- 3.27 As noted above, the PD right allows various works to facilitate the addition of additional storeys, including works for the construction of appropriate and safe access and egress to the new and existing dwellinghouses, including means of escape from fire, via additional external doors or external staircases. Adding additional storeys to purpose-built blocks of flats may mean that existing internal means of access and escape, such as separate lift shafts and staircases, can be utilised. However, this does not mean that they will necessarily be able to meet building and fire safety requirements, which are covered by separate regimes. All development, whether granted permission following a planning application or through PD rights, is legally required to comply with relevant Building Regulations. Where additional storeys and homes are added to a building some aspects of the building as a whole may also be required to be upgraded under Building Regulations.
- 3.28 In principle, it is possible to withdraw the upwards extension PD rights through an Article 4 Direction. An Article 4 Direction does not prevent the development to which it applies, but instead requires that planning permission be first obtained from the local planning authority for that development. This gives a local planning authority the opportunity to consider a proposal in more detail, i.e. assessing against policies in the Development Plan. The upwards extension PD right requires prior approval of certain issues, but this determination is limited and does not allow for full consideration against adopted Development Plan policies.
- 3.29 As set out in the NPPF and PPG, the use of Article 4 Directions should be limited to situations where they are necessary to protect local amenity and / or the wellbeing of the area. These criteria are not further defined in the NPPF or the PPG. The PPG notes that the potential harm that a Direction is intended to address should be clearly identified.
- 3.30 Provided that the local authority considers it expedient, an Article 4 Direction can cover an area of any geographic size, from a specific site to a local authority-wide area. PPG advises that any Direction removing PD rights where prior approval powers are available to control PD should have particularly strong justification. The upwards extension PD right requires prior approval of a number of potential impacts, as noted above. Therefore, any Article 4 Direction removing the upwards extension PD right would need particularly strong justification.

3.31 An Article 4 Direction to remove upwards extension PD rights can only be made with non-immediate effect. Article 4 Directions can attract compensation liability based on abortive expenditure or other loss or damage directly attributable to the withdrawal of permitted development rights, which in the case of upwards extensions could be a significant amount. However, a non-immediate Direction with a 12 month notice period would remove any compensation liability. During the 12 month notice period, the upwards extension PD rights would continue to apply.

3.32 The Secretary of State for Housing, Communities and Local Government has the power to revoke or modify Article 4 Directions at any time. There is evidence of past Government interventions in other boroughs where a PD right allowing change to residential use is being withdrawn. Intervention is considered a strong possibility in relation to any upwards extension Article 4 Directions, given that it is a key Government policy. Justification in line with the PPG criteria identified above will be key to ensuring that any proposed Direction stands up to scrutiny.

4. POLICY IMPLICATIONS

4.1 The upwards extensions PD right has the potential to significantly undermine policies in the Development Plan, most notably policies which look to protect local character and amenity. Development Plan policies are material to the determination of prior approval applications where the policies relate to relevant prior approval categories.

4.2 An Article 4 Direction can be put in place to remove PD rights, as noted in the report. Any decision to put in place a Direction will be subject to a separate decision.

5. FINANCIAL IMPLICATIONS

5.1 As noted in the report, prior approval applications do require a fee, but this is not yet known and will be published in separate legislation. The fee is likely to be less than an equivalent planning application but the level of resources needed to assess the application are likely to be similar to a full planning application.

6. LEGAL IMPLICATIONS

6.1 The Town and Country Planning (General Permitted Development) Order 2015 (as amended) sets out the statutory requirements of upwards extension PD right, which are discussed in this report.

6.2 There will be specific considerations for individual upwards extension prior approval applications, as they come forward in future, for example which Development Plan policies would apply to the determination and what evidence might be needed to enable proper assessment.

6.3 An Article 4 Direction can be put in place to remove PD rights, as noted in the report. The statutory requirements for putting in place an Article 4 Direction are set out in Town and Country Planning (General Permitted Development) Order 2015 (as amended). Any decision to put in place a Direction will be subject to a separate decision.

Non-Applicable Sections:	N/A
Background Documents: (Access via Contact Officer)	The Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Report No.
HPR2020/013

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: **DEVELOPMENT CONTROL COMMITTEE
EXECUTIVE**

Date: **DCC: 14 July 2020
Executive: 16 September 2020**

Decision Type: Non-Urgent Executive Key

Title: **LOCAL DEVELOPMENT SCHEME – 2020 UPDATE**

Contact Officer: Ben Johnson, Head of Planning Policy and Strategy
E-mail: ben.johnson@bromley.gov.uk

Chief Officer: Assistant Director (Planning)

Ward: (All Wards);

1. Reason for report

- 1.1 This report seeks the Committee's agreement to publish the revised Local Development Scheme (LDS). The document is provided at Appendix 1. The LDS sets out the indicative timetables for the preparation of planning policy documents that the Council intends to produce or review, including a review of the Local Plan and the preparation of Supplementary Planning Documents (SPDs).

2. **RECOMMENDATION(S)**

- 2.1 **That Development Control Committee recommend to the Executive that the revised Local Development Scheme at Appendix 1 is approved for publication, noting the potential further minor changes which are dependent on the adoption of the London Plan (noted in paragraph 3.4).**
- 2.2 **That the Executive approve the revised Local Development Scheme at Appendix 1, noting the potential further minor changes which are dependent on the adoption of the London Plan (noted in paragraph 3.4), and agree that the scheme will have effect from 30 September 2020.**

Impact on Vulnerable Adults and Children

1. Summary of Impact: No impact
-

Corporate Policy

1. Policy Status: Not Applicable
 2. BBB Priority: Excellent Council Quality Environment Vibrant, Thriving Town Centres Regeneration
-

Financial

1. Cost of proposal: No cost
 2. Ongoing costs: No ongoing cost associated with the LDS but the preparation of the documents identified in the LDS will incur costs such as evidence gathering and consultation activities.
 3. Budget head/performance centre: Planning Policy and Strategy
 4. Total current budget for this head: £0.596m
 5. Source of funding: Existing Revenue Budget for 2020/21
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Personnel

1. Number of staff (current and additional): 10 FTE
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended).
 2. Call-in: Applicable
-

Procurement

1. Summary of Procurement Implications: N/A
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

Local Development Scheme

- 3.1 The Council is required to publish an up to date Local Development Scheme (LDS), setting out the timescale for the preparation of local development plan documents (DPDs), the subject matter of these DPDs and the geographical area to which each DPD is to relate to. The Planning and Compulsory Purchase Act 2004 (as amended) identifies what information must be included in an LDS. The last LDS approved by the Council was published in September 2017.
- 3.2 The LDS included at Appendix 1 sets out the anticipated timescale for the preparation of the DPDs as required by legislation, specifically the Local Plan review. The LDS also includes indicative timeframes for the preparation of various Supplementary Planning Documents (SPDs) and the borough Community Infrastructure Levy (CIL).
- 3.3 Early consultation to inform the development of two of the SPDs included in the LDS – the Bromley Town Centre and Orpington Town Centre SPDs – is expected to begin in July 2020, prior to the expected publication of the LDS. As indicated in the LDS, the consultation on the draft SPDs themselves is expected in late 2020/early 2021.
- 3.4 The LDS at Appendix 1 reflects the current status of the draft new London Plan. The draft new London Plan may be adopted prior to publication of the LDS in September 2020. If this is the case, officers propose to amend the LDS at Appendix 1 prior to publication, as follows:
- Amend paragraph 2.2 to note that the current version of the London Plan was adopted in 2020; and
 - Delete paragraph 2.3 entirely.

4. POLICY IMPLICATIONS

- 4.1 The LDS itself has no policy implications, as it is a procedural document which details the intended preparation/review of the planning policy documents. As and when these documents are prepared and adopted, they will be used in the determination of planning applications in the borough.

5. FINANCIAL IMPLICATIONS

- 5.1 The LDS has no specific financial implications. The documents which are to be prepared, detailed in tables 1 and 2 of the LDS at Appendix 1, will have financial implications associated with their preparation and publication, including the need for evidence to inform them. The Local Plan review in particular will require considerable evidence gathering (including through external consultants) and will be subject to several rounds of consultation. The timescales for the preparation of these documents may change depending on the availability of funding and resources to prepare them.
- 5.2 Preparation of these documents will be led by the Planning Policy Team, with input from other Council departments from where necessary.

6. LEGAL IMPLICATIONS

- 6.1 The Planning and Compulsory Purchase Act 2004 states that local planning authorities must prepare and maintain a LDS and identifies what information the LDS must contain. If a local planning authority has not prepared a LDS, the Secretary of State or the Mayor of London may prepare a LDS for the authority, and direct the authority to bring that scheme into effect.

6.2 To bring the LDS into effect, the local planning authority must resolve that the scheme is to have effect and in the resolution specify the date from which the scheme is to have effect. As noted in paragraph 2.2 above, the LDS will have effect from 30 September 2020 if Executive approves the document for publication.

Non-Applicable Sections:	N/A
Background Documents: (Access via Contact Officer)	Bromley Local Plan 2019 The London Plan (consolidated with alterations since 2011), March 2016 The London Plan 'Intend to Publish' version, December 2019



Local Development Scheme

September 2020

1. Introduction

- 1.1 The Planning and Compulsory Purchase Act (2004) requires the Council, as the local planning authority, to prepare and maintain a Local Development Scheme (LDS).
- 1.2 The LDS is the programme for preparation of planning policy documents that the Council intends to produce or review, including an indicative timetable for preparation of these documents and estimated adoption dates (set out in Tables 1 and 2). The procedure for the preparation and review of planning documents is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 1.3 This document is the revised LDS for Bromley, and replaces the last iteration published in September 2017. It sets out:
 - Bromley's current policy framework, principally the Development Plan which is made up of the adopted Bromley Local Plan and the London Plan;
 - The timetable for the preparation Development Plan Documents (DPDs), namely the review of Bromley's Local Plan; and
 - The timetable for the preparation of Supplementary Planning Documents (SPDs).
- 1.4 Progress on preparing the documents listed in the LDS will be reported annually in the Council's Authority Monitoring Report.

2. Policy framework

National Policy and Guidance

- 2.1 The National Planning Policy Framework (NPPF) sets the national policy context for preparation of local plans. Local Plans must be consistent with national policy and should enable the delivery of sustainable development in accordance with the policies in the NPPF. The NPPF is also capable of being a material consideration in the determination of planning applications. The current version of the NPPF was published in February 2019. National Planning Practice Guidance (PPG) provides further detail on various aspects of the NPPF.

Regional Policy and Guidance

- 2.2 The Mayor of London produces a spatial development strategy (known as the London Plan). The current version of the London Plan was adopted in 2011, and has been subject to further alterations since, most recently in 2016. The London Plan forms part of the Development Plan for each of the London local planning authorities, and is used to assess planning applications. DPDs (such as a Local Plan) produced by individual boroughs must be in general conformity with the London Plan.
- 2.3 A draft new London Plan was published for consultation in December 2017. The Examination in Public (EiP) on the new London Plan was held between January and May 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor in October 2019. The Mayor considered the Panel report and recommendations and prepared an Intend to Publish version of the London Plan, which was published in December 2019. The Secretary of State (SoS) wrote to the Mayor in March 2020 and directed a number of changes to the draft new London Plan. Discussions between the Mayor and SoS regarding these directed changes are ongoing.
- 2.4 The Mayor also has a number of Supplementary Planning Guidance (SPG) documents which provide further detail on policies set out in the London Plan.
- 2.5 The Mayor adopted a new Mayoral Community Infrastructure Levy (MCIL2) in April 2019. Upon adoption, MCIL2 superseded the previous MCIL1.

Local Policy and Guidance

- 2.6 The current Bromley Local Plan was adopted in January 2019. The Local Plan sets out a number of planning policies, site allocations and land designations for the borough, and is the central document in the Borough's Development Plan (which is used to assess planning applications). The Local Plan is accompanied by the Policies Map which illustrates geographically the application of the policies in the Local Plan.
- 2.7 The Bromley Town Centre Area Action Plan (AAP) was adopted in October 2010, and sets out the vision for Bromley Town Centre together with objectives, policies and proposals to guide future development and change. The document is extant and remains part of the Development Plan, although some elements have been

superseded by, or incorporated into, the Bromley Local Plan (2019). Upon adoption of the Bromley Town Centre SPD, the AAP is likely to be fully superseded and may then be formally revoked (although this would be subject to a future decision by the Council).

- 2.8 SPDs are used to provide further guidance on planning policy within DPDs. They do not form part of the Development Plan for the Borough but they are material considerations in the determination of planning applications.
- 2.9 The Council has two adopted SPDs:
- Affordable Housing SPD (adopted 2008, with subsequent updates via addendums)
 - Planning Obligations SPD (adopted 2010)
- 2.10 The programme for the preparation and review of SPDs is outlined in Table 2.
- 2.11 The Council also has two extant Supplementary Planning Guidance (SPG) documents. These documents provided guidance on a number of UDP policies; although the UDP has now been superseded by the Local Plan, these two SPG documents may still be material considerations where justified.

Community Infrastructure Levy

- 2.12 The Community Infrastructure Levy (CIL) is a charge that local planning authorities may choose to levy on new development, to fund new infrastructure that is required to support growth and the delivery of the Development Plan.
- 2.13 Currently, only the Mayoral CIL applies in Bromley. However, the Council are developing a local CIL, and anticipate that this will be adopted in 2021.

Statement of Community Involvement

- 2.14 Bromley adopted its current Statement of Community Involvement (SCI) in July 2016. The SCI sets out the Council's policy for involving the community in its preparation, alteration and review of planning policy documents and in determining planning applications

Neighbourhood Planning

- 2.15 Neighbourhood planning was introduced in the Localism Act 2011. Neighbourhood Plans are community led documents that set out planning policies for a local area. Neighbourhood Plans are prepared by designated Neighbourhood Forums in relation to specific designated Neighbourhood Areas; when adopted, a Neighbourhood Plan forms part of the Council's Development Plan. Neighbourhood Plans are required to be in general conformity with strategic policies in the Development Plan, and are subject to independent examination and a referendum.
- 2.16 There are currently no designated Neighbourhood Areas or Forums within the Borough. Local planning authorities are required to set out in their SCI their policies for giving advice and assistance to groups wishing to bring forward a neighbourhood plan in their area.

Table 1: Preparation of Development Plan Documents

Title of Development Plan Document	Role and Content	Geographical Coverage	Start evidence base gathering; Local Plan SA scoping	Regulation 18 consultation	Regulation 19 consultation	Submission to Secretary of State	Examination	Adoption
Review of the Bromley Local Plan	Review of the adopted Local Plan to take into account changes to national and regional planning policy and to reflect changes in the local area, where necessary.	Borough-wide	Late 2020 for start of evidence base gathering; Mid to late 2021 for Sustainability Appraisal scoping	Late 2021 to early 2022	Late 2022	Early 2023	Mid 2023	Late 2023 to early 2024

Table 2: Preparation of Supplementary Planning Documents

Title of Supplementary Planning Document	Role and Content	Geographical Coverage	Consultation on Draft SPD	Adoption
Planning Obligations SPD	To provide details on the Council's requirements relating to planning obligations, including details of how affordable housing will be secured and delivered. The SPD will replace the current Planning Obligations SPD and Affordable Housing SPD once adopted. Publication of the SPD will be aligned with the adoption of the Borough CIL, which will reduce the need for a number of obligations identified in the current Planning Obligations SPD.	Borough-wide	Early 2021	Mid 2021
Bromley Design SPD	To provide guidance on key design and sustainability principles for new development in the borough. Upon adoption, the SPD will replace extant supplementary planning guidance set out in the General Design Principles SPG and Residential Design Guidance SPG.	Borough-wide	Mid to late 2021	Early to mid 2022
Bromley Town Centre SPD	To provide guidance on the implementation of policy and site allocations in Bromley Town Centre	Bromley Town Centre	Late 2020 to early 2021	Early to mid 2021
Orpington Town Centre SPD	To provide guidance on the implementation of policy and site allocations in Orpington Town Centre	Orpington Town Centre	Late 2020 to early 2021	Early to mid 2021

Report No.
DRR000000

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: DEVELOPMENT CONTROL COMMITTEE

Date: Tuesday 14th July 2020

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

Title: PLANNING SERVICE IMPROVEMENTS

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Chief Officer: Director of Housing, Planning and Regeneration

Ward: (All Wards)

1. Reason for report

This report sets out the current position in respect of continuous service improvements to the Planning Service. Aspects in this report were originally published on the agenda for the DCC in March 2020, and were subject to delegation, however some matters required Councillor decisions and these are reported below.

2. **RECOMMENDATION(S)**

1. **Members are asked to agree the Local Planning Protocol for referral on to Full Council for adoption as part of the Council's Constitution.**
2. **Members are asked to agree the approach set out in this report in respect of planning conditions and 'Lists' for planning committee agendas and reports.**
3. **Members are asked to agree the recording of Plans Sub and Development Control Committee meetings and consider whether they wish the recordings to be published.**

Impact on Vulnerable Adults and Children

1. Summary of Impact: N/A
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Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Excellent Council Quality Environment Regeneration:
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Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Non-Recurring Cost:
 3. Budget head/performance centre: Planning Department
 4. Total current budget for this head: £1.653m
 5. Source of funding: Existing revenue budget 2019/20
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Personnel

1. Number of staff (current and additional): 66.8ftes
 2. If from existing staff resources, number of staff hours:
-

Legal

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

Procurement

1. Summary of Procurement Implications: N/A
-

Customer Impact

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

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

3.1 The previously considered recommendations for service improvements are set out below with the latest update information

Recommendation	Proposed Action	Update / Timescale
1. New Local Planning Protocol for Members	To be adopted by Full Council as part of Council Constitution	See para 3.2 below – draft Protocol attached for consideration
2. Reduce number of Members on DCC	Not agreed there are necessarily any strong benefits to this	No action at present
3. Criteria for applications to be considered at DCC	Planning Officers to draft criteria	Criteria agreed at DCC in October 2019 and in operation
4. Scheme of delegation to be broadened	Planning Officers to provide draft changes	Adopted in May 2020
5. 'Call ins' to be in writing with clear planning reasons	Councillors to note - to take immediate effect – reasons to be planning or strong public interest reasons	Ongoing
6. 'Call in' monitoring to be reported to DCC	Planning Officers to report every six months to DCC with first report to September DCC for the previous year	Report on this agenda
7. Format of committee agenda to be reviewed including 'Lists'	Planning Officers to liaise with Legal and Democratic Services to review and produce draft revised report template	Planning application reports on this agenda in new format for final approval – also see para 3.7 below
8. Officer role at committee to be reviewed including presentations	Trial presentation of major cases at DCC by Officers	To be taken forward as set out in Planning Protocol see Para 3.2 below
9. Quality of committee reports to be improved	Planning Officers to liaise with Legal and Democratic Services to review and produce draft revised report template	New report format now fully implemented - further information on conditions set out in Para 3.7 below
10. Review of appeal decisions and costs to be reported to DCC	Planning Officers to provide six monthly report to DCC	To be reported to future DCC
11. Less emphasis on 'local view' at committee	Councillors to note – both local and strategic views to be considered to ensure balanced decision is reached	Ongoing
12. Substitutions at committee should not be related to Ward interest	This could impact on the ability to provide substitutes and may not be necessary as long as other recommendations are followed in respect of Member training and approach	Ongoing
13. Where motion goes	Councillors to note and action	Ongoing

against Officer recommendation, clear reasons for refusal or conditions to be agreed before vote is taken		
14. Deferral of items where there is a risk of losing appeal and / or costs	This is potentially too onerous and would create unnecessary delay and additional committee time. This could be dealt with by a combination of better discussions with Ward Councillors during the planning application process and legal and planning officer advice at and before the meeting where appropriate.	Ongoing
15. Review of site visit procedures for committee members	This is already a feature with some cases and also that it can be difficult for Members to attend visits although visits can be arranged wherever possible. The inclusion of more information in the report and presentations at DCC will assist visualisation of impact where Members are unable to attend site visits.	Ongoing
16. Consideration of use of different room for committee meetings	This would cause practical difficulties in room booking (which takes place months in advance) as some meetings may require a larger space and this may not be known until close to the meeting. As an alternative, improvements to Council Chamber can be considered along with improvements to information available to attendees. Planning and Legal and Democratic Services Officers to action.	Ongoing
17. More pro-active approach to major pre-application discussions including early Member involvement such as presentations to committee and improved communication between Officers and Members	Planning Officers to action	Ongoing
18. Committee should include at least one Executive Member	Not agreed there are necessarily any strong benefits to this – strategic considerations can be represented by other committee Members and in the committee report	No action at present
19. Effective compulsory training should be provided for all committee members including substitutes and a	In person and online training (at least quarterly) to be offered by Planning, Legal and Democratic Services Officers but does not need to be compulsory (although strongly	In progress, first training session on probity successfully delivered.

list of trained Members retained	encouraged for committee members). List of trained Members not required as Members will be aware of available training and any gaps in their knowledge, as well as benefitting from a new Local Planning Protocol.	
20. Regular reports on performance of planning and appeals team	Previously agreed for quarterly reports to DCC, however now meetings are every 2 months, to be reported to every other meeting	Ongoing

Recommendation #1 – New Local Planning Protocol

- 3.2 The Planning Advisory Service report put considerable weight on the importance of a Local Planning Protocol for Bromley to help improve knowledge and decision making. This protocol would allow members and officers have a clear reference for procedures and approaches which are specific to Bromley as well as incorporating guidance from the PAS publication ‘Probity in Planning’ which strongly encourages the adoption of a local code.
- 3.3 Following initial consideration at January DCC, the draft Local Planning Protocol is appended to this report for final consideration by DCC. The draft was considered at Standards Committee on 12th March and their resolution was as follows:
- 1. The draft protocol be strengthened to clearly emphasise that all decisions in relation to planning applications have to be based purely on material planning considerations;*
 - 2. All councillors sitting on the Development Control Committee and its Sub-Committees should be fully conversant with the report of the Planning Advisory Service and the Probity in Planning document as these document clearly set out the expectations for standards of behaviour; and*
 - 3. Once the Planning Protocol has embedded the Chairman of the Development Control Committee be invited to a Standards Committee meeting to discuss the impact of the Protocol.*
- 3.4 The text has been slightly updated to reflect recommendation 1 above and the updated draft is appended to this report. It is intended that once approved by Development Control Committee, the Protocol will then be considered by full Council, to be adopted as part of the Council’s Constitution.

Recommendations #7&9 – Improvements to Committee Reports

- 3.5 Members approved the format of future planning application committee reports at DCC in January 2020. The planning application reports on this agenda include a revised approach to planning conditions which provides for a clear description of each condition in a list at the end of the report.
- 3.6 Providing the complete wording of each condition for larger applications was taking up a considerable amount of space on the agenda and creating additional potentially unnecessary paper wastage. The previous approach to conditions was to use a short code at the end of each report to reference each condition; however that did not make clear what the condition required. The approach set out in this agenda is proposed as a compromise between the full and short code approach and Members are asked to agree this for all planning application reports moving forwards.
- 3.7 Members are also asked to agree the deletion of ‘Lists’ from Plans Sub Committee agendas as these are at this time no longer considered to assist with the determination process. Council

applications will continue to be clearly identified in the report header. Members should note that this would include the removal of List 4 and therefore any applications reported with a recommendation for refusal could be permitted at the same meeting.

Recording of Planning Committee Meetings

- 3.8 Members are also asked to consider whether the recording of Plans Sub and Development Control Committee meetings would be helpful to those attending and those unable to attend, if they were subsequently published. This meeting and the previous DCC meeting have been broadcast on the internet due to meeting constraints created by the COVID-19 pandemic, and Members may wish to consider options for the longer term future involving technology in light of this, which does make the meetings more accessible to those who may not be able to attend in person.
- 3.9 There are a number of benefits of recording / broadcasting meetings, including the availability of clear transcript of decision making, which can be useful at appeal, in dealing with complaints and to defend cost claims. The public availability of recording would enable those who could not attend a particular meeting to listen back to the discussion.

4. FINANCIAL IMPLICATIONS

- 4.1 Initial recommendations are likely to be absorbed within existing workload and there should be no substantial additional cost at this stage, however additional staff and / or financial resources may be required for training, evening meetings, technology and other commitments involving greater staff input or external support. This will need to be assessed based on specific proposals / decisions.
- 4.2 Better decision making may result in a reduction of costs awarded against the Council at appeal and some changes may reduce the cost of processing applications, for example those determined under delegated powers as opposed to committee decisions.
- 4.3 As a result, if these recommendations are approved and implemented, the impact on workloads and costs be need to be monitored, with a view to manage these changes within existing resources.

5. LEGAL IMPLICATIONS

- 5.1 The recommended measures should reduce the likelihood of successful legal challenge against planning decisions

6. PERSONNEL IMPLICATIONS

- 6.1 See financial implications above

Non-Applicable Sections:	Policy Implications Impact on Vulnerable Adults and Children Procurement Implications
Background Documents: (Access via Contact Officer)	Planning Advisory Service Report May 2019 Probity in Planning (PAS) December 2019 Bromley Council Constitution

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London Borough of Bromley

Local Planning Protocol and Code of Conduct



Contents:

1. Introduction
2. Referral of Applications to Committee
3. Agenda and Reports
4. Site Visits
5. Late Representations
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9. Councillor and Officer Roles

1 Introduction

1.1 Planning has a positive and proactive role to play at the heart of local government. It helps councils to stimulate growth whilst looking after important environmental areas. It can help to translate goals into action. It balances social, economic and environmental needs to achieve sustainable development.

1.2 The planning system works best when officers and councillors involved in planning understand their roles and responsibilities, and the context and constraints in which they operate. Planning decisions are based on balancing competing interests and making an informed judgement against a local, regional and national policy framework.

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1.3 This protocol and code of conduct applies to all planning committee meetings, currently known as Development Control Committee and Plans Sub Committees, and to all Officers and Councillors attending committee meetings. Reference to planning committee is to either of these meetings. Planning committee is a formal meeting of elected Members who make statutory decisions as the Local Planning Authority.

1.4 The purpose of this document is to help all those involved with planning committees, and in particular those making decisions, be consistent in their behaviour and approach and to ensure that the meetings are conducted fairly, transparently and in accordance with the relevant legislation. It has been produced in accordance with the Planning Advisory Service publication 'Probity in Planning' – December 2019.

1.5 In addition, where permission is refused, applicants can appeal against planning decisions to the independent Planning Inspectorate, with a possibility of costs being awarded against the Local Planning Authority if unreasonable behaviour by the Authority can be demonstrated. Appeals can also be submitted against the imposition of planning conditions.

1.6 Planning decisions can be the subject of judicial review, and aggrieved parties can go to the Local Government and Social Care Ombudsman with complaints about maladministration. Adherence to this protocol will minimise the risk of appeals being lost, successful costs claims, lost court cases and upheld complaints.

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2. Referral of Applications to Committee

2.1 Applications can be included on a committee agenda for any of the following reasons:

1. They are subject to a written 'call in' by a Councillor
2. They fall outside of the powers delegated to Planning Officers
3. Planning Officers decide to refer the application to committee

2.2 This is a summary and reference should be made to the Scheme of Delegation (Appendix 10 of the London Borough of Bromley Constitution https://www.bromley.gov.uk/downloads/download/211/constitution_of_the_london_borough_of_bromley) which provides the constitutional framework for powers of delegation to Officers and sets out the arrangements for 'call in'.

2.3 Planning applications, tree matters and contravention reports can be considered by either Plans Sub Committee or Development Control Committee. Matters of policy and strategic reports are only considered by Development Control Committee.

2.4 If an application is to be considered at planning committee (see 2.1 above), the following procedures apply to determining which committee to report it to:

- 'Non-major' applications are considered by Plans Sub Committee unless the Assistant Director (Planning) determines that the application is of strategic importance and refers it to Development Control Committee.
- 'Major' applications - Officers recommend a decision route and this is agreed by the Chairman and/or the Vice Chairman of Development Control

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Committee within 3 working days of receiving the Officer recommended decision route in writing. This will normally be via a monthly recommendation list.

3. Agenda and Reports

3.1 The planning committee agenda will include planning applications in numerical order based on the application reference number.

3.2 Application reports are normally presented in a standard format provided by the Assistant Director (Planning). Reports will identify and analyse the material considerations, of which the committee will need to take account when considering the application on its planning merits. The presentation of reports for matters other than applications may vary according to their content but will present a clear recommendation where appropriate.

3.3 Planning committee agendas must be published on the Council's website a minimum of 5 working days prior to the committee meeting.

3.4 Planning application reports will always include an officer recommendation for approval or refusal. Non application reports will include a recommendation where appropriate.

4. Site Visits

4.1 Planning Officers will normally visit each application site and these visits are used to inform the committee report and recommendation. Photographs from these visits are often used within reports to illustrate particular important points.

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4.2 For formally arranged Councillor site visits, the Chairman of the relevant committee in consultation with the Assistant Director (Planning) or Head of Development Management will decide whether a site visit for committee members is necessary in advance of any particular application being determined at committee. Such visits will not be publicised.

- 4.3 A site visit for committee members is only likely to be necessary if either:
- I. the impact of the proposed development is particularly difficult to visualise from the plans and any supporting material, including photographs taken by officers; or
 - II. the proposal is particularly contentious

4.4 Formally arranged site visits are for observing the site and gaining a better understanding of the issues. They should not be used as a lobbying opportunity by applicants or their agents, local residents, objectors or supporters or for debating any aspect of the proposal or for making any decision. Councillors will usually be accompanied by a Planning Officer.

4.5 It may be useful for committee members to visit a site to familiarise themselves with it prior to consideration of an application at committee. Any informal visit should be carried out discreetly and if Members do encounter an applicant or neighbour they should ensure that there is no risk of this leading to the perception that they were no longer impartial, for example by expressing a particular view.

4.6 Doing so could be misinterpreted as lobbying and may create a suspicion of bias. If such contact is made this should be declared in Committee, but this should

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not prevent that Member from taking part in the consideration of that application provided they have acted in accordance with the advice in this Protocol.

5. Late Representations

5.1 Planning applications involve public consultation which has to comply with a legal statutory minimum requirement. In many cases we consult over and above the statutory minimum and our approach to this is set out in Section 4 of our published Statement of Community Involvement

https://www.bromley.gov.uk/info/1004/planning_policy/154/statement_of_community_involvement.

5.2 Public consultation on planning applications includes a formal period for representations to be submitted, and representations are accepted only on a discretionary basis after the expiry of the formal consultation period. Representations received after formal consultation has closed are not guaranteed to be considered in the determination of an application.

5.3 To ensure that all representations can be assessed and presented to planning committee as appropriate, it is necessary to have a cut off time for receiving representations on applications to be considered at committee and this is 12 noon on the day of the meeting. The Assistant Director (Planning) has the final decision on whether to accept late representations.

5.4 As committee reports are prepared and published some time in advance of committee meetings, any representations (including those from consultees) received after publication of the report will be uploaded to our website and may be verbally summarised by the Officer attending the meeting.

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5.5 If late representations affect the conclusions of the report or recommendation this will be reported verbally to the committee.

5.6 Documents must not be distributed to committee members at the committee meeting (including by public speakers) to ensure that the material considered in the determination of the application is available to all.

6. Public and Visiting Councillor Speaking Procedure

6.1 Members of the public making written comments on planning applications which are to be considered by a planning committee have the opportunity to verbally address Councillors at committee if they wish. Anyone wishing to speak must have already written in expressing their views on the application. Speakers are not normally permitted on items other than planning applications.

6.2 Members of the public wishing to speak at planning committee must give notice to the Democratic Services Team of their intention to speak by calling 020 8313 4745 or 020 8461 7566 no later than 10:00 am on the working day before the meeting. Requests to speak will only be registered once the relevant agenda has been published.

6.3 Should speakers wish to table any correspondence or photographs to supplement their speech to the committee, all documents must be submitted to the Democratic Services Team by 5.00 p.m. on the working day before the meeting. A permanent copy of any item must be provided and it is not acceptable to refer to online maps, photographs on phones/ipads or similar. The Chairman's agreement must be sought at the meeting for any items to be considered.

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6.4 Order of public speakers: if the recommendation is 'permission' then it will normally be the opponent first, supporter second. If the recommendation is 'refusal', the reverse order will apply.

6.5 Normally one person is permitted to speak for an application and one person permitted to speak against it. If there are more than two requests to speak for or against, people with similar views should get together and agree spokespersons. , If there is no agreement, the first person to notify Democratic Services of their intention to speak will be called. Among supporters, the applicant (or if the applicant wishes, the agent) takes precedence, and if the applicant or agent do not wish to speak, the first supporters will be called.

6.6 Residents' Associations or other organisations wishing to make use of these arrangements must appoint a single spokesperson to represent their views.

6.7 Speakers are reminded that only material planning considerations are relevant to the determination of planning applications.

6.8 Each speaker will normally be given up to three minutes and this will be indicated by the warning light system in front of the speaker: - an amber light will show the passing of two-and-a-half minutes and a red light will show the completion of the three minute period. At the red light the Chairman will normally ask the speaker to cease their presentation.

6.9 Members of the Committee (but not visiting Ward Members) may ask speakers to clarify points raised. Otherwise, once members of the public have spoken, no further intervention will be permitted. Visiting Members must not sit with members of the committee or sub-committee.

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6.10 Visiting Ward Councillors should notify the Democratic Services Team of their intention to speak at committee prior to 5:00pm the day before the meeting. Visiting Councillors do not have a formal time constraint but should aim to keep their presentation to within 3 minutes. Any representations must be limited to material planning considerations

7. Order of Proceedings

7.1 Whilst the order of consideration of items at planning committee is ultimately a matter for the Chairman, planning applications will normally be heard first, followed by other items.

7.2 The Chairman will normally vary the order of the agenda taking items with visiting Councillors and public speakers first. Speakers and visiting Councillors should leave the table once they have spoken, prior to the debate on the item commencing.

7.3 Matters will proceed for each item as follows, skipping items where there is nothing to report or no speaker present:

1. Update from Planning Officer and presentation for major applications
2. Public speaker(s) (see 6.7 above)
3. Visiting Ward Councillor (see 6.13 above)
4. Committee debate
5. Chairman summarises motions put and seconded
6. Chairman to clarify reasons for refusal or permission if different to that recommended or if additional reasons / conditions are to be added

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7. Planning Officer opportunity to advise committee prior to motion being considered
8. Vote taken
9. Chairman to summarise and confirm the decision

Planning, legal and other professional officers have a right to be heard and to give advice within their area of professional expertise at any point in the consideration of an application.

7.4 The Chairman should be careful to ensure that additional conditions or reasons for refusal are clearly identified prior to going to the vote and not afterwards to ensure that the committee is clear what it is voting on. The Chairman can take advice from legal planning or other professional officers present.

7.5 Should there be differing views about the content of reasons for refusal or conditions, the Chairman may take a separate vote following the main vote to clarify the outcome.

7.6 Committee members are given the opportunity to record their vote against whatever motion is put if they wish.

7.7 It is important for the quality of decision making that the Planning Officer is provided with an opportunity to update Members and make any final comment immediately prior to the vote being taken to help ensure that the committee is fully aware of any further advice pursuant to the debate / motion.

7.8 Meetings will normally finish by 10:00pm.

8. Decision Making and Voting

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8.1 The Chairman should take the motion that is proposed and seconded first and only if that motion fails move to the next motion that is proposed and seconded.

8.2 Should votes for or against a recommendation both fail it is still open to the committee to consider whether they might defer the application for possible changes to make it acceptable to the majority of the committee. The Chairman can use her or his casting vote to decide if voting is equal for and against a motion.

8.3 Councillors should state motions they put clearly and include any specific changes they propose to the officer recommendation so that the committee understand the extent of the motion being proposed (see also 7.5 above).

8.4 When voting, committee members should raise their hands clearly to ensure an accurate count for the vote.

Motions and Votes Against Officer Recommendation:

8.5 If a motion is proposed that contradicts that in the Officer report the Planning Officer should be given the opportunity to give the committee advice on that motion prior to any vote. That advice will be based upon the material considerations that have been discussed by the Committee and whether there are grounds that could be defended in the event of an appeal or legal challenge. The solicitor advising the Committee will be called upon as necessary to give advice on legal matters.

8.6 If the officer considers that he/she is unable to give that advice immediately, further consideration of the matter will be suspended and the agenda item will be adjourned so that the officer can bring a report to the next available committee setting out his/her advice.

9. Councillor and Officer Roles

9.1 The PAS publication 'Probity in Planning' 2019 states: *"Councillors and officers have different but complementary roles within this system, and effective communication and a positive working relationship between officers and councillors is essential to delivering a good planning service.."*

9.2 The 7 Standards of Public Life identified in the Localism Act 2011 are:

- Selflessness – public interest
- Integrity – not open to inappropriate influence/private gain
- Honesty – truthful; declaration of interests and gifts
- Objectivity – use best evidence; impartial; non-discriminatory
- Accountability – open to scrutiny
- Openness – open and transparent decisions in public
- Leadership – uphold and exhibit standards and behaviours

9.3 The Planning Advisory Service Report for Bromley (May 2019) states: *"The role of Councillors on the Committees presents a challenge to the individual. It is often considered to be a quasi-judicial role, but has been described as*

"A formal administrative process involving the application of national and local policies, reference to legislation and case law as well as rules of procedure, rights of appeal and an expectation that people will act reasonably and fairly."

(Local Government Association/Planning Advisory Service: Probity in Planning for Councillors and Officers 2013.)

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In this role Councillors are expressly being asked to place to one side any party political interests, and their role as the representatives of a particular ward, and assess, debate, and then determine often controversial planning proposals in the wider public interest of the whole Council area, and in line with national and local planning policy. They must do so in a way which demonstrates they have understood their role and have approached the decision point open to considering and weighing the merits of all the material issues.”

Members must never consider applications submitted by themselves, a family member or a close personal associate, and must comply with the Members Code of Conduct at all times when such applications are submitted,

If on consideration of a planning application a fair minded and informed observer, having considered the facts, would conclude that there was a real possibility that a Member was biased the Member must recuse themselves from consideration of that application.

9.4 The role of the committee Chairman is to lead and manage the committee and in particular:

- determine the order in which questions may be addressed from the committee members following the officers presentation;
- ensuring that the public speaking procedure is followed;
- managing the committee debate about applications including the order in which Councillors who wish to address the committee may speak;

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- determining when the debate has come to a close and votes should be cast in the order in which the motions were first completed (i.e. where the motion has been moved and seconded by Members of the Committee).
- ensuring that debate and decisions made are suitably focused on relevant planning considerations.

9.5 Councillors sitting on the planning committee should:

- make planning decisions on applications presented to the Committee openly, impartially, with sound judgement and for sound planning reasons.
- consider only material planning considerations in determining applications
- exercise their responsibilities with regard to the interests of the London Borough of Bromley as a whole rather than with regard to their particular Ward's interest and issues;
- Come to meetings with an open mind.
- Not allow anyone (except officers, other committee Members and public speakers when they are addressing the committee) to communicate with them during the meeting (orally or in writing) as this may give the appearance of bias. For the same reason, it is best to avoid such contact immediately before the meeting starts.
- Consider the advice that planning, legal or other officers give the committee in respect of the recommendation or any proposed amendment to it.
- Comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires the Local Planning Authority to make decisions in accordance with the development plan unless there are good planning reasons to come to a different decision.

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- Come to their decision only after due consideration of all of the information available to them, including the local information that Members are uniquely placed to access, but always remembering to take decisions on planning grounds alone. If Members feel there is insufficient time to digest new information or that there is insufficient information before them, then they should seek an adjournment to address these concerns.
- Not vote on a proposal unless they have been present to hear the entire debate, including the officer update and any public speaking.
- Make sure that if they are proposing, seconding or supporting a decision contrary to the officer's recommendation or the development plan, that they clearly identify and understand the planning reasons leading to this conclusion and that they take into account any advice planning, legal or other officers give them. Their reasons must be given prior to the vote and be recorded. Be aware that they may have to justify the resulting decision by giving evidence in the event of challenge.
- Members should avoid requests for officers to speed up or delay the determination or assessment of particular applications for their own personal or political convenience or following lobbying by applicants, agents/advisers, local residents or other interested parties.
- seek to attend relevant training and briefing sessions organised from time to time for them.

9.6 The role of Planning Officers at committee is:

- to use professional judgement when recommending decisions on applications and other planning matters.

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- to provide professional advice to the committee on planning applications and other matters at any point in the meeting.

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