

GREATER **LONDON** AUTHORITY  
Development, Enterprise and Environment

**Karen Bradshaw**  
London Borough of Bromley  
Town Planning  
Civic Centre  
Stockwell Close  
Bromley  
BR1 3UH

**Our ref: D&P/2484a/SG02**  
**Your ref: 13/02053/FULL1**  
**Date: 26 March 2014**

Dear Ms Bradshaw,

**Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008**  
**Land East Side, Blackbrook Lane, Bickley, Bromley**  
**Local Planning Authority Reference: 13/02053/FULL1**

I refer to the copy of the above planning application, which was received from you on 07 February 2014. On 26 March 2014 the Mayor considered a report on this proposal, reference D&P/2484a/01. A copy of the report is attached, in full. This letter comprises the statement that the Mayor is required to provide under Article 4(2) of the Order.

The Mayor considers that the application does not comply with the London Plan, for the reasons set out in paragraph 23 of the above-mentioned report.

If your Council subsequently resolves to grant permission on the application, it must consult the Mayor again under Article 5 of the Order and allow him fourteen days to decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 to refuse the application. You should therefore send me a copy of any representations made in respect of the application, and a copy of any officer's report, together with a statement of the decision your authority proposes to make, a statement of any conditions the authority proposes to impose and (if applicable) a draft of any planning obligation it proposes to enter into and details of any proposed planning contribution.

If your Council resolves to refuse permission it need not consult the Mayor again (pursuant to Article 5(2) of the Order), and your Council may therefore proceed to determine the application



without further reference to the GLA. However, you should still send a copy of the decision notice to the Mayor, pursuant to Article 5 (3) of the Order.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Colin Wilson', with a stylized flourish at the end.

**Colin Wilson**

Senior Manager – Development & Projects

cc James Cleverly, London Assembly Constituency Member  
Nicky Gavron, Chair of London Assembly Planning Committee  
National Planning Casework Unit, DCLG  
Alex Williams, TfL  
Leslie Osborn Architectural Consult, 4 Danson Mead, Welling, Kent DA16 1RU



26 March 2014

## Blackbrook Lane, Bickley

in the London Borough of Bromley

planning application no. 13/02053/FULL1

### Strategic planning application stage 1

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

### The proposal

Erection of 34 4/5 bedroom detached dwellings together with 102 car parking spaces associated highway works, entrance gates, refuse and recycling facilities and landscaping.

### The applicant

The applicant is **L Osborn Plot Owners Blackbrook Lane Bickley**, and the architect is **Leslie Osborn**.

### Strategic issues

**Green Belt** is the most relevant strategic issue for this scheme.

### Recommendation

That Bromley Council be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 23 of this report. The application does not need to be referred back to the Mayor if the Council resolves to refuse permission, but it must be referred back if the Council resolves to grant permission.

## Context

1 On 7 February 2014 the Mayor of London received notice from Bromley Council 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 has until 20 March 2013 to 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.

2 The application is referable under Category 3D of the Schedule to the Order 2008: *“Development on land allocated as Green Belt or Metropolitan Open Land in the development plan...; and which would involve the construction of a building with a floorspace of more than 1,000 square metres or a material change in the 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, unless otherwise advised. In this instance if the Council resolves to refuse permission it need not refer the application back to the Mayor.

4 The Mayor of London's statement on this case will be made available on the GLA website [www.london.gov.uk](http://www.london.gov.uk).

### **Site description**

5 The site is 3.3 hectares and located to the south east of Bickley railway station. The site is flat and is roughly rectangular in shape, with mature trees in the south east corner and around the boundary (some of which are subject to a tree protection order).

6 The site is bounded by Blackbrook Lane to the west; Thornet Wood Road to the north; the grounds to the rear of the Bickley Manor Hotel to the east and Bromley High School to the south. The site is allocated in Bromley's 'adopted' UDP (2006) as Green Belt.

### **Details of the proposal**

7 The application seeks a full planning permission for erection of 34 detached houses comprising a mix of 4 and 5 bedroom units 12 of which to be provided as affordable housing (equivalent to 35%).

### **Case history**

8 In March 2010, a residential planning application was made on the site to provide 96 dwellings as follows:

- 72 houses (27 x 3-bedroom, 38 x 4-bedroom, 7 x 5-bedroom).
- 24 flats (6 x 1-bedroom and 18 x 2-bedroom)

9 A total of 45 dwellings were also to be designated as affordable housing, which represents 35% by habitable room.

10 The Mayor considered that the application (PDU/2484/01) did not comply with the London Plan, mainly due to inappropriate development on Green Belt and an absence of 'very special circumstances' to warrant approval of the scheme. This application was subsequently refused by Bromley Council.

### **Strategic planning issues and relevant policies and guidance**

11 The most relevant issues and corresponding policies are as follows:

- Green Belt *London Plan; NPPF*

12 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2006 Bromley Unitary Development Plan (saved policies) and the 2011 London Plan (with Alterations 2013).

13 The following are also relevant material considerations:

- The National Planning Policy Framework and Technical Guide to the National Planning Policy Framework
- The draft Further Alterations to the London Plan (January 2014)

- The Bromley Local Plan draft policies and designations (February 2014)
- Bromley 'Draft Policies and Designations Document Consultation Suggested Changes to the Green Belt Boundary' (February 2014).

## **Green Belt**

14 Bromley Council's 2006 UDP designates the entire site as Green Belt and the Bromley 'Draft Policies and Designations Document Consultation Suggested Changes to the Green Belt Boundary' (February 2014) do not suggest any changes to the Green Belt designation for the site. The National Planning Policy Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; with the essential characteristics of Green Belts being their openness and their permanence. Paragraph 80 of the NPPF sets out the five purposes of Green Belt as follows:

- 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.

15 The proposed residential development is inappropriate development and therefore harmful to the purposes of including land within the Green Belt. The NPPF and London Plan policy 7.16 are clear that inappropriate development should not be approved except in very special circumstances, where the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

16 The applicant has sought to demonstrate that in delivering housing and family sized affordable housing, the proposal would provide for a local housing need to constitute a 'very special circumstances' argument. The applicant has cited the reliance of Bromley Council on small windfall sites to deliver its housing supply and noted that there is a specific lack of affordable family housing in the completions data to date.

17 These arguments do not constitute 'very special circumstances' to outweigh the harm caused to the Green Belt and are not accepted. Therefore the proposal is contrary to the London Plan and NPPF.

18 However, GLA officers have recently commented on Bromley's Local Plan draft policies and designations (GLA reference D&P/ LDF05/LDD05/HS01) with regard to housing supply and affordable housing in the borough and it is expected that Bromley Council will address these matters as the document is progressed through to adoption.

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

19 Bromley Council is expected to consider the application at planning committee in April.

## **Legal considerations**

20 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. If the Council subsequently resolves to grant permission on the

application, it must consult the Mayor again under Article 5 of the Order and allow him fourteen days to decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 to refuse the application.

21 If your Council resolves to refuse permission it need not consult the Mayor again (pursuant to Article 5(2) of the Order), and your Council may therefore proceed to determine the application without further reference to the GLA. However, a copy of the decision notice should be provided to the Mayor, pursuant to Article 5 (3) of the Order.

## **Financial considerations**

22 There are no financial considerations at this stage.

## **Conclusion**

23 London Plan policy on Green Belt is the most relevant to this application. The application does not comply with this policy and therefore the principal of development does not comply with the London Plan, as set out below:

- **Green Belt:** The proposal represents inappropriate development on Green Belt land for which *very special circumstances* have not been demonstrated to outweigh the resultant harm, contrary to the requirements of the NPPF and London Plan policy 7.16. However, Bromley Council will need to address housing supply and affordable housing matters in the emerging draft Local Plan document.

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for further information, contact GLA Planning (Development & Projects):

**Colin Wilson, Senior Manager – Planning Decisions**

020 7983 4783 email colin.wilson@london.gov.uk

**Justin Carr, Strategic Planning Manager (Development Decisions)**

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**Shelley Gould (case officer)**

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