

Application No : 19/02737/FULL1

**Ward:
Petts Wood And Knoll**

**Address : 63 Kingsway Petts Wood Orpington
BR5 1PN**

Objections: Yes

OS Grid Ref: E: 545057 N: 167897

Applicant : Mr Vidas Vaickus

Description of Development:

Demolition of dwelling. Erection of replacement dwelling; incorporating basement, with associated parking and landscaping

Key designations:

Article 4 Direction

Area of Special Residential Character

Biggin Hill Safeguarding Area

London City Airport Safeguarding

Smoke Control SCA 4

Proposal

Planning permission is sought for demolition of the existing dwelling and erection of a replacement dwelling incorporating basement and parking.

The application was supported by the following documents:

- Application forms
- Application drawings
- Design and Access Statement
- Accessible/Adaptable Homes Statement

Location and Key Constraints

The application site is No. 63 Kingsway, Petts Wood, a detached two storey 1930s dwelling located on the southern side of the highway. The land slopes downwards slightly from east to west and the boundaries are marked mainly by approximately 1.8m high close boarded fencing. The dwelling has an attached garage whereas others have a garage positioned in the rear garden; including No. 71. The area is residential in nature with a generally consistent form of detached and semidetached inter-war dwellings set in relatively spacious plots. They have a traditional/conventional design and materials including distinctive mock Tudor and Arts and Crafts features. The area is relatively sylvan in nature with some prominent and attractive street trees opposite and to the west and other trees within residential curtilages which are visible over and through gaps between dwellings. The dwelling is not listed and it does not lie within a Conservation Area, however it lies within the Petts Wood Area of Special Residential Character.

According to the Bromley Local Plan the Petts Wood ASRC area includes circa 1500 dwellings within detached and semi-detached properties on circa 112 ha of land. It is bounded by the railway to the north, Chislehurst Road Conservation Area to the north east, tree preservation orders and the railway to the north west and the west (excluding Urban Open Space, properties within Petts Wood Station Square Conservation area and other areas which include retail and car parking uses), part of St John's Road to the south west, the Chenies Conservation Area and residential areas considered to be of distinct character and/or standard to the south and west of Crofton Lane and east of Grosvenor Road.

The original plans for Petts Wood date from the late 1920s and the early 1930s. Whilst there have been some changes post war the prevailing design of the buildings is from the 1930s and remains largely intact. Some of the properties have been built by the distinguished designer Noel Rees who designed all of the building within the neighbouring Chenies Conservation area. Whilst houses were built over a number of years, in a number of similar though varied styles, the road layout and plot sizes were established in an overall pattern, following the garden suburb principle which largely remains intact today. The large plots which are spaciously placed were originally designed following the garden suburb principle by developer Basil Scruby. The regularity of front building and rear building lines, the consistency in the front roof lines largely untouched by roof extensions or conversions and the symmetry between pairs and neighbouring pairs of houses are of importance in defining the character of the area. The Petts Wood ASRC has an open, suburban and semi-rural feel, predicated by low boundaries and visible front gardens set back from the road as well as the width of the separation between the houses which is of a particularly high standard. This allows many of the trees and greenery which prevail throughout the area to be seen from the street. Large rear gardens also provide the area with a high level of amenity. The plot sizes, the alignment of the houses to the Garden Suburb principle underline the character, rhythm, symmetry and spatial standards of the ASRC.

The separation between building and the rhythm and pattern of the houses adds to the special character. In many cases there is a much wider separation between houses than in other parts of the Borough which demands a higher degree of separation between buildings to maintain the special character, the openness and feel of the area. Where there are pairs of houses that complement the rhythm of the street scene there is also a prevailing symmetry between the houses. This symmetry can also be seen between neighbouring pairs. The plots are set out in such a way that the spacious character is one of a clear detached and semi-detached nature. The front roof lines also enhance the character of the area being largely untouched by roof extensions and conversions at the front.

This allows many of the trees and greenery which prevail throughout the area to be seen from the street scene. Large rear gardens often in excess of 120ft are a feature of the ASRC and provide the area with a high level of amenity and contribute to nature conservation.

Some of the dwellings have been altered and extended in various ways.

This application has been "called-in" by a Ward Councillor.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and representations were received, which can be summarised as follows:

Objections

- o No objection to redevelopment/reorganisation for modern living within the existing dwelling,
- o The local area is an historic and characterful Area of Special Residential Character; characterised by detached mock Tudor Noel Reece dwellings in spacious plots with generous space to the sides,
- o The proposed building; with a double front and limited side space, has not considered the existing established local character would be out of keeping with the character and style of houses in the street, the ASRC and the Conservation Area,
- o A front forecourt dominated by parking would be out of keeping with the well landscaped area; and would contribute to flooding, and should have more soft landscaping,
- o The proposed building would be overly dense and would overdevelop the site; out of keeping with the scale of neighbouring properties,
- o The 3D view is misleading; a 2D view clearly shows overly large dwelling in context to its neighbours,
- o This substantial proposal would certainly conflict with the Area of Special Residential Character when smaller more modest extensions were unacceptable,
- o The proposal would overlook neighbouring properties,
- o The two parking spaces would be insufficient and would cause more on-street parking; exacerbated by commuter parking, and damage to parked cars,
- o The roads cannot be swept due to parked cars which adds to debris and flooding of drains,
- o The proposed basement excavation could cause structural/foundation damage to the neighbouring properties (sandy/stony soil, clay soil waterlogging or shrinkage, underground springs) and a ground water survey does not appear to have been conducted,
- o A Party Wall survey is required in relation to the basement excavation and any damages reimbursed to neighbouring occupants,
- o The proposal would increase risk of flooding; including to Crossway,
- o The construction process would cause noise, pollution and disturbance to neighbouring occupants,
- o Construction vehicles would exacerbate existing parking congestion,
- o Sustainable Passivhaus principles are noted however it would be more sustainable to retain the existing dwelling than demolish it and rebuild,
- o The proposal would waste vast amounts of existing building materials and place excavated soil into landfill and would therefore be unsustainable,
- o The proposal would set a precedent for further redevelopment/overdevelopment; detrimental to the character and appearance of the area,
- o The Article 4 Direction prevents small roof alterations and this proposal would have a much greater impact,
- o The proposal is only for financial gain,
- o The proposal would adversely affect property values in the area,
- o The hours of construction should be restricted to preserve neighbouring amenities,

Local Groups

Petts Wood and District Residents Association

- o The ASRC is characterised by interwar houses with spacious plot sizes and gardens. The Petts Wood ASRC statement in the Bromley Local Plan (BLP) Appendix 10.6 Section 3 states 'The prevailing design of the buildings is from the 1930s and this remains largely intact.' The original estate plan and method of building was for houses to be built by individual builders, who had to agree to build houses according to a strict set criteria laid down by the estate developer, Basil Scuby. 'The Petts Wood ASRC has an open suburban and semi-rural feel, predicated by low boundaries and visible front gardens, set back from the road as well as the width of separation between the houses

which is of a particularly high standard. This allows many of the trees and greenery which prevail throughout the area to be seen from the street. The plot sizes, the alignment of the house to the Garden Suburb principle underline the character, rhythm, symmetry and spatial standards of the ASRC. ... In many cases there is a much wider separation between houses than in other parts of the borough which demands a higher degree of separation between buildings to maintain the special character, the openness and feel of the area.' The Petts Wood ASRC description states 'the regularity of front and rear building lines ... are of importance in defining the character of the area.'

o The drawings are inaccurate and do not accurately represent the dwelling and neighbouring dwellings,

o Nos. 57-63 were built by one builder a distinctive row of four dwellings and retain their main architectural features including angular three panel bay windows, a single large Tudor boarded gable, leaded light windows, round brick porches, oak front doors. The replacement dwelling introducing a modern, double-fronted house with two plain gables, a rectangular porch, larger plain windows, no garage and built with extensive use of grey materials for windows, doors, guttering, etc. would be out of character within the row of dwellings in this part of Kingsway and the wider Petts Wood ASRC,

o The proposed basement; served by light wells, is not a characteristic feature. It would comprise a significant proportion of the floor space. It would be in close proximity to neighbouring properties with the potential to cause structural damage and does not contain a basement impact assessment or construction plan, no detail of ventilation and associated noise impacts, to address this issue. Other London Boroughs have refused these where they are not characteristic,

o The proposal would not respect the prevailing building line; characteristic within the ASRC,

o The proposal would have insufficient side space to the boundaries; narrower than existing, comprising a cramped form of development,

o The GIA would be increased from 124sqm to 398sqm; a 321% increase indicating an overdevelopment of the plot,

o The crown hipped roof and the large front roof light window are not a characteristic feature within the ASRC and has been dismissed in recent appeals at 6 Ladywood Avenue (reference 15/3133381) and 2 Woodland Way (reference 17/3189325),

o The proposal would cause harmful overlooking to the neighbouring properties,

o The enlarged dwelling could accommodate 10 adults and there would be insufficient on-site parking,

o Although the proposed parking would be insufficient it would nonetheless dominate the plot frontage with hard surfacing contrary to the character of the area where front gardens are a feature of this "Garden Suburb",

Comments from Consultees

LBB Drainage Engineer: No objection subject to surface water drainage strategy which could be managed by planning condition.

LBB Highways: The site lies is within an area with a PTAL rating of 2 (on a scale where 0 has the worst/least and 6b has the best/most access to public transport services), indicating that this site and this development would be moderately reliant on private transport including the private motor car. The proposal is for a 5-bed dwelling. There is no parking standard in the Local Plan for a 5 bed house, and the parking standard for a 4-bed dwelling is a minimum of 2 spaces. A larger dwelling may theoretically require more parking spaces however the provision of only 2 spaces would not be sufficient to justify a refusal. No objection subject to the parking being provided as shown, submission of highway drainage details and provision of a wash-down facility for construction vehicles and this could be managed by condition(s).

LBB Trees: No comments received

LBB Waste Services: No comments received

Thames Water: No comments received

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (January 2019). The NPPF does not change the legal status of the development plan.

London Plan Policies

7.4 Local character

7.6 Architecture

Bromley Local Plan

6 Residential Extensions

8 Side Space

30 Parking

37 General Design of Development

44 Areas of Special Residential Character

73 Development and Trees

Supplementary Planning Guidance

SPG1 - General Design Principles

SPG2 - Residential Design Guidance

Planning History

No relevant planning history.

Building control records indicate the erection of a single storey side extension (application 99/01860/DEXBN3 refers). It may have been lawful development at the time of its construction however it is now likely to be immune from planning enforcement action in any event by virtue of the passage of time.

Considerations

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

- o Procedural Matters

- Resubmission
- Principle and location of development
- Design and landscaping
- Standard of residential accommodation
- Neighbouring amenity
- Highways
- Sustainability
- Other (drainage/flooding/noise/pollution)
- CIL

Procedural Matters

The application site lies within the ASRC but not within a Conservation Area.

For reference the Article 4 Direction prevent alterations to dwellings that might otherwise be lawful under the General Permitted Development Order (G PDO) and carried out under the permitted development rights in order to allow the Council to carefully manage such changes in the interest of the design of the area. This proposal however would not be lawful under the G PDO and could not be carried out under permitted development rights; it would always require a planning application where the proposed design can be considered by the Council, and therefore this is not a directly comparable situation.

Each planning application is considered on its own merits; although previous decisions and case law may be material considerations, and therefore the proposal would not set a precedent.

The need for a development is not a planning consideration; except where the need must be justified to outweigh some harm such as in Inappropriate Development in the Green Belt.

The impact of new development on property values is not a material planning consideration.

Principle and location of development

The building is not statutorily or locally listed and it does not lie within a Conservation Area and therefore there is no objection in principle to its demolition and redevelopment. Furthermore the site lies within an urban/suburban area where there is no objection in principle to new residential development including replacement dwellings; subject to an assessment of the impact of the proposal on the appearance/character of the building, the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications.

Design and landscaping

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 124 of the NPPF (2018) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the NPPF (2018) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

As mentioned above the Petts Wood ASRC is characterised by detached two storey inter-war dwellings; set within relatively spacious plots. There is variation in design due as dwellings were built over a number of years and by different architects/house builders, although they share general characteristics. The existing dwelling has a relatively narrow width with a modest pyramid hipped and ridged roof formation; a prominent timber framed gable ended bay window feature, and a modest single side garage. The proposed replacement dwelling would have a wider frontage and "double fronted" design and a wider transverse crown hipped pitched roof. It would have prominent gable ended features however they would not be bay windows and the fenestration would be larger and more uniform; contrasting with the smaller and more varied fenestration in the existing dwelling. It would also remove the existing single storey garage which contributes towards the space around the existing dwelling.

According to the submitted drawings the proposed dwelling would be separated from the west wide flank boundary by 1m and from the east side flank boundary by 1.3m and together with its greater width and visual mass it would almost span the full width of the plot thereby significantly enclosing the space around the dwelling. Bromley Local Plan Policy 8 Side Space states that in some areas which are characterised by a greater degree of separation a greater side space will be required. Given this Policy context the proposed replacement dwelling would fail to respect the generally smaller scale of buildings and the generally higher spatial standards existing in this particular area and it would cause the plot to appear overdeveloped and cramped.

The proposed design itself would be more contemporary than the existing Arts and Crafts design. It would attempt to retain the existing brick at ground floor level and painted render at first floor level however it would be dominated by its large bulky crown hipped roof design and large picture window fenestration and it would be out of keeping within the area. The proposal would incorporate a basement element which would be served by light wells to the front and rear. The light wells are therefore the only feature to indicate the presence of the basement. They would directly abut the front and rear walls; they would be level with the ground, and they would measure approximately 1m x 3.5m at the front and 0.5m x 3.2m at the rear. As such they would not be overly prominent from outside the site; such as within the street scene and for this reason the basement would not be readily apparent within the street scene and would not detract from the established pattern of development in the wider area and the ASRC.

The proposal would not appear to directly remove existing prominent trees or vegetation. However the proposed enlarged dwelling would enclose the space to the sides where views of trees beyond would be less prominent. The removal of the garage would require more forecourt space in the frontage (to provide the necessary parking; discussed further below) and this would remove some of the existing landscaping and the opportunity for new planting within the frontage to soften and enhance the proposal. As such the proposal would diminish and detract from the existing landscaping contrary to the Garden Village principle characteristic of the ASRC and this would also be harmful to its design and is another indicator that the amount and style of the development would be excessive.

Standard of residential accommodation

Policy 4 of the Bromley Local Plan sets out the requirements for new residential development to ensure a good standard of amenity. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Governments National Housing Standards.

The London Plan makes clear that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. The relevant category of Building Control Compliance should be secured by planning conditions.

Policy 3.5 of the London Plan and the Housing SPG (2016) Standard 24 states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit should comply with Technical housing standards - nationally described housing standard (2015).

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524531/160519_Nationally_Described_Space_Standard___Final_Web_version.pdf

Policy 37 of the Bromley Local Plan seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

According to the submitted details the proposal would have four floors of accommodation; it shows 5x 2-person bedrooms (although the floor plan could accommodate more bedrooms) and therefore as shown it would comprise a 5-bedroom 10 person dwelling (5b10p) measuring approximately 399sqm across the four floors. The Nationally Described Space Standard refers to either a 5b8p or a 6b8p dwelling as a maximum and therefore some adjustment is required. Nonetheless the proposed dwelling would be spacious and it would exceed the minimum space requirements (floor area/room sizes) and it would also comply with the other criteria such as room dimensions and heights and as such it would provide sufficient space for the intended future occupants. Although the dwelling would be larger than the existing it would not encroach unacceptably on the garden area which would remain suitably sized and laid out for the proposed replacement family sized dwelling.

Neighbouring amenity

Policies 6 and 37 of the Bromley Local Plan seek to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

As mentioned the proposed dwelling would be larger and would cover more of the size area than the existing dwelling. It would be wider, it would project further into the site 11m at two storey level and a further 5m at single storey level compared with the 9.5m deep existing dwelling, and although it would not exceed the existing ridgeline it would be bulkier than the existing roof formation. Notwithstanding this, the two storey element of the new dwelling would not project significantly beyond the rear wall of the neighbouring two storey dwellings and the single storey element would not be excessive depth or height, it would be screened from No. 71 by the garage in its rear garden and as such the proposal would not have a significantly greater impact on the amenities of the neighbouring properties by reason of overshadowing or overbearing effect than the existing dwelling. The main outlook would continue to be to the front and rear where there would be no significantly more harmful additional overlooking over and above that which already exists; including the proposed rear dormer window which is not an uncommon feature in general in residential areas and/or within this specific residential area. The proposed side flank windows would mainly serve circulation spaces or non-habitable rooms such as bathrooms and/or they would be secondary windows to habitable rooms served by other main windows and as such they could be fitted with obscure glazing and restricted opening casements as necessary in order to preserve neighbouring amenities whilst not creating an unsatisfactory living environment for the future occupants.

Notwithstanding third party comments, whilst there would be some noise and disturbance from the construction site this is inherent in the development process and furthermore it would be relatively temporary in the context of the lifetime of the completed development and as such this is not a sound reason to refuse to grant planning permission. However the Developer should operate the construction site in accordance with the Environmental Health legislation/requirements and this could be managed by planning informative in the event that planning permission is granted.

Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

London Plan and Bromley Local Plan Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan and Bromley Local Plan should be used as a basis for assessment.

The site lies in an area with a PTAL rating of 2 with relatively poor access to public transport services and according to the Council's Highway Department the development

would be moderately reliant on private transport modes including the private car. The adopted parking standard requires at least 2 spaces for 4-bedroom dwelling and as such a proposed 5-bedroom dwelling may require more spaces however the Highway Department considers that this would not be a sound reason to justify refusing planning permission. Furthermore the existing dwelling could potentially accommodate at least 5 bedrooms without necessarily requiring planning permission and may only already provide 2 parking spaces and therefore given this fallback position then it would be less sound to warrant refusing planning permission for an absence of on-site parking. Notwithstanding this, as mentioned above, notwithstanding the amount of parking provision it would nonetheless dominate the front of the plot with adverse design impacts described above. There is no other objection on Highway grounds providing the parking is provided as shown, that suitable highway drainage is provided and a facility to wash-down construction vehicles to avoid damage and a hazard on the highway and this could be managed by planning condition in the event that planning permission is granted. It is noted that construction traffic and is likely to park on the public highway; it would not be warranted to require a construction transport management plan for a small scale development such as this. Furthermore, those vehicles are entitled to park on a public highway in any event unless they are a genuine obstruction in which case they are matter for the Council's Highway Department or the Police Service.

Sustainability

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

The proposal is not for major development and according to the Bromley Local Plan sustainable/renewable energy generating development is not compulsory. Notwithstanding this, the proposal would comprehensively develop the site; offering the opportunity to construct the dwelling with energy efficient features and technology and to install renewable energy generating technology and this would not be discouraged.

Other matters

The site does not lie within an Environment Agency Flood Zone 2 or 3 (the areas with highest flood risk) and as such the proposed development would not experience a significant flood risk. Nonetheless, according to the Council's Drainage Engineer the proposal should provide details of the surface water drainage strategy and this could be managed by planning condition in the event that planning permission is granted.

Notwithstanding third party comments, including some relating to previous/existing development in Wood Way, matters including land stability, structural conditions and associated drainage and flooding are not a planning matter. As such there can be no objection in planning terms to the principle of the proposed basement. It is for the Applicant to demonstrate that the development could be satisfactorily constructed and it is their responsibility to ensure that the construction is subsequently carried out accordingly;

under the relevant Building Regulations and/or the Party Wall etc. Act, and to make good any damages inflicted thereafter.

CIL

The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

Conclusion

Having had regard to the above it is considered that the development in the manner proposed is unacceptable as it would impact detrimentally on the character of the area and the Area of Special Residential Character.

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 REFUSED

The reason for refusal is:

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

The siting, scale and form of the development would fail to respect or complement those of the host dwelling and would not be compatible with development in the surrounding area. The proposal would fail to respect and maintain the high spatial standards of separation between buildings which already exist in this residential area and the new dwelling would result in a cramped and overdeveloped appearance. The proposal would conflict with Policies 4, 37 and 44 of the Bromley Local Plan 2019.