



Appeal Decision

Inquiry held on 16-19 and 23-26 July 2024

Site visit made on 18 July 2024

by G Rollings BA(Hons) MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st October 2024

Appeal Ref: APP/G5180/W/24/3340223

2-4 Ringers Road and 5 Ethelbert Road, Bromley, BR1 1HT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ringers Road Properties Ltd against the decision of the Council of the London Borough of Bromley.
 - The application Ref is DC/21/05585/FULL1.
 - The development proposed is demolition of existing buildings and construction of a mixed use development comprising residential units, ancillary residents' facilities (including co-working space) and commercial floor space (Use Class E) across two blocks, along with associated hard and soft landscaping, amenity spaces, cycle and refuse storage (Revised scheme incorporating a second stair into Block A and Block B, internal layout and elevational changes, and changes to the on street parking bays and footpath along Ringers Road and Ethelbert Road).
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Decision

1. The appeal is dismissed.

Applications for costs

2. Two applications for costs have been made:
 - An application was made by the Council against the appellant.
 - An application was made by the appellant against the Council.

These applications will be the subject of separate decisions.

Preliminary Matters

3. The Council included several reasons for refusal on its decision notice. Amongst these were the non-provision of information to confirm the required planning obligations necessary to mitigate the impacts of the development. This was addressed during the appeal process, with the heads of terms of a section 106 agreement agreed between the Council and appellant prior to the Inquiry, and the agreement interrogated in draft form during the event. A completed section 106 agreement was submitted after the close of the Inquiry.
4. Certain other matters raised by the Council within its reasons for refusal fell away prior to or during the Inquiry. These included aspects of the living conditions for future occupiers of the appeal development, and the provision of affordable housing together with viability matters. The outstanding matters are addressed below.

5. A consultation draft to update the *National Planning Policy Framework* (2023) (the Framework) was released shortly after the Inquiry closed. The prospect of its release was discussed during the Inquiry, together with its potential effects on the appeal process in this case. The parties agreed that it would be unlikely that any post-Inquiry consultation would be required on the draft's content. I am satisfied that this remains the case.

Main Issues

6. The main issues are:

- The effect of the proposed development on the character and appearance of the area;
- The effect of the proposed development on the historic environment;
- The effect of the proposed development on the conditions of surrounding occupiers, with reference to outlook, daylight and sunlight, and privacy;
- Whether the proposed development would provide appropriate living conditions for its future occupiers, with reference to outlook, privacy, play space provision, and inclusive design; and
- The effect of the proposed development on the local housing supply, with reference to the Council's housing land supply position and the provision of family accommodation and affordable housing.

Reasons

Character and appearance

7. Plots fronting onto Ethelbert Road and Ringers Road are amalgamated to form the dual-fronted appeal site. Two separate tall buildings are proposed, with one fronting onto each road. The site is within Bromley town centre and also within both an opportunity area as designated within the *London Plan* (2021) and a site allocation designated as part of the *Bromley Local Plan* (2019). The London Plan's strategic spatial strategy supports growth and regeneration within opportunity areas¹ and the site allocation aims to accommodate 1,230 residential units and other uses within 4.54ha of the town centre.²
8. Both Ethelbert Road and Ringers Road lead downward from High Street in the east, and the roughly north/south arrangement of the site means that it sits laterally across the slope. On both road frontages it marks a change in the character of the surroundings, with larger buildings of a scale suited to a busy town centre to the east, and domestically scaled flatted buildings and houses to the west. Existing buildings on the site tend towards the former categorisation but these would be demolished as part of the development.
9. The *Bromley Town Centre Area Action Plan* (2010) (the AAP)³ is superseded in parts and the Council has written to the Secretary of State requesting its revocation. Nonetheless, with the exception of specific AAP designations that have been replaced by the Local Plan, the AAP currently remains as part of the development plan for the area and carries weight in my decision. The *Bromley*

¹ CD4.3, Policy SD1

² CD4.1, appendices

³ CD4.2

Town Centre Supplementary Planning Document (2023) (the SPD)⁴ is intended by the Council to replace the AAP. However, although the SPD was adopted after the Local Plan and is consistent with it, unlike the AAP it is not part of the area's development plan.

10. However, both the AAP and the SPD similarly characterise the site. Both recognise that it is at the edge of the busiest part of the town centre, with potential for redevelopment. The AAP recognises the site as an opportunity site and the SPD as part of the key development opportunity of the allocation Site 10. Both also note the transitional nature of the area to the immediate west of the site, which contains lower-density, smaller scaled buildings than the area immediately around and including the high street.
11. The Council's analysis of that around half of the land in site 10, approximately 2.89ha, is developable.⁵ The appellant's calculations are narrower, identifying around 1.3ha as sites of potential development.⁶ Setting aside the differences in the calculations, there are few sites in which large-scale redevelopment of the type proposed within this appeal could occur, and given the Local Plan's aspirations to accommodate 1,230 dwellings in site 10, development of a higher density than much of the existing town centre could be necessary. Accommodating a proportion of this figure within tall buildings – the form proposed by the appeal scheme – is a response to this challenge. Both the Framework and the SPD⁷ require development to optimise site capacity, a component of which requires consideration of the relationship of a proposal to existing surrounding development.
12. There is an existing consent for a 12-storey tall building close to the site, at 66-70 High Street, on the corner of High Street and Ethelbert Road.⁸ Although the Council expressed concerns that the proximity of both this and the proposed appeal buildings could result in an amalgamation of their massing, each building's distinct appearance would enable it to be read individually. For the same reason the combined massing would not result in a 'wall' of development that would be detrimental to the area. Whilst it is true that No. 66-70 would be located on a busy corner which would assist in wayfinding within the town centre, the potential of the appeal buildings to create a tall building cluster would not negate this advantage.
13. Nonetheless, there are some design considerations which give rise to concern. One of these is the sharp contrast between the proposed buildings' height when compared with neighbouring low-rise buildings. Although there are existing tall buildings in Ringers Road and further afield in the town centre, and also the proposed No. 66-70, the difference in height with lower-sited surrounding buildings in Ethelbert Road, Ringers Road and Ethelbert Close would be considerable. In upward views on Ethelbert Road and Ringers Road, the buildings would dominate to the extent that they would appear overbearing against the predominant low-rise nature of buildings on the lower parts of the roads. Brick would comprise a large proportion of the flank elevations of the buildings, which would not only add to this impression but also make them appear bulky in these views.

⁴ CD5.1

⁵ IDs 21 and 28.

⁶ ID29.

⁷ Framework paragraph 135 and SPD guidance note 10.

⁸ Allowed on appeal, ref: APP/G5180/W/21/3285586, decision date: 21 November 2021 (CD7.1).

14. The buildings would not be set back from their street elevations. This would not result in significant harm on the Ringers Road elevation, where the proposed building would abut or be adjacent to buildings with similar zero setbacks. However, this would not be the case with the Ethelbert Road building, where existing flanking buildings are set back from the street. Buildings further uphill are set directly onto the street elevation but are sufficiently removed from the site that the building would appear to protrude when compared with its immediate neighbours. In conjunction with the concerns set out in the previous paragraph, the Ethelbert Road building would appear particularly incongruous.⁹ The proposed arcade at ground floor level would not mitigate this harm.
15. Various plans setting out possible development options of the Site 10 area, including the SPD, propose improved north-south connectivity. Although a route is proposed through the site, following a 'desire line' southward from Ethelbert Close, the southern portion would be routed through the indoor lobby of the Ringers Road building. This would restrict attractiveness of the route. The layout of the proposed buildings and surrounding sites suggests that even if neighbouring sites were to be redeveloped, an open route leading directly southward from Ethelbert Close and continuing further south as envisaged by the SPD, would not be achievable.
16. Whilst the buildings would accommodate a decent proportion of the dwellings expected within the Site 10 allocation, this would not negate the harm resulting from the issues set out above. The Site 10 criteria suggest a masterplanned approach for any proposals, and the masterplan provided by the appellant indicates a possible future layout incorporating adjoining sites that, if development were to occur in this form, could potentially reduce or avoid some of this harm. However, this is only an envisaged outcome and does not form part of the appeal proposal.
17. In summary, aspects of the design would harm the surroundings. I have identified these aspects as the height difference between the proposed buildings and neighbouring properties, the street setback of the Ethelbert Road building, and connectivity through the site. I therefore conclude that the proposed development would harm the character and appearance of the area. It would conflict with Local Plan Policies 37, 42, 47, 48 and Site Allocation 10, and London Plan Policies D1, D3, D4 and D9, and the AAP and SPD. Together, these require a high standard of design that respects the existing pattern of development, amongst other considerations.

Historic environment

18. The site is outside, but close to the border of, the Bromley Town Centre Conservation Area (the CA). No other statutory designated or non-statutory heritage assets would be affected by the proposal. Views from within the CA and its setting in which the proposed buildings would be visible include those south along the pedestrianised zone of High Street, and the effect of the proposal in these views are of the greatest heritage concern. Historic England advice suggests that the capacity of a heritage asset's setting to accommodate change without causing harm to the historic significance of the asset depends on the location of the asset and the nature of the change.¹⁰

⁹ As seen in rendered images B, G and J of CD1.46.

¹⁰ CD8.22

19. The town centre has a range of buildings that differ in form, height and appearance, and in the parts of the centre covered by the CA, historic architecture can be appreciated from street level. The significance of the CA derives from the appearance of these buildings, together with their function in contributing to the uses and activity of the town centre, both individually and collectively. However, views along streets within the CA also reveal a mixed character, with both modern and historic buildings always visible, and no one type of character dominates.
20. In these views, the proposed building at 66-70 High Street would also be clearly seen. The appeal site buildings would not appear as tall as No. 66-70 but in southward High Street views they would appear as part of a cluster with the previously allowed building. I acknowledge the Council's concerns that such an effect could result in the creation of a visual 'wall' of tall development that would detract from the appreciation of the CA but consider, as set out previously, that the treatment of each building would allow them to be interpreted as individual structures. Nonetheless, the further development of tall buildings in addition to that at No. 66-70, should it proceed, would further alter the character of these views, fill some of the visible sky and change the roofline, and result in additional enclosure.
21. In southward High Street views, the addition of No. 66-70 would be significantly noticeable as a 'sentinel' building that would stand proud of the existing roofscape and, as noted by the Council, perform a wayfinding role in town centre orientation. Additional nearby tall buildings would add to the overall massing but would not harm wayfinding or the ability of a user to orientate themselves within the CA, nor detrimentally affect the ability to appreciate any of its features. Variation in building heights is a feature of the CA and the lessening of visible sky would not harm its significance. Moreover, the addition of new tall buildings would reinforce the town centre's historic role as the primary activity area of the borough, and given that this contributes to the significance of the CA, the consolidation of the town centre would preserve and enhance this facet of its character.
22. Should the proposed construction of No. 66-70 not proceed, the appeal site buildings would perform a similar role to that of No. 66-70 as described above, despite being sited further from the high street. The development would not affect the significance or setting of the CA, nor the ability to appreciate either.
23. In considering other views that include the CA, from both within and outside the area itself, the tall building forming the Churchill Theatre would remain prominent and identifiable within the town centre. In these views, the character and appearance of the CA would be preserved.
24. I therefore conclude that the proposed development would not have a harmful effect on the historic environment, including the Bromley Town Centre CA and its setting. The character and appearance of the CA would be preserved and enhanced, and there would be no conflict with Local Plan Policy 41 and 47 and London Plan Policy D1. Together these require development including tall buildings to respect features that preserve and enhance the characteristics and appearance of the CA by complementing existing buildings and spaces and be appropriate to their historic context, amongst other considerations.

Living conditions for occupiers of surrounding properties

Daylight and sunlight (DLSL)

25. Effects on nearby properties have been calculated using the tests developed by the Building Research Establishment document *Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice* (2022).¹¹ This document is considered to be the 'best practice' approach to DLSL assessment within the industry.
26. Two methods of assessment have been used for daylight testing. Broadly, the vertical sky component (VSC) test measures the amount of daylight at a room opening such as a window, and the no sky line (NSL) test uses the internal measurements of a room to assess the level of daylight penetration. For sunlight testing the annual probable sunlight hours assessment (APSH) has been used. All tests have various caveats and limitations but are the most appropriate for use in this appeal.
27. Various surrounding properties were tested. The Council's review of the appellant's VSC modelling demonstrated that there would be a substantial loss of daylight to some windows in William House and Henry House as well as other surrounding properties and all relevant windows in Simpsons Place. The NSL assessment suggests similar substantial loss of daylight to all relevant rooms in Simpsons Place, and a significant number of rooms in William House and Henry House, and the Salvation Army centre. 'Substantial' in this context means a greater than 40% loss in VSC and NSL levels.
28. The BRE guidance suggests a flexible approach to DLSL assessment in more urban contexts. Given the town centre context, I agree that the BRE guidelines should not be rigidly applied. Factors to be taken into consideration include the locations of balconies and other obstructing features, together with the deep plan of some of the affected rooms in William House and Henry House, meaning that any development of the appeal site would be likely to affect DLSL levels experienced by residents of these buildings.
29. There would also be a loss of light to the Salvation Army building. Although this is not a residential building and outside of the residential focus of the BRE guidance, there would be a loss of light to the main hall, in which large meetings of various activities occur.
30. The proposal would also result in APSH reductions for surrounding properties, although these would be within an acceptable range in the context of the BRE guidance. However, when considered cumulatively with the proposed development at 66-70 High Street, there would be a significant loss of sunlight to the garden space of 33 and 34 Ethelbert Close.
31. The appeal evidence included several examples of other development where significant deviations from the BRE guidelines were considered to be acceptable in a London urban context, including the Whitechapel Estate¹² and the Blenheim Centre in Penge.¹³ These examples share characteristics with the appeal scheme and its surrounding buildings, including the deep plan form of living areas in existing development and a tight urban grain. The Council

¹¹ CD8.1

¹² Appeal ref: APP/E5900/W/17/3171437; decision date: 21 February 2018, CD9.7A

¹³ Bromley Council ref: 23/00178/FULL1, CD9.7B

recently granted planning permission for the Waitrose development within Bromley town centre,¹⁴ although it considered the daylight impact on surrounding dwellings to be unacceptable.

32. In these cases, there were similar levels of daylight loss to existing dwellings. However, there are both quantitative and qualitative aspects to be considered when assessing light loss. The potential for a substantial loss of light to dwellings around the appeal site and the Salvation Army building is concerning. My greatest concern is for the residents of Simpsons House, where the affected flats are north-facing, single-aspect units and in these cases, all windows of the affected flats would be subjected to substantial DLSL losses. This would have a severely harmful impact on the living conditions of the residents of these houses.

Privacy

33. Windows within the appeal development would be orientated to largely avoid overlooking of adjoining properties. Nonetheless there are some instances where the Council has identified that overlooking would occur.
34. Some overlooking of Simpsons Place properties would be possible from corner balconies at the rear of the Ringers Road building, with some effort from future occupiers. Were the appeal to be allowed, screening on the side of the balconies could prevent direct overlooking.
35. Some new overlooking would occur between the proposed buildings and other adjoining and nearby properties, including properties on Ethelbert Road downhill of the appeal site, and toward Ethelbert Close gardens. However, these spaces are already overlooked by existing neighbouring dwellings. Windows within elevations of the proposed buildings that face in the directions of these properties are generally angled or of a size that new overlooking would be limited.
36. I acknowledge the concerns of the Council and affected residents regarding the impression of additional overlooking. This is not a quantifiable effect and new levels of overlooking would not, on their own, result in significant harm to living conditions. However, in conjunction with the other effects addressed within this section of the decision, neighbours' concerns on this matter are valid.

Outlook

37. The siting of the proposed blocks is aligned with existing buildings fronting Ringers Road and Ethelbert Road but given the prevailing topography and the height of the proposed buildings, they would be clearly visible in views from rear windows and gardens of residential properties on both roads, and from windows within the Salvation Army building. Although the evidence does not include viewpoints from rear gardens between these streets, rendered images from points along Ethelbert Road enable a reasonable assessment of the potential effects.¹⁵ Residents of these properties would be subject to a sense of side enclosure of garden spaces, and of intrusion due to the buildings' overbearing effects. The presence of existing vegetation would temper the impact but not wholly mitigate the harmful effects.

¹⁴ ID12, ID13, ID14

¹⁵ Images B, G and J of CD1.46.

Conclusion on living conditions for occupiers of surrounding properties

38. The proposed development would harm the conditions of occupiers of surrounding properties through effects of overlooking, and restriction of daylight, and outlook, both separately and cumulatively. It would conflict with Local Plan Policies 37 and 47, which together require new development including tall buildings to respect the amenity of occupiers of neighbouring buildings, amongst other considerations.

Living conditions for future occupiers of the appeal development

Privacy

39. The possibility of mutual overlooking between flats in the proposed buildings has been assessed, with some windows and balconies in the Ringers Road and Ethelbert Road buildings separated by distances of about 12 metres.¹⁶ Some of these openings are offset and do not directly face each other. Nonetheless, I acknowledge the Council's concern that balconies offer scope for longer periods of viewing, including panoramically, of surroundings including nearby dwellings. Having carried out my own assessment of the proposals, consider that mutual overlooking could occur.
40. The expectations of those living in urban areas was one of the matters explored at the Inquiry. Whilst some who move to a town centre location may be willing to accept some compromises in living conditions resulting from denser development, expectations may also be held by those living in tall buildings, where residents would have expectations of views, privacy and space. Such expectations would be compromised by opposing dwellings at short distances and the actual or implied presence overlooking by neighbours. Instances of other developments within the area where mutual overlooking at similar distances may occur do not lessen my concerns in this case.

Outlook

41. Some windows in the lower floors of the buildings would face at short distance toward walls or other strictures on adjoining properties. In nearly all cases where this occurs, the affected rooms would be served by alternative openings with a more open outlook. The angled windows in the side elevations of the Ethelbert Road building would restrict outlook at the lower floors but given the lower ground levels on one side of the building and the relative heights of adjacent buildings, harmful effects would be limited. Overall, there would be no significant harm to future occupiers caused by a restriction of outlook.

Inclusive design

42. The Council raised concerns that some of the proposed wheelchair accessible units would be located on lower floors of the buildings and be subjected to a poorer aspect and daylighting than other flats within the scheme, which would result in a poor choice of accommodation and an acceptance of lower standards by their future occupiers.
43. Whilst the number of proposed units would comply with Local Plan Policy 4 and London Plan Policy D7, the supporting text of the latter requires that residents of wheelchair user dwellings have choice within a development. Some of the

¹⁶ CD8.13.

proposed units would be south facing and would benefit from better conditions than those described above. Although living conditions would not be optimal, future occupiers would have a choice of accommodation.

Play space

44. The appellant's calculation based on Greater London Authority data generates a play space requirement for the appeal development of 172.5 square metres. Some 180sq.m. is shown as being provided, but this figure includes circulation pathways within the development and bicycle storage.¹⁷ While such areas can encourage certain forms of play, the central courtyard proposed to be located between the two buildings would be the main open area and is intended to act as a focus for various forms of activities including neighbourly interaction, resident relaxation and children's play. The absence of an allocated play area is symptomatic of the shortage of 'genuinely playable' space sought by the Mayor of London's *Shaping neighbourhoods: Play and informal recreation supplementary planning guidance* (SPG) (2012).¹⁸
45. Nonetheless, the development is around 120m from an entrance into Bromley Park, a large public park that offers a range of play experiences including a well-equipped playground. Whilst the absence of a true doorstep play experience within the development is regrettable, the existence of a large alternative space within close proximity, together with an intended play space contribution as a planning obligation, results in only minimal harm to the living conditions of future occupiers.

Conclusion on living conditions for future occupiers

46. Future occupiers of the proposed development would experience restricted privacy. The proposed development's outlook and accessible design would not result in significant harm, and its play space provision would result in minimal harm. Accordingly, I conclude on this main issue that the development would not provide appropriate living conditions for its future occupiers, with reference to outlook. It would conflict with Local Plan Policies 4 and 37, and London Plan Policies D3, D6, but there would be no conflict with London Plan Policies D5 and D7. Together these require development to optimise site capacity and meet a high standard of design and layout, amongst other considerations. Although there would be a conflict with London Plan Policy S4, the play space provision would be appropriate for the reasons set out above.

Housing matters

Housing land supply

47. The Council and appellant are agreed on several matters contributing to the former's five-year housing land supply (5YHLS) position. These include the base date and period for the calculation (1 April 2021 to 31 March 2026), the adopted housing requirement and completions, the use of the 2022 Housing Delivery Test result and the application of a 20% buffer, and the inclusion of deliverable development sites both large and small that would contribute to supply during the period which, together with a windfall allowance, would contribute to the final figure. These data are robust. Whilst it is also agreed

¹⁷ CD9.3 paras 6.62-6.74.

¹⁸ CD5.3

that the Council cannot demonstrate that it has a five-year housing land supply, the parties do not agree on the extent of the shortfall.

48. Bromley's housing requirement is set out in the London Plan, which supersedes the previous lower figure given in the Local Plan. The supply of new homes has in recent years has been inadequate, being significantly less than the need requirement. The absence of a recent Council monitoring plan or position statement means that up-to-date figures are unavailable and results in the use of a base date of 1 April 2021 for the calculation of its 5YHLS. Furthermore, the London Plan's adoption of a figure lower than that of the standard method outcome suggests that the gap between demand and supply is even higher than the published figures.
49. For the purposes of this appeal, the Council considers that its 5YHLS amounts to 2.96 years. Much of the borough's expected housing supply derives from a reliance on small sites, which includes windfall sites, but the expected delivery of dwellings on such sites has underperformed compared with actual completions.
50. Further concern results from the Council's inclusion of the large site at South Eden Park Road in its calculations. Although early works on the site are underway, the complexity of delivering a large development with excavation of the scale proposed, together with the requirement to discharge outstanding conditions of the planning permission leads me to be sceptical that the development will be completed by the end of the 5YHLS period (31 March 2026). I accept the appellant's submission that this development is not included within the calculations, and for the above reasons I consider the Council to have a housing land supply of 2.4 years.
51. There is no evidence to suggest that this situation would be ameliorated soon. As a further example, Site 10 is the largest allocation within the Local Plan and I saw limited evidence that its aspirations would be achieved during the Plan period. The Council expects that it will publish an updated position statement in the coming weeks but accepts that this will confirm that a 5YHLS remains unachievable for the time being. Although a new Local Plan is in production, it is in its early stages and adoption is some years in the future. For these reasons, the outlook for potential improvement in the 5YHLS is poor.

Unit mix

52. The 2014 South East London Strategic Market Housing Assessment (SHMA) indicates that in 2011, more than half of Bromley's housing stock comprised three- and four-bedroom homes, with just over a third being one- and two-bedroom units. The projected need for the same year found that more than 70% of the need was for one- and two-bedroom units, with a similar need projected for 2031¹⁹.
53. These figures reflect the low-density, suburban character of much the borough, and the corresponding nature of its existing housing stock. There is a high need for one- and two- bedroom homes, and although recent planning approvals have reflected this mix in their provision,²⁰ more are required to meet the high levels of need. Although this provision does not mitigate that there remains a

¹⁹ CD6.9, table 6.6.

²⁰ ID9.

need for housing with three or more bedrooms, the highest need is for smaller homes.

54. There is no explicit policy requirement setting out the preferred housing mix for Bromley, although London Plan Policy H10 requires a range of unit sizes. However, given that in this instance the proposal would contribute to reducing the substantial need for smaller sized units in this part of London, the proposed mix is appropriate.

Affordable housing

55. Affordable housing would be provided within the proposed development at a rate of 12% measured by habitable room, or 11% measured by unit. Of the ten units, six would be offered on a social rent basis, and six for shared ownership, with the 60/40 split considered to be policy compliant by the Council. Although the development does not meet the 35% on-site housing level sought by Policy H5 of the London Plan, it would provide the maximum viable level. This has been confirmed by the Council's viability review.
56. Previous provision of affordable housing has performed poorly against targets across South London, with an average delivery of 129 dwellings per year compared with an average shortfall of 1,275 dwellings per year in the period 2011-2024.²¹ The borough's current affordable housing need as expressed on the housing register is for 3,278 dwellings, with the majority of this being for one- and two-bedroom properties, and need continuing to rise in recent years.²² This is against a background of low housing affordability in the area.
57. These factors contribute to a significant housing shortfall in an area of substantial need. The development's affordable housing provision would have a positive impact and is a benefit of the appeal proposal. Additionally, the provision of review mechanisms as a planning obligation would ensure that the highest viable level of affordable would be provided on occupation of the scheme.

Conclusions on housing matters

58. I conclude that the proposed development would not have a harmful effect of the proposed development on the local housing supply, with reference to the provision of family accommodation and affordable housing. However, at 2.4 years the Council's housing land supply position is poor and is well below the expected five-year supply. The proposal would not conflict with Local Plan Policies 1 and 2, and London Plan Policies H4 and H5, which together set out the spatial trajectory for housing provision, and the expected provision of affordable housing, amongst other considerations.

Other Matters

59. The appellant and Council have completed a section 106 agreement which includes a number of obligations that would come into effect if planning permission were granted.²³ I have considered its provisions and find that they are directly related to the development and fairly and reasonably related in scale and kind to the development, and that they meet the requirements of the

²¹ CD9.8, p74

²² CD10.6, p5

²³ P/ID01

statutory and acceptability tests. As the appeal is being dismissed, I have not set out my consideration of its provisions in detail, although some of the provisions weigh in the balance of my consideration of the proposal.

60. Although no affordable housing would be provided, there would be early- and late-stage reviews during the build process to reassess the potential for provision. A cascade mechanism is incorporated to ensure that the appellant make all reasonable efforts to ensure occupation of any units that were to be provided.
61. Monetary contributions to the Council would be made for children's play space, healthy streets, Legible London signs, tree planting and carbon offsetting. Other provisions include a restriction on future occupiers applying for on-street parking permits, the provision of affordable workspace accommodation within the development, and the payment of a monitoring contribution. These obligations meet the various policy requirements and guidance adopted by the Council.

Planning Balance

62. The Council is not able to demonstrate a viable 5YHLS. Given that I have found that there would be no harm to statutory heritage assets, the 'tilted balance' set out in the Framework is engaged (paragraph 11 including footnote 8). This requires that where the policies which are most important to determining the application are out of date, that the decision maker grant permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
63. Given the parties' agreement that this provision applies,²⁴ there was little discussion at the Inquiry as to which of the policies are the most important to determining the application. It was also agreed by the parties that this would include all of the policies set out in the Council reason for refusal.²⁵ I see no reason to disagree.
64. The scheme would provide benefits. The consideration that the development would make a significant contribution to the number of homes in the borough is apportioned substantial weight. Similarly, the affordable housing would meet a justified need and there is potential for additional provision. This consideration is given substantial weight. The proposed unit mix would also meet a need and is afforded significant weight.
65. Other benefits include the obligations of the planning agreement that go beyond mitigating the expected demand from future occupiers. These are contributions for healthy streets, Legible London signs and tree planting, and the provision of affordable workspace accommodation within the development, and the payment of a monitoring contribution. The affordable workspace provision offers significant weight, and the other considerations of more limited influence are of moderate weight. Other socio-economic benefits derived from a development of this nature, such as temporary construction jobs and impacts on local spending and Council tax are of moderate beneficial weight.
66. I have found that there would be harm in respect of three main issues. The harm that I have found in respect of living conditions for future occupiers

²⁴ CD11.1.

²⁵ Agreed by the Council's planning witness in cross-examination.

attracts moderate negative weight. The harm to the character and appearance of the area attracts significant negative weight.

67. The effects of the proposed development on the living conditions of residents in nearby properties would be severe. Accordingly, the harm to the conditions of surrounding occupiers attracts substantial negative weight.

68. Taking all of these considerations into account, I find that the harm would significantly and demonstrably outweigh the benefits of the proposal, such that the proposal does not represent sustainable development. As well as the policy conflicts that I have identified, the proposal does not comply with the development plan as a whole, and there are no material considerations to indicate that I should determine the appeal otherwise than in accordance with the plan.

Conclusion

69. For the reasons given above, the appeal is dismissed.

G Rollings

INSPECTOR

Appendix A: Appearances

FOR THE APPELLANT

Chris Young, King's Counsel
Odette Chalaby, Counsel

Instructed by Mark Batchelor of
4TY Planning Limited

They called

Ben Pycroft MRTPI
Annie Gingell MRTPI
Ramsay Evans MRICS
Alex Richards RIAS ARB RIBA
Richard Hammond CMLI PIEMA
Tomas Keating
Ignus Froneman Stud AcIfA IHBC
Mark Batchelor MRTPI

Director, Emery Planning
Associate Director, Tetlow King Planning
Partner, Turner Morum
Partner, Hollaway
Associate Consultant, EDLA
Senior Sustainability Consultant
Director, Cogent Heritage
Founding Director, 4TY Planning Ltd

FOR THE LOCAL PLANNING AUTHORITY

Anne Williams, Counsel
Peter Cruikshank, Counsel

Instructed by Paul Courtine, Senior
Lawyer, Bromley Council

They called

Ben Johnson MRTPI

Dorian Crone RIBA MRTPI IHBC
Amanda Reynolds RIBA
Daniel Wade
Karen Daye MRTPI

Head of Planning Policy and Strategy,
Bromley Council
Director, Heritage Information Ltd
Director, AR Urbanism
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INTERESTED PERSONS

Alicia Begley
Tony Banfield
Ann Garratt
D Round-Turner
L Benedict
C Elliott

Community Manager, Salvation Army
Bromley Civic Society
Bromley Civic Society & Friends of the Earth
Local resident
Local resident
Local resident

Appendix B: Documents submitted during and after the Inquiry

ID01	Appellant's opening statement
ID02	Council's opening statement.
ID03	Salvation Army letter and objections
ID04	Appellant's list of appearances
ID05	Council's list of appearances
ID06	Appellant's site photos
ID07	Bromley Council Local Development Scheme (July 2024)
ID08	Bromley Council Development Control Committee Update on the Bromley Plan Local Review, Report HPR2024/024
ID09	Housing size mix on approved Council housing planning applications
ID10	Bromley Civic Society request and reasons for specific stops on the site visit
ID11	Salvation Army building internal layout plan
ID12	Bromley Council report to committee (25 July 2024) for development at Waitrose, 45 Masons Hill
ID13	Daylight assessment with consented schemes in place
ID14	Waitrose Bromley daylight comparison
ID15	Waitrose DLSL results comparison with appeal site
ID16	DLSL Statement of common ground addendum
ID17	XCO2 Appendix A – Window and room reference
ID18	Letter from D Round-Turner and Dr K Booysen
ID19	Impact Statement on behalf of residents, owners and freeholder of flats 1-4 Ethelbert Court, 9 Ethelbert Road
ID20	Draft list of conditions
ID21	Bromley Council Local Plan 2017 Examination Inspector's Issue 5 (Housing)
ID22	Council Site 10 allocation density table
ID23	Summary of Daylight results between appeal scheme and Whitechapel Estate
ID24	50 Clarendon Road Appeal decision, ref: APP/Y1945/W/23/3317838 and notes
ID25	Site 10 allocation appellant's development density plan
ID26	Site 10 allocation appellant's note
ID27	Site 10 allocation appellant's development density calculations
ID28	Bromley Council comments on appellant's Site 10 allocation note
ID29	Site 10 allocation appellant's development density recalculations and note
ID30	Updated draft list of conditions
ID31	Appellant's justification for affordable housing cascade in section 106 agreement
ID32	Council's closing submissions
ID33	Appellant's closing submissions
P/ID01	Completed section 106 Agreement (submitted on 8 August 2024)

Appendix C: List of core documents

Ref. Core Document

CD1 Application Documents and Plans

Parameter Plans

CD1.1	100.00 Site Location Plan
CD1.2	100.01 Existing Site Plan
CD1.3	100.02 Existing and Proposed Block Plan
CD1.4	110.00 Existing Basement Plan
CD1.5	110.02 Existing First Floor Plan
CD1.6	110.03 Existing Second Floor Plan
CD1.7	110.20 Existing Street Elevations

Detailed Block A drawings

CD1.8	200.20 R6 Block A Proposed Elevation AA
CD1.9	200.21 R5 Block A Proposed Elevation BB
CD1.10	200.22 R6 Block A Proposed Elevation CC
CD1.11	200.23 R5 Block A Proposed Elevation DD
CD1.12	200.00 R7 Block A Proposed Lower Ground Floor
CD1.13	200.01 R9 Block A Proposed Ground Floor
CD1.14	200.02 R6 Block A Proposed 1 st Floor
CD1.15	200.03 R6 Block A Proposed 2 nd – 3 rd Floors
CD1.16	200.04 R4 Block A Proposed 4 th – 6 th Floors
CD1.17	200.05 R4 Block A Proposed 7 th – 9 th Floors
CD1.18	200.06 R4 Block A Proposed 10 th – 11 th Floors
CD1.19	200.07 R4 Block A Proposed 12 th Floor
CD1.20	200.08 R4 Block A Proposed 13 th Floor
CD1.21	200.09 R4 Block A Proposed Roof Plan

Detailed Block B drawings

CD1.22	210.20 R6 Block B Proposed Elevation AA
CD1.23	210.21 R7 Block B Proposed Elevation BB
CD1.24	210.22 R7 Block B Proposed Elevation CC
CD1.25	210.23 R6 Block B Proposed Elevation DD
CD1.26	210.00 R8 Block B Proposed Lower Ground Floor
CD1.27	210.01 R7 Block B Proposed Ground Floor
CD1.28	210.02 R5 Block B Proposed 1 st Floor
CD1.29	210.03 R6 Block B Proposed 4 th – 6 th Floors
CD1.30	210.04 R6 Block B Proposed 5 th – 9 th Floors
CD1.31	210.05 R6 Block B Proposed 10 th Floor
CD1.32	210.06 R6 Block B Proposed 11 th Floor
CD1.33	210.07 R5 Block B Proposed Roof Plan
CD1.34	100.03 R7 Proposed Lower Ground Floor Site Plan
CD1.35	100.04 R8 Proposed Ground Floor Site Plan
CD1.36	100.06 R7 Proposed Typical Floor Site Plan

Section Drawings

CD1.37	220.05 Proposed Section 1-1
CD1.38	220.06 R2 Proposed Section 2-2
CD1.39	220.00 R2 Section AA (June 2024)
CD1.40	220.01 R2 Section BB (June 2024)
CD1.41	220.02 R2 Section CC (June 2024)
CD1.42	220.03 R2 Section DD (June 2024)
CD1.43	220.04 R2 Section EE (June 2024)
CD1.44	220.05 R2 Section FF (June 2024)

CGI Images

- CD1.45 CGI Images, 1-4
- CD1.46 Updated Viewpoints

Documents

- CD1.47 Application Form
- CD1.48 Planning Statement
- CD1.49 Daylight and Sunlight Report
- CD1.50 Economic Benefit Statement (updated May 2023)
- CD1.51 Landscape Design and Access Statement
- CD1.52 Updated Open Space & Play Space Impact Assessment (March 2023)
- CD1.53 Stakeholder Engagement Statement
- CD1.54 Townscape and Visual Impact Assessment
- CD1.55 Noise Impact Assessment (December 2022)
- CD1.56 Air Quality Assessment
- CD1.57 Fire Statement Form (March 2023)
- CD1.58 Energy Statement (April 2023)
- CD1.59 Transport Assessment (May 2023)
- CD1.60 Preliminary Ecological Appraisal
- CD1.61 Design and Access Statement Addendum
- CD1.62 Design and Access Statement Part 3
- CD1.63 Arboricultural Report
- CD1.64 Bat Survey Report
- CD1.65 Biodiversity Net Gain Assessment
- CD1.66 Biodiversity Net Gain Calculations
- CD1.67 RNG-EDLZZ-XX-DR-L- 0207 P2 - Urban Greening Factor (May 2023)
- CD1.68 Wind and Microclimate Analysis Report
- CD1.69 Phase 1 Desk Study
- CD1.70 Archaeological Desk Based Assessment (October 2023)
- CD1.71 Circular Economy Statement (April 2023)
- CD1.72 Proposed Scheme Daylight, Sunlight and Overshadowing (April 2023)
- CD1.73 Delivery and Servicing Plan (May 2023)
- CD1.74 Framework Residential Travel Plan (May 2023)
- CD1.75 Outline Construction Logistics Plan (May 2023)
- CD1.76 Outline Sustainable Drainage Assessment (April 2023)
- CD1.77 Whole Life-Cycle Carbon Assessment (and Spreadsheet) (April 2023)
- CD1.78 Water Environment letter in response to LLFA Comments (27 November 2023)

CD2 Plans and Documents Originally Submitted but Superseded

- CD2.1 Transport Assessment (October 2021)
- CD2.2 Delivery and Servicing Plan (October 2021)
- CD2.3 Economic Benefits Summary
- CD2.4 Energy Statement (August 2021)
- CD2.5 Framework Residential Travel Plan (October 2021)
- CD2.6 Open Space and Play Space Impact Assessment (February 2022)
- CD2.7 Outline Construction Logistics Plan (October 2021)
- CD2.8 Outline Sustainable Drainage Assessment (July 2021)
- CD2.9 Proposed Scheme Daylight, Sunlight and Overshadowing Assessment (November 2021)
- CD2.10 Accommodation Schedule (18.085, dated 19 November 2021)
- CD2.11 100.03 R3 Proposed Lower Ground Floor Site Plan
- CD2.12 100.04 R4 Proposed Ground Floor Site Plan
- CD2.13 100.06 R3 Proposed Typical Floor Site Plan
- CD2.14 200.00 R3 Block A Proposed Lower Ground Floor Plan
- CD2.15 200.01 R5 Block A Proposed Ground Floor Plan
- CD2.16 200.02 R3 Block A Proposed 1st Floor Plan

CD2.17	200.03 R3 Block A Proposed 2 nd – 3 rd Floor Plans
CD2.18	200.04 R3 Block A Proposed 4 th – 6 th Floor Plans
CD2.19	200.05 R3 Block A Proposed 7 th – 9 th Floor Plans
CD2.20	200.06 R3 Block A Proposed 10 th – 11 th Floor Plans
CD2.21	200.07 R3 Block A Proposed 12 th Floor Plan
CD2.22	200.08 R3 Block A Proposed 13 th Floor Plan
CD2.23	200.09 R3 Block A Proposed Roof Plan
CD2.24	200.20 R2 Block A Proposed Elevation AA
CD2.25	200.21 R2 Block A Proposed Elevation BB
CD2.26	200.22 R3 Block A Proposed Elevation CC
CD2.27	200.23 R2 Block A Proposed Elevation DD
CD2.28	210.00 R4 Block B Proposed Lower Ground Floor Plan
CD2.29	210.01 R4 Block B Proposed Ground Floor Plan
CD2.30	210.02 R3 Block B Proposed First Floor Plan
CD2.31	210.03 R3 Block B Proposed 2 nd – 3 rd Floor Plans
CD2.32	210.04 R3 Block B Proposed 4 th – 9 th Floor Plans
CD2.33	210.05 R3 Block B Proposed 10 th Floor Plan
CD2.34	210.06 R3 Block B Proposed 11 th Floor Plan
CD2.35	210.07 R3 Block B Proposed Roof Plan
CD2.36	210.20 R2 Block B Proposed Elevation AA
CD2.37	210.21 R2 Block B Proposed Elevation BB
CD2.38	210.22 R3 Block B Proposed Elevation CC
CD2.39	210.23 R3 Block B Proposed Elevation DD
CD2.40	RRB-ETL-XX-00-DR-L-0101 Landscape Plan

CD3 Decision Making

CD3.1	Report of the Design South East Panel
CD3.2	GLA Stage 1 Report
CD3.3	Officer's Report
CD3.4	Minutes of Committee Meeting
CD3.5	GLA Stage 2 Report
CD3.6	Decision Letter

CD4 The Development Plan

CD4.1	Local Plan
	Policy 1: Housing Supply
	Policy 2: Provision of Affordable Housing
	Policy 4: Housing Design
	Policy 30: Parking
	Policy 31: Relieving congestion
	Policy 32: Road safety
	Policy 37: General Design of Development
	Policy 41: Conservation Areas
	Policy 42: Development Adjacent to a Conservation Area
	Policy 47: Tall & Large Buildings
	Policy 48: Skyline
	Policy 72: Protected species
	Policy 77: Landscape quality and character
	Policy 79: Biodiversity and access to nature
	Policy 91: Proposals for main town centre uses
	Policy 92: Metropolitan and major town centres
	Policy 113: Waste management in new development
	Policy 115: Reducing flood risk
	Policy 116: Sustainable urban drainage systems
	Policy 117: Water and wastewater infrastructure capacity
	Policy 118: Contaminated land

- Policy 119: Noise pollution
- Policy 120: Air quality
- Policy 122: Light pollution
- Policy 123: Sustainable design and construction
- Policy 124: Carbon reduction, decentralised energy networks and renewable energy
- Policy 125: Delivery and implementation of the Local Plan
- Site Allocation 10: Land West of High Street

CD4.2 Bromley Town Centre Area Action Plan

- Policy BTC1: Mixed use development
- Policy BTC2: Residential development
- Policy BTC3: Promoting housing choice
- Policy BTC8: Sustainable design and construction
- Policy BTC15: Biodiversity
- Policy BTC16: Noise
- Policy BTC17: Design quality
- Policy BTC19: Building height
- Policy BTC20: Play and informal recreation
- Policy OSG: West of the High Street

CD4.3 London Plan

- Policy GG2: Making best use of land
- Policy GG3: Creating a healthy City
- Policy GG4: Delivering the homes Londoners need
- Policy GG5: Growing a good economy
- Policy GG6: Increasing efficiency and resilience
- Policy SD1: Opportunity Areas
- Policy SD6: Town centres and high streets
- Policy SD7: Town centres: development principles and plan documents
- Policy SD10: Strategic and local regeneration
- Policy D1: London's form, character and capacity for growth
- Policy D3: Optimising site capacity through the design-led approach
- Policy D4: Delivering good design
- Policy D5: Inclusive design
- Policy D6: Housing quality and standards
- Policy D7: Accessible housing
- Policy D9: Tall buildings
- Policy D11: Safety, security and resilience to emergency
- Policy D12: Fire safety
- Policy D14: Noise
- Policy DF1: Delivery of the Plan and Planning Obligations
- Policy H1: Increasing housing supply
- Policy H2: Small sites
- Policy H4: Delivering affordable housing
- Policy H5: Threshold approach to applications
- Policy H6: Affordable housing tenure
- Policy H7: Monitoring of affordable housing
- Policy H10: Housing size mix
- Policy HC1: Heritage conservation and growth
- Policy HC6: Supporting the night-time economy
- Policy M1: Monitoring
- Policy S4: Play and informal recreation
- Policy E1: Offices
- Policy E2: Providing suitable business space
- Policy E3: Affordable workspace
- Policy G5: Urban Greening
- Policy G6: Biodiversity and access to nature

Policy G7: Trees and woodland
Policy SI-1: Improving air quality
Policy SI-2: Minimising greenhouse gas emissions
Policy SI-3: Energy infrastructure
Policy SI-4: Managing heat risk
Policy SI-5: Water infrastructure
Policy SI-8: Waste capacity and net waste self-sufficiency
Policy SI-13: Sustainable drainage
Policy T2: Healthy streets
Policy T4: Accessing and mitigating transport impacts
Policy T5: Cycling
Policy T6 (incl. T6.1): Car parking
Policy T7: Deliveries, servicing and construction

CD5: Supplementary Planning Documents

- CD5.1 Bromley Urban Design SPD
- CD5.2 Bromley Town Centre SPD
- CD5.3 Play and Informal Recreation SPG
- CD5.4 Bromley Planning Obligations SPD and addendums
- CD5.5 Bromley Town Centre Conservation Area Statement
- CD5.6 London Borough of Bromley Affordable Housing Supplementary Planning Document (March 2008)
- CD5.7 London Borough of Bromley Affordable Housing Supplementary Planning Document (January 2012)
- CD5.8 London Borough of Bromley Affordable Housing Supplementary Planning Document (June 2013)
- CD5.9 London Borough of Bromley Affordable Housing Supplementary Planning Document (July 2018)
- CD5.10 Homes for Londoners: Affordable Housing and Viability Supplementary Planning Guidance (August 2017)

CD6: Other Relevant Documents

- CD6.1 National Design Guide (2021)
- CD6.2 House of Commons Debate (October 2023)
- CD6.3 Fixing our Broken Housing Market (February 2017)
- CD6.4 Bromley Local Plan Review Issues and Options (Regulation 18) Consultation (April 2023)
- CD6.5 Emerging London Plan Guidance: Affordable Housing and Development Viability (May 2023)
- CD6.6 Making Bromley Even Better (Corporate Strategy) 2021 to 2031
- CD6.7 Bromley Housing Strategy 2019-2029
- CD6.8 The Bromley Homelessness Strategy 2018-2023
- CD6.9 South East London Strategic Housing Market Assessment (June 2014)
- CD6.10 London Strategic Housing Market Assessment (November 2017)
- CD6.11 Draft Bromley Regeneration Strategy 2020-2030
- CD6.12 Bromley Housing Trajectory 2021 (November 2021)
- CD6.13 London Borough of Bromley Housing Delivery Test Action Plan (July 2022)

CD7: Relevant Appeal and High Court Decisions

- CD7.1 Appeal Decision, 66-70 High Street Bromley
- CD7.2 Appeal Decision, 25 Elmfield Road, Bromley (2014)
- CD7.3 Appeal Decision, 25 Elmfield Road, Bromley (2017)
- CD7.3 Appeal Decision, 25 Elmfield Road, Bromley (2022)
- CD7.3 Appeal Decision, Land at Dene Road, Cotford St. Luke (9 February 2023)
- CD7.4 Appeal Decision, Land to the west of Langton Road, Norton (22 July 2016)

- CD7.5 Appeal Decision, Land at the Corner of Oving Road and A27, Chichester (18 August 2017)
- CD7.6 Appeal Decision, Land at Sondes Place Farm, Westcott Road, Dorking (28 November 2023)
- CD7.7 Appeal Decision, Land at Coombebury Cottage, Dunsfold Common Road, Dunsfold (8 May 2024)
- CD7.8 Appeal Decision, Land North of Upper Chapel, Launceston (11 April 2014)
- CD7.9 Appeal Decision, Land east of Park Lane, Coalpit Heath, South Gloucestershire (September 2018)
- CD7.10 Appeal Decision, Land to the rear of the former Dylon International Premises, Station Approach, Lower Sydenham, London (June 2019)
- CD7.11 Appeal Decision, Land off Spruce Close, Exeter (August 2022)
- CD7.12 SoS - Oxford Brookes University, Wheatley Campus, Wheatley, Oxford (23 April 2020)
- CD7.13 Appeal Decision, Former Sports Ground, Worsley Bridge Road, Bromley
- CD7.14 Appeal Decision, Land to the rear of former Dylon International Premises, Lower Sydenham (2016 decision)
- CD7.15 Appeal Decision, Land at the junction South Eden Park Road & Bucknall Way, Beckenham
- CD7.16 Appeal Decision, Maybrey Business Park, Worsley Bridge Road, Lower Sydenham
- CD7.17 Appeal Decision, Land to the rear of former Dylon International Premises, Lower Sydenham (2021 decision)

CD8: Other documents

- CD8.1 BRE- Site Layout Planning for Daylight & Sunlight (2022)
- CD8.2 Daylighting & Sunlighting RICS Professional Standard (2012)
- CD8.3 BSI – Daylight in Buildings Standards Publication BS EN 17037 (2019)
- CD8.4 London Plan Supplementary Guidance
- CD8.5 Housing Design Standards LPG
- CD8.6 Housing SPG
- CD8.7 Play and Informal Recreation SPG
- CD8.8 Draft Development Viability LPG
- CD8.9 Draft Affordable Housing LPG
- CD8.10 Draft Fire Safety LPG
- CD8.11 Accommodation Schedule (May 2024)
- CD8.12 100.10 Building and Boundary Separation Distances Drawing (May 2024)
- CD8.13 100.11 Window Separation Distances Drawing (May 2024)
- CD8.14 100.12 Surrounding Building Separation Distances Drawing (May 2024)
- CD8.15 210.08 R1 Block B Proposed 2nd Floor (May 2024)
- CD8.16 210.09 R1 Block B Proposed 3rd Floor (May 2024)
- CD8.17 DSO Neighbouring Impact Report (May 2024)
- CD8.18 DSO Proposed Scheme Report (May 2024)
- CD8.19 Amenity Space Typology Plan and Table (May 2024)
- CD8.20 Historic England Advice Note 1 (HEAN1) : Conservation Area Appraisal Designation and Management (2019)
- CD8.21 Historic England Advice Note 4 (HEAN 4) : Tall Buildings (2022)
- CD8.22 Historic Environment Good Practice Advice in Planning Note 3 (HEGPA3) (2017)
- CD8.23 Bromley Civic Society Objection
- CD8.24 Advisory Panel for Conservation Areas (APCA) Objection
- CD8.25 66-70 High Street Proposed Plans: 19/04588/FULL1
- CD8.26 PINS Report of the Examination in Public of the London Plan 2019
- CD8.27 Report on the Examination of the Bromley Local Plan (December 2018)

CD9: Appellant's Case

- CD9.1 Statement of Case

- CD9.2 Viability Assessment
- CD9.3 Proof of Evidence of Mr Mark Batchelor, Founding Director, 4TY Planning Limited (Planning)
- CD9.4 Proof of Evidence of Mr Alex Richards, Partner, Hollaway Studio (Architecture)
- CD9.5 Proof of Evidence of Mr Ignus Froneman, Director, Cogent Heritage (Heritage)
- CD9.6 Proof of Evidence of Mr Richard Hammond, Associate Consultant, EDLA (Townscape)
- CD9.7 Proof of Evidence of Mr Tomas Keating, Senior Sustainability Consultant, XCO2 (Daylight and Sunlight)
- CD9.8 Proof of Evidence of Ms Annie Gingell, Associate Director, Tetlow King Planning (Affordable Housing)
- CD9.9 Proof of Evidence of Mr Ben Pycroft, Director, Emery Planning (Housing Land Supply)
- CD9.10 Proof of Evidence of Mr Ramsay Evans, Partner, Turner Morum (Viability) (if required)

CD10: Council's Evidence

- CD10.1 Statement of Case
- CD10.2 Proof of Evidence of Ms Karen Daye, Appeals Team Leader, London Borough of Bromley (Planning)
- CD10.3 Proof of Evidence of Ms Amanda Reynolds, Director, AR Urbanism (Townscape)
- CD10.4 Proof of Evidence of Mr Dorian Crone / Daniel Cummins (Heritage)
- CD10.5 Proof of Evidence of Mr Daniel Wade, Director – Rights of Light, Daylight and Sunlight, EK McQuade Limited (Daylight and Sunlight)
- CD10.6 Proof of Evidence of Mr Ben Johnson, Head of Planning Policy and Strategy, London Borough of Bromley (Housing Land Supply and Affordable Housing)

CD11: Agreed Documents

- CD11.1 Statement of Common Ground
- CD11.2 Statement of Common Ground – Housing

CD12: Pre-Inquiry documents

- CD12.1 Inspector's pre-meeting note
- CD12.2 Inspector's CMC agenda
- CD12.3 Inspector's post CMC meeting note