The Planning Inspectorate

Appeal Decision

Site visit made on 17 February 2020

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 March 2020

Appeal Ref: APP/G5180/W/19/3241416
87 Beckenham Lane, Bromley BR2 0DN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.
- The appeal is made by Buildline Ltd against the decision of the Council of the London Borough of Bromley.
- The application Ref DC/19/03900/DEMCON, dated 20 September 2019, was refused by notice dated 31 October 2019.
- The development proposed is demolition of two storey building with single storey side element.

Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO) for the demolition of a two storey building with single storey side element at 87 Beckenham Lane, Bromley BR2 0DN in accordance with the application ref DC/19/03900/DEMCON made on 20 September 2019 including plan: Site location plan pursuant to Article 3(1) and Schedule 2, Part 11, Class B of the GPDO.

Procedural Matters

2. The prior approval procedure, set out under Schedule 2, Part 11, Class B, makes no provision for any determination to be made as to whether the demolition is Permitted Development (PD) therefore this matter is not before me. I must therefore deal with the appeal only in terms of whether or not to grant prior approval for the demolition works in respect of the method of demolition and any proposed restoration of the site.

3. The application form indicates in relation to restoration of the site that the site will be cleared in preparation for redevelopment and in the interim will be tidied and fenced. There is nothing in the Council's decision or appeal submission that raises concern about this approach.

Main Issue

4. Based on the above, the main issue is whether the method of demolition of the building is acceptable having particular regard to highway safety.

Reasons

5. The appeal site is located on the southern side of Beckenham Lane in an area of mixed residential and commercial use. The appeal building is a two storey, hipped, pitched roofed, brick-built structure with single storey side element which is boarded up and surrounded by hoarding. I am advised that the building was previously three retail units at ground floor with a three bedroomed flat above. The building is locally listed.

6. Beckenham Lane (A222) is a London Distributor Road. There is a bus stop and shelter outside the site and a pedestrian zebra crossing a short distance to the east. The appeal site is within Bromley's Outer Control Parking Zone. No parking or waiting is permitted along Beckenham Lane during the restricted times Monday to Saturday 0830 to 1830. There is a public footpath to the rear of the site which runs from Beckenham Lane to Queensmead Recreation Ground. An existing vehicular dropped kerb is located adjacent to the bus shelter on the western side of the appeal site frontage.

7. The prior approval appeal is supported by a method for demolition[1]. The scope of the works as set out in the statement is "to carry out the controlled demolition (by hand where required) of 2 storey brick built building with tiled roof down to slab level then clear arisings as we go along then break out slab and grub up footings and clear all materials from the site".

8. The report states that the site has been secured by hoarding and heras fencing where necessary at the rear, adjacent to the public footpath. It states that a new set of gates would first be installed at the western end of the hoarding. The debris between the building and the hoarding would be cleared to allow an 8t excavator to be taken in through the eastern gates. The single storey building would be demolished, by hand, with rubble being removed by a tipper truck that would reverse into the site through the new gates on the western side.

9. The report indicates that as more of the building is demolished and more space becomes available larger vehicles and skips would be used to remove the rubble. These vehicles would reverse into the site via the new gates at the west end of the hoarding. All reversing would be supervised by banksmen. Appropriate safety signage and site contact numbers would be erected outside of the hoarding. Working hours are stated as Monday to Friday 8am to 6 pm and Saturday 8 am to 1 pm.

10. In addition, the appellant's statement clarifies that collection vehicles (7.5t tipper trucks) would be departing and arriving the site every two days with demolition vehicles scheduled where possible to arrive outside weekday AM and PM peak hours. There is also clarification that the 7.5t tipper truck and low loader bringing the excavator would be able to fit under the railway bridge.

11. The Council are concerned that there have been a number of accidents within the vicinity of the site in the last 3 years. The Council refer to six injury accidents and identify the location of 'slight accidents' along Beckenham Lane. The Council consider that vehicle manoeuvring would interfere with the free flow of traffic and pedestrian safety. There are third-party concerns about the

[1] Method Statement for Demolition of 87 Beckenham Lane Bromley BR2 0DN dated 10/09/19

disruption the demolition would cause to the highway network and pedestrian safety and disruption to the public footpath to the rear of the site.

12. Notwithstanding the above, I consider that the method statement submitted has established the existing site conditions and formulated a method for removing the building from the site which considers the site circumstances. I accept that the demolition may lead to minor disruption to the traffic flow whilst deliveries are being made and materials are removed during the demolition process. However, I am satisfied that works of demolition carried out in accordance with the method statement proposed would not lead to conditions prejudicial to highway safety. I therefore find that the method of demolition of the building is acceptable and prior approval should be granted.

Other Matters

13. I appreciate that the building is locally listed and that there are third-party concerns including about loss of the building, parking and safety, environmental costs of demolition, loss of character and history and noise and disruption. As I have set out in the procedural matters above my role is not to establish if the principle of demolishing the building is acceptable. Permission for the demolition is granted by virtue of Article 3(1) and schedule 2, Part 11, Class B to the GPDO provided the Local Planning Authority and the appellant is satisfied that the demolition meets the criteria within paragraph B.1. In so far as the objections relate to the principle of demolition of the building these matters are not relevant to my considerations which are restricted, in this case, to the method by which the building would be demolished.

Conditions

14. Any planning permission granted under Article 3(1) and Schedule 2, Part 11, Class B is subject to the standard conditions set out in paragraph B.2. These conditions include a requirement that the development is carried out in accordance with the details approved and within five years.

Conclusion

15. For the reasons set out above, and having taken all relevant matters into account, the appeal is allowed and prior approval for the method of demolition under Schedule 2, Part 11, Class B of the GPDO is granted.

Diane Cragg

INSPECTOR