

# Bromley Ski Centre

Local Planning Authority: Bromley

Local Planning Authority reference: 22/01340/OUT

## Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

## The proposal

Outline planning permission for the redevelopment of the existing disused ski centre to construct 40 residential units with associated access, landscaping and parking (Outline permission in respect of access with other matters reserved).

## The applicant

The applicant is **MG Mason Developments Ltd** and the architect is **Esatto Design**

## Strategic issues summary

**Land use principles:** The development comprises inappropriate development in the Green Belt and is therefore, by definition, harmful. Very special circumstances have not been demonstrated which clearly outweigh the harm by reason of inappropriateness. The application therefore conflicts with the NPPF and London Plan Policy G2.

**Affordable housing:** 35% affordable housing, comprising a 60:40 split between social / affordable rent and intermediate housing is proposed. Tenure affordability levels have not been confirmed so as to demonstrate compliance with the Mayor's definition of genuinely affordable housing as set out in the London Plan.

**Transport:** The site has very poor access by foot, cycle and public transport with an effective Public Transport Access Level (PTAL) of 0. The proposals would fail to provide a genuine choice of transport modes and would consequently promote residential development that is excessively reliant on the use of cars, contrary to the London Plan. The development is therefore not supported in strategic transport terms.

Issues are raised in terms of **inclusive design, biodiversity, noise and air quality** which should be addressed and mitigated.

## Recommendation

That Bromley Council be advised that the application does not comply with the London Plan for the reasons set out in paragraph 74. The Mayor does not need to be consulted again if the Council decides to refuse the application.

## Context

1. On 21 April 2022 the Mayor of London received documents from Bromley Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008, the Mayor must provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.
2. The application is referable under the following Category/categories of the Schedule to the Order 2008:
  - Category 3D: Development on land allocated as Green Belt or Metropolitan Open Land...which would involve the construction of a building with a floorspace of more than 1,000 square metres or a material change of use of such a building.
3. Once Bromley Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; or, allow the Council to determine it itself. In this case, the Council need not refer the application back to the Mayor if it resolves to refuse permission.
4. The Mayor of London's statement on this case will be made available on the GLA's public register: <https://planning.london.gov.uk/pr/s/>

## Site description

5. The 2.8 hectare site lies wholly within the Green Belt and comprises the vacant and derelict site of the former Bromley Ski Centre. The site is bounded by the A20 (Sidcup By-Pass) to the north; the Ruxley Park Golf Course to the east; and Sandy Lane to the west. To the south the site is bounded by the Bannantyne Health Club, a residential cottage and a steep sided landscaped embankment.
6. The site comprises a 140-metre long stretch of compacted ground where the main artificial ski slope was located which slopes down in gradient to the north with a level change of approximately 25 metres from the summit to the base. A smaller 'nursery' dry ski slope for beginners was also historically located to the west of this larger facility. In addition, the site includes areas of hard standing associated with the foundations of two former club house buildings and tennis courts which have been demolished, as well as gravel areas which previously accommodated car parking. The Centre closed down in March 2016. All of the buildings on the site have been demolished. The site boundaries include relatively mature trees and landscaping with significant level changes associated with the embankment and ski slope. An aerial photograph of the existing site is shown below in Figure 1.
7. In terms of local amenities, the site is a significant distance from the closest local centres and train stations found at Sidcup and Bexley to the north and St Mary Cray to the south and which are approximately between 2 and 4 kilometres from the site. Employment uses and a large footprint Tesco retail park are found to the

north at Foots Cray, together with small scale commercial uses on Maidstone Road. These are approximately 700 to 950 metres from the site.

Figure 1 – aerial site photo



8. The site is accessed off Sandy Lane, which is a borough road. The A20, which forms part of the Transport for London Road Network (TLRN) lies adjacent to the site to the north; however, is not accessible from it, being a high speed, segregated dual carriageway road. The A233 Edginton Way/North Cray Road/Ruxley Corner Roundabout, around 600m north of the site, forms part of the Strategic Road Network (SRN).
9. Currently, pedestrian and cycle access to the site is considered poor. Sandy Lane is a narrow rural road without a footway for much of its length, including directly adjacent to the site. Any cycle access to and from the north requires negotiation of Ruxleys Corner roundabout, which is considered hostile to cyclists. There are no dedicated pedestrian crossing facilities at the roundabout, meaning the practical walk distances to bus stops and other facilities north of the roundabout are extended.
10. The nearest bus stops are located at the Tesco Superstore and Maidstone Road to the north. However, the access route is not considered to be acceptable as a walking route as set out above. There is no rail station within walking distance of the site.

11. The site has a PTAL of 1b, on a scale of 1 to 6 where 1 is the lowest. However, this is considered to be an overestimate as it assumes the walking route along Sandy Lane to bus stops to the north is suitable when in reality this access route is not considered to be acceptable as a walking route. As such, the effective PTAL of the site is considered to be zero.
12. The site is not within or adjacent to a conservation area and does not include any listed buildings or structures. There are no conservation areas or listed buildings in close proximity to the site, with the nearest being the St Paul's Cray Village Conservation Area, the boundary of which is approximately 450 metres to the south.
13. The River Cray and Ruxley Wood are Sites of Importance for Nature Conservation (SINC) and located to the west and north respectively. The River Cray is also a Site of Special Scientific Interest (SSSI).

## Details of this proposal

14. The application seeks outline planning permission for the redevelopment of the existing disused ski slope and associated hard standing to construct 40 residential homes with a mix of 1, 2 and 3-bedroom houses. The application is in outline form with all matters reserved except access. Parameter plans relating to massing and landscaping have been submitted, alongside an illustrative masterplan which is shown below. Further illustrative plans have been submitted in relation to the proposed movement framework and the existing and proposed topography. The illustrative masterplan is shown below.

Figure 2 – illustrative masterplan



## Case history

15. An application for outline planning permission was submitted in January 2020 which proposed the redevelopment of the site to construct 80 residential units with associated access, landscaping and parking (LPA Ref: 19/03208/OUT). This application was refused by Bromley Council on 25 March 2021. A total of six reasons for refusal were given which are broadly summarised below:
- Inappropriate development which would cause substantial harm to the openness of the Green Belt for which no very special circumstances existing which outweigh harm caused to the Green Belt and any other harm.
  - Harm to the setting of the adjacent locally listed building.
  - Due to the site location and PTAL (0), the proposals would be excessively dependent on the use of private cars and the proposal is therefore inconsistent with the overarching strategy of promoting sustainable transport and minimising greenhouse gas emissions.
  - The potential impact on trees which have not been fully assessed.
  - Impact on protected species and the absence of appropriate bat / reptile surveys.
  - Failure to demonstrate compliance with air quality policies due to unsatisfactory assessments.
16. The GLA's Stage 1 report was issued on 2 March 2020 and can be found [here](#)

## Strategic planning issues and relevant policies and guidance

17. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Bromley Local Plan (2019) and the London Plan 2021.
18. The following are also relevant material considerations:
- The National Planning Policy Framework
  - National Planning Practice Guidance
  - National Design Guide
19. The relevant issues, corresponding strategic policies and guidance (supplementary planning guidance (SPG) and London Plan guidance (LPG)), are as follows:
- |  |   |
|--|---|
| • Land use principles and Green Belt         | <i>London Plan;</i>   |
| • Housing, affordable housing and play space | <i>London Plan; Affordable Housing &amp; Viability SPG; Housing SPG; Shaping Neighbourhoods: Play and space</i> |

*Informal Recreation SPG; the London Housing Strategy; Housing Design Standards draft LPG;*

- Urban design and heritage *London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG; Public London Charter LPG; Housing Design Standards draft LPG; Optimising Site Capacity: A Design-led Approach draft LPG; Fire Safety draft LPG;*
- Inclusive access *Accessible London: Achieving an Inclusive Environment SPG;*
- Climate change, sustainable development and other environmental issues *London Plan; the London Environment Strategy; The control of dust and emissions in construction SPG; Circular Economy Statements LPG; Whole Life-Cycle Carbon Assessments LPG; 'Be Seen' Energy Monitoring LPG; Urban Greening Factor draft LPG; Air Quality Neutral draft LPG; Air Quality Positive draft LPG;*
- Transport *London Plan; the Mayor's Transport Strategy; Sustainable Transport, Walking and Cycling draft LPG.*

20. On 24 May 2021 a Written Ministerial Statement (WMS) was published in relation to First Homes. To the extent that it is relevant to this particular application, the WMS has been taken into account by the Mayor as a material consideration when considering this report and the officer's recommendation. Further information on the WMS and guidance in relation to how the GLA expect local planning authorities to take the WMS into account in decision making can be found [here](#).

## **Green Belt**

### Policy context

21. The application site lies wholly within land that is designated as Green Belt in Bromley Council's Local Plan proposals map (2019). The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The Green Belt serves the following five purposes:
- to check the unrestricted sprawl of large built-up areas;
  - to prevent neighbouring towns merging into one another;
  - to assist in safeguarding the countryside from encroachment;
  - to preserve the setting and special character of historic towns; and
  - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
22. The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. This approach is mirrored in London Plan Policy G2 which sets out the Mayor's

overarching strategic priority to protect the Green Belt from inappropriate harmful development.

23. As set out in the NPPF, substantial weight must be given to any harm to the Green Belt when making planning decisions. The NPPF clarifies that very special circumstances will not exist unless the potential harm to the Green Belt caused by inappropriate development, and any other harm, is clearly outweighed by other considerations.
24. The NPPF confirms that the construction of new buildings should be considered inappropriate in the Green Belt. However, this is subject to a limited range of specific exceptions, which can be considered 'not inappropriate' forms of development within the Green Belt which are set out in paragraph 149 of the NPPF.
25. Of potential relevance to this application is exception g) which covers the limited infilling or the partial or complete redevelopment of previously developed land, providing this would not have a greater impact on the openness of the Green Belt than the existing development. Where affordable housing is proposed which contributes to meeting an identified housing need, the policy criteria applied for assessing the impact on openness is different and such applications should not cause substantial harm to the openness of the Green Belt. This is evidently a higher bar in terms of potential impact.
26. Previously developed land is defined in the NPPF and London Plan glossary as land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. This excludes certain categories set out in the definition, including land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape. The definition states that it should not be assumed that the whole of the curtilage of a site should be developed where only part of a site includes permanent structures.
27. The National Planning Practice Guidance (NPPG) states that assessing the impact on openness is effectively a planning judgement based on the circumstances of a particular application. Drawing on case law, the NPPG also confirms that openness is capable of having both spatial and visual aspects and it may be relevant to assess both components, as well as other factors such as duration and remediability of a proposal and the degree of activity generated.

#### The applicant's position

28. The applicant's position is that the proposals accord with the NPPF as, in its view, the proposed development will reuse previously developed land and would not cause substantial harm to the openness of the Green Belt. The applicant has therefore not set out any very special circumstances.

#### GLA officer assessment

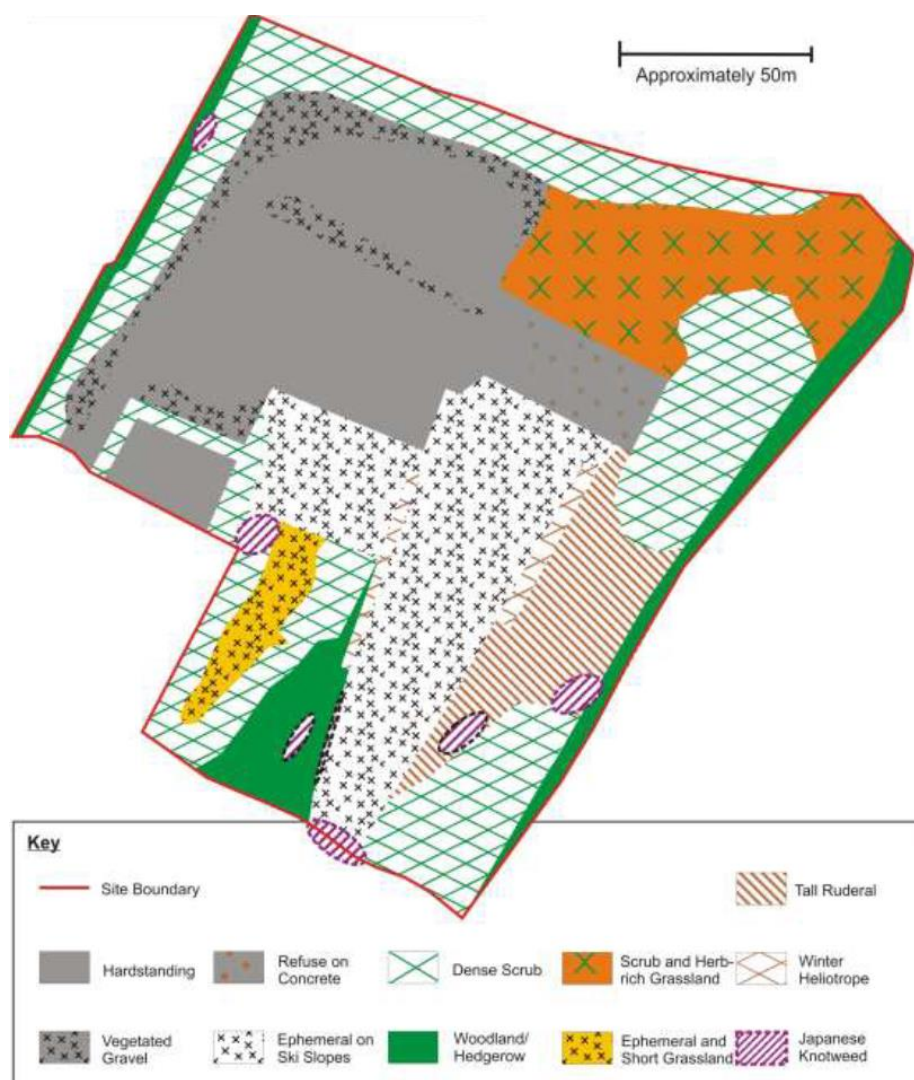
29. The main issues in the assessment of the acceptability of the principle of the proposed development are whether the proposal would represent inappropriate development in the Green Belt and, if the proposed development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly

outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal.

### *The extent of previously developed land*

30. An initial assessment of the extent of previously developed land on the site was undertaken by GLA officers as part of the Stage 1 report issued on the previous refused planning application. This report was issued in March 2020 and confirmed that parts of the site are occupied by permanent structures associated with the site's historic outdoor recreational use as a ski centre which received planning permission in 1984 (LPA ref: 83/01014). These areas include the foundations of the former ski centre club house buildings which have now been demolished and the tennis courts, as well as the hard landscaping associated with the car. A range of concrete, sub-base, tarmac and brick paving and walls are present in these areas of the site. As such, these areas of the site would comprise previously developed land and would therefore be subject to the NPPF exception in respect of the partial infilling or complete redevelopment. The plan below shows the areas of hard-standing, ski slope and habitat areas found within the site. Site photographs are also shown below.

Figure 2 – Ecological survey plan showing hard standing and habitats areas





31. Whether the ski slope itself can be classified as previously developed land depends on the extent to which this was established as a permanent (man-made) structure following significant earthworks permitted by the original planning permission. Historic maps showing the topography of the site prior the construction of the A20 suggest that the ski slope took advantage of an existing natural contour of the site.

32. In response to the GLA's Stage 1 report in March 2020, the applicant provided further information to evidence the scale and degree of the earthworks undertaken in establishing the ski slope in the form of historic maps, topographical maps and historic photos of the excavation works.. This amounted to significant earth works in the southern half of the ski slope and raised the existing ground level by as much as 11 metres in height in some places to create a continuous slope reaching the top of the pre-existing mound on the site.
33. The applicant's submission identifies a defined area of previously developed land shown below. This comprises the above areas of hard-standing and the southern section of the ski slope. The plans show that the proposed buildings would be located within this section of the site. GLA officers are in agreement with this overall assessment of the extent of previously developed land, based on the information available.

Figure 3 – area of previously developed land

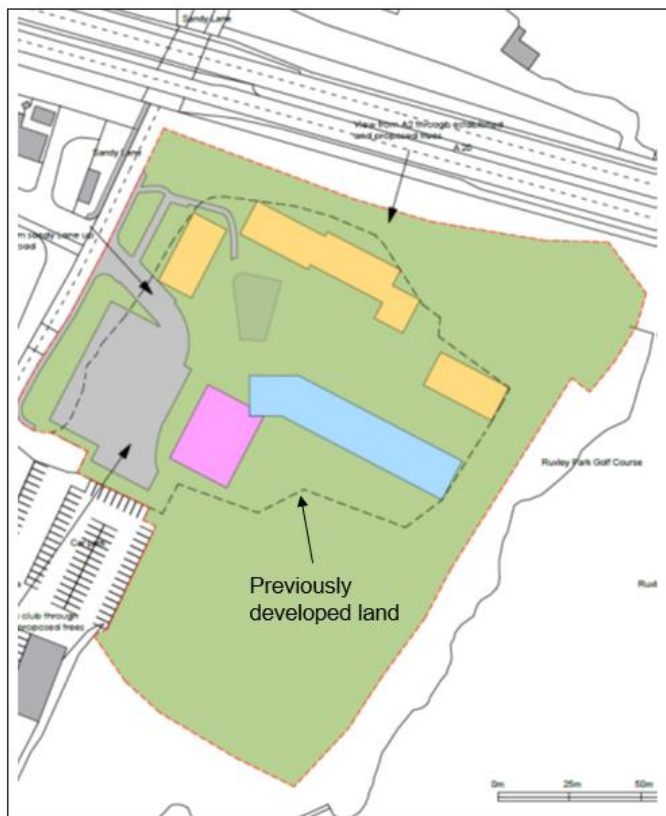


Figure 4 - proposed building footprint



34. As noted previously by GLA officers in their Stage 1 report on the previous planning application which was refused, the disused nature of the site and the immediate landscape context means that the ski slope and gravel areas are gradually being colonised by foliage and vegetation, as demonstrated by the photographs in the applicant's Ecological Survey Report. GLA officers understand that these areas of the site have been excluded from the identified area of previously development land shown above. However, this should be confirmed in discussion with the Council.

*Whether the proposed development would cause substantial harm to openness of the Green Belt*

35. The application proposes a policy compliant level of affordable housing which would meet an identified housing need. The remaining limb of the NPPF exception at paragraph 149 g) is therefore relevant. The key question is therefore whether the proposed buildings and level changes would cause substantial harm to the openness of the Green Belt in terms of its spatial and visual impact. Currently, there are no buildings on the site. The application would result in the construction of 40 buildings as shown below. This would comprise:
- 10 semi-detached two-storey houses, plus roof (rising to 8.7 metres in height)
  - 26 terraced two-storey houses, plus roof (rising to 9 metres in height)
  - 4 single-storey houses (rising to 3.1 metres in height).
36. The proposed building footprint would amount to 2,650 sq.m. in total. It is noted that this is approximately half of the overall building footprint and number of homes proposed in the previous planning application which was refused. The application also proposes 2,780 sq.m. of hardstanding associated with vehicle access and parking which is restricted to the car parking area to the west of the site adjacent to Sandy Lane. The proposals are less harmful than the previous scheme in this respect.
37. Soft landscaping is proposed including tree planting, urban greening and additional landscape screening around the site boundaries. Significant recontouring of the existing site levels is also proposed which would reduce the height of the slope. The single storey homes would have green roofs.
38. However, taking into account the overall spatial and visual impact of the proposals compared to the existing situation, GLA officers consider that the application would have a substantial impact on openness with 40 new buildings proposed on a site which does not currently contain any buildings. As such, GLA officers do not consider that the NPPF exception at paragraph 149 g) applies. The proposals therefore comprise inappropriate development within the Green Belt. Very special circumstances must therefore be demonstrated.

*Very special circumstances*

39. GLA officers do not consider that there are any very special circumstances which exist in this case which would clearly outweigh the harm caused by reason of inappropriateness and any other harm. This position takes into account the quantum of housing provision, the proposed percentage of affordable housing and noting other material planning considerations relating to the site location and accessibility in relation to sustainable and active travel options and the potential impact on biodiversity.
40. It is noted that the applicant has put forward the argument that the disused ski slope is negatively impacting the visual appearance of the Green Belt and its unmanaged nature poses the risk of fly tipping and invasive species taking hold including Japanese Knotweed. This is not considered to constitute very special circumstances. In contrast, it is noted that the site is gradually being re-colonised by landscaping and foliage and blending back into the landscape, and in doing so is helping to support the purposes of its Green Belt designation.

## Conclusion – land use principles

41. In summary, the development comprises inappropriate development in the Green Belt and is therefore, by definition, harmful. Very special circumstances have not been demonstrated which clearly outweigh the harm by reason of inappropriateness. The application therefore conflicts with the NPPF and London Plan Policy G2.

## **Housing and affordable housing**

42. The Mayor has set a strategic target for 50% of all new homes to be affordable, as set out in Policy H4 of the London Plan. Policy H5 of the London Plan identifies a minimum threshold of 35% affordable housing (by habitable room), with a higher threshold of 50% applied to public sector owned land and industrial sites where the scheme would result in a net loss of industrial capacity. The application is subject to the 35% affordable housing threshold.

## The Fast Track Route

43. To be eligible for the Mayor's Fast Track Route, applications must meet the applicable affordable housing threshold (by habitable room), in line with the required tenure mix without public subsidy. An early stage review mechanism would need to be secured via a Section 106 agreement. Applications which do not meet these requirements should follow the Viability Tested Route, with a Financial Viability Appraisal (FVA) submitted and schemes subject to both early and late stage review mechanisms.

## Tenure split

44. In terms of tenure split, Policy H6 of the London Plan sets out the Mayor's preference for at least 30% low cost rent (social rent or London Affordable Rent) and 30% as intermediate housing products, with the remaining 40% to be determined by the Council (and comprising either low cost rented homes or intermediate based on identified need).
45. Bromley Local Plan requires 60:40 tenure split, with 60% social/affordable rent housing and 40% intermediate housing.

## The applicant's affordable housing offer

46. The applicant is proposing 35% affordable housing with a 60:40 tenure mix by unit and habitable room, in line with the Local Plan and London Plan. This would therefore meet the eligibility requirements for the Fast Track Route. An early stage review would be required.

## Affordability

47. The exact type of social / affordable rent tenure and intermediate tenure accommodation has not been confirmed which is not acceptable. The following overarching comments are provided in relation to housing affordability in terms of London Plan compliance:

- Low-cost rent products should be secured at social rent or London Affordable Rent (LAR) levels, in line with the published LAR benchmarks. These are significantly less than the NPPF definition for affordable rent, which is not considered affordable as a low cost rent product in London.
- London Shared Ownership units should be affordable to households on incomes up to a maximum of £90,000 a year and a range of affordability levels should be provided below the maximum £90,000 household income cap.
- Any intermediate rent products, such as Discount Market Rent (DMR) or London Living Rent (LLR) should be subject to a maximum income cap of £60,000.
- Furthermore, all intermediate tenure households should not be required to spend more than 40% of their net income on overall housing costs, including service charges. These requirements would need to be secured via Section 106 obligations.

#### Play space provision

48. Play space provision would be met on site, in line with London Plan Policy S4. A 290 sq.m. dedicated play space is proposed within the central open space which would be fronted by homes, alongside the amenity green. Homes would also be provided with private rear gardens which would amount to a further 1,940 sq.m. of play space provision.

### **Urban design and heritage**

#### Design, layout and inclusive design

49. The form and density of development and reliance on use of the private car due to the site's location and poor access to public transport means that the proposals would not accord with the overarching urban design and development principles set out in the London Plan in terms of optimising density, making the best use of land or encouraging the use of active or sustainable travel options. The proposals comprise a low density car orientated form of development. The density would be 29 dwellings per hectare and car parking provision would be at 1.15 spaces per dwelling.
50. Furthermore, all of the car parking is located within a car park adjacent to Sandy Lane a significant distance from the homes with access then on foot via a shingle path which is described as being at suitable gradients with no vehicle access onto this route. It is therefore unclear how the proposed scheme would practically function in terms of inclusive access, deliveries, servicing and refuse. This matter should be discussed in more detail with the local planning authority.

#### Heritage impact

51. As set out above, the site is not within or adjacent to a conservation area and does not include any listed buildings or structures and there are no conservation areas or listed buildings in close proximity to the site. The St Paul's Cray Village Conservation Area is approximately 450 metres to the south and includes a number of statutory listed buildings. However, given the height and scale of the

proposals and the distance from the site, GLA officers consider that there would be no harm to designated heritage assets arising from the proposed development.

52. London Plan Policy HC1 also applies to non-designated heritage assets. GLA officers do not consider that the proposals would harm the significance of the locally listed Bannantyne Health Centre given the siting and proximity of the proposed buildings, landscaping and topography and noting the existing context. As such, the proposals could comply with London Plan Policy HC1.

## **Transport**

### Access by sustainable and active modes of travel

53. As mentioned above, the site has a very poor access by foot, cycle and public transport. The applicant is proposing to provide a continuous footway along Sandy Lane from the site access towards Ruxley Corner. The deliverability of these improvements is questioned given the pinch point created by the A20 overbridge. The plans provided in the application material do not clearly demonstrate how a suitable continuous footway width of 2 metre and two-way carriageway width of 6 metres under the bridge can be provided. Any widths less than this are unlikely to be acceptable. TfL also requires the safety barriers under the bridge to remain, to protect the bridge from vehicle strikes, which further reduces available footway width.
54. TfL owns and maintains the bridge carrying the A20 over Sandy Lane and has ownership of and rights over some non-highway land in the vicinity of the site. It is possible that the footway cannot be provided without impinging on TfL freehold land. The applicant has yet to engage with TfL on this. The applicant should provide a scale drawing of the proposed footway and residual Sandy Lane carriageway, with widths clearly marked and TfL freehold land shown.
55. Even if a suitable footway on Sandy Lane can be provided, the walk distances to the nearest bus stops are considered to be unacceptable. The PTAL 1b rating is only achievable when considering the bus stops at Tesco. However, to access the Tesco bus stop, pedestrians from the application site would have to walk through the Fitzroy Business Park. Despite this being recently expanded, there is no reliably clear, direct, segregated footway designed as a through-route, notably in the older 'phase 1' of the Business Park development, and entails walking amongst parked cars and past manoeuvring goods vehicles.
56. The walk for vulnerable people is likely to be even more unattractive at night and weekends when the activity levels in the Business Park would be lower/absent. More pertinently, the Business Park is private property, with, apparently, no public right of way and it has gates that can close off this route at any time.
57. Finally, there is no footpath at the Tesco end, which requires pedestrians to walk in the road in the vicinity of the service yard, where HGVs manoeuvre. For all these reasons, this route cannot be considered as a suitable 24/7 pedestrian access route. Therefore, the site should be considered to have an effective PTAL of 0.
58. The transport assessment considers that 30-40% of peak hour trips will be made by non-car modes, which would be in line with London Plan policy that seeks for 75% of all trips in outer London by 2040 to be undertaken by non-car modes.

However, this is based on trip generation from developments that are not directly comparable to what is a relatively rare 'edge of London' site with specific access issues, so it is considered highly unlikely this mode share will be met in practice, particularly given the issues raised above. The application is also considered contrary to NPPF policy that requires a development to offer a genuine choice of transport modes.

### Site layout

59. The site layout provides suitable segregation of pedestrians and vehicles. In particular, car parking is in one corner of the site, rather than outside of residential front doors. This is welcomed so the development is not visually car-dominated, but it is unlikely to influence mode share significantly given the drawbacks of site location highlighted above. As set out above, it is unclear how the proposed shingle pathway would accommodate the site's delivery, servicing and refuse requirements, or achieve compliance with inclusive design standards in terms of ensuring access for those with mobility issues. These issues should be clarified to the local planning authority.

### Cycle parking

60. Two cycle parking spaces per dwelling are proposed, in line with London Plan standards. However as mentioned above, given the site's location away from the strategic cycle network and on the very edge of the London built-up area, cycle access to and from the site is inevitably less attractive, and any cycle trip to/from the north requires negotiating the Ruxley Corner roundabout, which has no cycle facilities. Sandy Lane itself is a narrow 'country road' in character, so is not likely to be very attractive to a wider range of residents who may wish to cycle. The applicant proposes a pool of electric bikes for residents to share, which will help encourage some cycle trips that may not otherwise have been made, however it does not overcome the safety issues, perceived or otherwise. As such, the mode share for cycling is likely to be low.

### Car parking

61. The applicant is proposing 46 car parking spaces for 40 dwellings. This equates to a car parking ratio of 1.15 spaces per home which is generally in line with London Plan standards of a maximum of 1.5 spaces per dwelling for lower PTAL outer London areas. Of the proposed car parking, 6 spaces would be for Blue Badge holders. This exceeds the 10% provision required by the London Plan. In terms of electric charging provision, 41% of the spaces will be provided with active electric vehicle charging, whilst the remainder will have passive provision.

## **Sustainable development**

### Energy strategy

62. The applicant's energy strategy envisages the scheme being net-zero carbon and carbon negative. This would be achieved through energy efficiency measures which would achieve a 23% reduction in CO<sub>2</sub> emissions, alongside renewable energy measures in the form of Air Source Heat Pumps and solar panels. The overall saving on CO<sub>2</sub> over and above Building Regulations would be 113%. This

would accord with London Plan Policy SI2. The GLA's technical energy comments have been shared with the local planning authority.

### Whole Life Carbon and Circular Economy

63. The applicant has provided a Circular Economy Statement and has completed the GLA's Whole Life Carbon Assessment spreadsheet. The information provided at this stage is at a high level, given the outline nature of the application. The GLA's technical comments in relation to Whole Life Carbon have been shared with the local planning authority. Further guidance and standard template conditions are available here on the GLA website:

- [Whole Life Carbon](#)
- [Circular Economy](#)

## **Environmental issues**

### Urban greening, trees and biodiversity

64. Policy G5 of the London Plan requires new development to contribute towards urban greening. London Plan Policy G7 requires development proposals to ensure that, wherever possible, existing trees of value are retained and that the loss of trees as a result of development is mitigated through the provision of replacement trees of an adequate value. London Plan Policy G6 states that development proposals should manage the impact on biodiversity and aim to secure net biodiversity gain.
65. The applicant's arboricultural method statement confirms that a 15-metre section of the western tree belt along Sandy Lane would be removed to facilitate the new site access. A hedgerow in the centre of the site would also need to be removed. Both of these features are Category B. Impacts on the eastern tree line which is subject to a TPO and includes Category A trees has been reduced compared to the previous application by moving the development and route away from this boundary.
66. The urban greening strategy for the site comprises grassland, meadows, lawns, flower beds, permeable paving, green roofs, tree planting and hedgerows. The scheme would achieve an Urban Greening Factor score of 0.71. This exceeds the London Plan benchmark, albeit it should be noted that the site falls within already heavily vegetated Green Belt.
67. The applicant's preliminary ecological appraisal and biodiversity assessment should be assessed by the Council, taking into account the requirements of the London Plan and NPPF in terms of seeking to avoid harm, ensuring net gains and managing and mitigating impacts.

### Sustainable drainage and flood risk

68. Sustainable urban drainage is proposed in the form of an infiltration basins and water butts, together with geocellular soakaways, soft landscaping and permeable paving. There are no specific flood risk or drainage concerns and the proposals accord with London Plan Policies SI12 and SI13.

## Air quality

69. The application's Air Quality Assessment includes an Air Quality Neutral Assessment. The risk of exposure to poor air quality has been considered as part of the applicant's Air Quality Assessment. The existing and modelled levels of nitrogen dioxide are expected to be below air quality objective levels, so no specific mitigation is required. However, the proposed development would generate daily vehicle trips which would generate emissions and would therefore contribute towards air pollution to some extent given the car orientated nature of the development. It is therefore unclear whether the proposals would comply fully with London Plan Policy SI1.

## Noise

70. The site's proximity to the A20 – a busy high speed dual carriageway road with fast moving traffic including heavy goods vehicles – means that the external average noise levels within the area of the site in which housing is proposed would range from 64 to 73 decibels (dB). This means that specific mitigation is required to make the residential homes compliant with internal noise levels set out in British Standards in terms of building fabric, sound insulation and glazing, alongside appropriate measures in terms of ventilation to address overheating during the summer when windows may need to be closed in order to achieve the required internal noise levels. Mechanical ventilation is therefore proposed. Furthermore, the outside spaces in terms of the amenity green and gardens are unlikely to meet the World Health Organisation guideline of 55 dB. This mitigation would be required to ensure compliance with London Plan Policy D14.

## **Local planning authority's position**

71. Bromley Council planning officers are currently assessing the application and will consider the application at planning committee in due course.

## **Legal considerations**

72. Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged; or, direct the Council under Article 6 of the Order to refuse the application.
73. In this case, the Council need not refer the application back to the Mayor if it resolves to refuse permission. There is no obligation at this stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

## **Financial considerations**

74. There are no financial considerations at this stage.

## Conclusion

75. Policies in the London Plan on the Green Belt, housing, urban design, energy, drainage, noise, air quality, urban greening, trees and biodiversity are relevant to this application. The application does not comply with the London Plan as summarised below:

- **Land use principles:** The development comprises inappropriate development in the Green Belt and is therefore, by definition, harmful. Very special circumstances have not been demonstrated which clearly outweigh the harm by reason of inappropriateness. The application therefore conflicts with the NPPF and London Plan Policy G2.
- **Affordable housing:** 35% affordable housing, comprising a 60:40 split between social / affordable rent and intermediate housing is proposed. Tenure affordability levels have not been confirmed to demonstrate compliance with the Mayor's definition of genuinely affordable housing as set out in the London Plan.
- **Transport:** The site has a very poor access by foot, cycle and public transport with an effective Public Transport Access Level (PTAL) of 0. The proposals would fail to provide a genuine choice of transport modes and would consequently promote residential development that is excessively reliant on the use of cars, contrary to the London Plan. The development is therefore not supported in strategic transport terms.
- Issues are raised in terms of **inclusive design, biodiversity, noise and air quality** which should be addressed and mitigated.

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We are committed to being anti-racist, planning for a diverse and inclusive London and engaging all communities in shaping their city.