



Appeal Decision

Hearing held on 26 February 2025

Site visit made on 26 February 2025

by A J Sutton BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 March 2025

Appeal Ref: APP/G5180/W/24/3354266

Bickley Manor Hotel, Thornet Wood Road, Bickley, Bromley BR1 2LW

- 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 Mr Graham Sansom against the decision of the Council of the London Borough of Bromley.
 - The application Ref is 24/00469/FULL1.
 - The development is described as 'Retention of events marquee measuring 30 x 20 m with associated decking and ancillary marquee structures.'
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. A large marquee was in place at the time of the site visit.

Main Issues

3. The main issues are:
 - Whether the development is inappropriate development in the Green Belt having regard to the revised National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - The effect of the development on the openness of the Green Belt;
 - The effect of the development on the living conditions of occupants of nearby dwellings, having particular regard to noise;
 - The effect of the development on highway safety in the area; and
 - Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether Inappropriate Development

4. A revised National Planning Policy Framework (the Framework) has been published during this appeal process. Written submissions were sought from the main parties on this matter and the responses were addressed at the hearing and in the decision below.

5. Similar to its predecessor, the current Framework states the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. When considering any planning application, substantial weight is given to any harm to the Green Belt.
6. Generally consistent with these provisions of the Framework, Policy G2 of the London Plan states that proposals that harm the Green Belt should be refused except where very special circumstances exist. Also, Policy 49 of the Bromley Local Plan (Local Plan) largely echo the London Plan Policy and the Framework provisions, stating that permission will not be given unless very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness or any other harm.
7. The Framework states development in the Green Belt is inappropriate unless exceptions apply. Exceptions include those set out in paragraph 155 of the Framework, which states that development of commercial and other development in the Green Belt should not be regarded as inappropriate where, firstly, the development utilises green belt land.
8. The Glossary of the Framework defines grey belt as land comprising previously developed land (PDL) and/or any other land that in either case does not strongly contribute to any of purposes (a), (b) or (d) in paragraph 143 [of the Framework].
9. There was debate at the hearing as to whether the site is PDL, and my findings on this are set out later in this decision. But as indicated above, the site could be '*any other land*' to qualify as grey belt.
10. Turning to the purposes cited in the Glossary's definition, the appellant has directed me to the Green Belt Planning Practice Guidance (PPG) which was published shortly after the hearing. The main parties were given an opportunity to comment on this matter, with only the appellant choosing to do so.
11. I observed on the site visit, that although the appeal site hosts a hotel and associated car park, it has sizeable grounds laid to lawn and gardens. The grounds are also bounded, to the west, by a parcel of grassland that is largely contained by mature hedging and vegetation. This land and the appeal property form a triangle of relatively green space, but this is closely flanked on two sides by the highway network and bounded to the south by the internal road of the neighbouring school.
12. Thornet Wood Road has a small number of dwellings that are largely confined to the eastern side, but there is other more substantial residential estates to the rear of this and also along neighbouring Blackbrook Lane. As such the apex of the triangle that comprises the appeal property and the parcel of land appears adjacent to a large suburban part of the Borough.
13. There is a small woodland and paddock to the south of the dwellings on the eastern side of Thornet Wood Road, but other residential development can be glimpsed through those green features. This road eventually leads to Jubilee Country Park. Although the Country Park is a large open space, it is bounded to the east by a railway line. The Park is also largely enclosed by built up areas of Bickley and to the south, Petts Wood, and Orpington beyond.

14. In light of the features outlined, the appeal site is, in my view, close to a large built-up area. With good size grounds, the property does retain some undeveloped qualities. That said, hosting buildings that now function as a hotel, there is also existing development at the site. Moreover, the road network and school are physical features that provide a means of containing development in this immediate area, and in turn this provides a degree of protection against future incongruous patterns of development.
15. Also, with the features described, the appeal property and neighbouring parcel of land on its western boundary are somewhat visually disconnected from remaining significant green features in the wider area.
16. I accept that future development at the appeal property and the neighbouring field could have strong consequences on the character of the area but that is a matter separate from the assessment of Green Belt purposes. Having particular regard to checking unrestricted sprawl of large built-up areas, taking account of the various features outlined above, I find that the appeal site makes no more than a moderate contribution to purpose a) paragraph 143 of the Framework.
17. Moving on to purpose b) of paragraph 143, there does appear to be an historic pattern of development that has resulted in the merging of what may have once been separated settlements, such as Bickley, Chislehurst and Petts Wood. But even if these were once individual settlements, they appear local centres in the borough or neighbouring districts as opposed to distinctly separate towns. In any event, these settlements have already substantially merged, and as described above, the appeal site is now a relatively modest pocket of land in what is essentially a suburban setting; even when combined with the neighbouring field, it does not appear as a significant gap between towns. For this reason, I find that the appeal site does not strongly contribute to the Green Belt purpose of preventing neighbouring towns merging into one another.
18. Also, given this suburban context, the appeal site does not make a strong contribution to the Green Belt purpose of preserving the setting and special character of historic towns. Finally with regards satisfying the Framework's definition on this matter, the appeal site is not land where the application of policies related to areas or assets in footnote 7 of the Framework (other than Green Belt) would provide strong reason for refusing development. Accordingly, I find the appeal site to be grey belt in the terms outlined in the Framework.
19. In addition to being grey belt land, Paragraph 155 a) of the Framework also requires that development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.
20. In terms of the Green Belt purposes not yet considered, it is asserted that development at the site would be an encroachment into the Countryside. However, despite a field and paddock remaining in the area, as already outlined, the setting of the appeal property is distinctly suburban and it is physically disconnected from any substantive features which still retain a countryside quality, such as the Country Park. Also, the site contains some built form and is in use for leisure activities. Moreover, the development and the associated activities do not encroach into the neighbouring undeveloped field.
21. The relative containment of development in this vicinity along with the other factors described, considerably constrain this areas contribution to this Green Belt

purpose, particularly when it is considered in the wider context of the plan area. The remaining Green Belt purpose is to assist in urban regeneration by the recycling of derelict and other urban land, but there is an existing use of the site such that this has minimal relevance in this case.

22. Furthermore, as stated this is a relatively modest plot that I find, even when assessed in its immediate context, at most makes a moderate contribution to restricting sprawl. Also, when considered at this local level, its contribution to preventing the merging of towns is limited and preserving the setting of historic towns is not a significant factor. Therefore, given these circumstances, releasing the appeal property for development would not fundamentally undermine the ability of the remaining Green Belt across the area of the plan from serving all five Green Belt purposes in a meaningful way.
23. In terms of addressing whether there is a demonstrable unmet need for this type of development, Policy 20 of the Local Plan has been highlighted. This Policy, consistent with the requirements of Policy GG1 of the London Plan, promotes the quality of life of those living and working in the Borough and seeks to ensure appropriate social infrastructure and this includes venues for cultural and social activities. While it supports development which meets an identified need for [community] facilities, Policy 20 of the Local Plan does not explicitly indicate that there is a particular identified or unmet need for large social facilities, such as this marquee, in the Borough.
24. Policy S1 of the London Plan requires when preparing development plans, boroughs should ensure the social infrastructure needs of London's diverse communities are met and that this should be informed by a needs assessment. However, I have not been directed to such an assessment in this case. Pertinent to the provision of this kind of infrastructure, Policy S1 goes on to clarify the assessments should consider the need for cross boundary collaboration where appropriate.
25. The supporting text of Policy 20 of the Local Plan clarifies that the list of social infrastructure is not exhaustive, and cross referencing the London Plan, this includes cultural facilities. The marquee, subject of this appeal, has a capacity for 500 persons. This structure has a dedicated kitchen and toilet block, as well as a sound system for the playing of amplified music. With these features it can accommodate large social gatherings.
26. The appellant highlights, in written evidence and at the hearing, that with the capacity outlined, the marquee is suitable for hosting weddings and other large social events and that this serves a wide range of cultural and community requirements, in particular for British Asians and those with an Asian background, and British Africans and Caribbean and African communities. This large venue clearly provides a social facility that is capable of serving diverse cultural and religious requirements.
27. Focusing on 'unmet need', I am directed to bookings for the marquee over the period from 2024 to date. This points to a commercial market and some demand. However, no substantive information has been presented to confirm these bookings are from residents of Bromley, those living in areas immediately surrounding the Borough or that the venue has been booked on the basis of particular cultural requirements.

28. The appellant calls attention to two venues that have closed in recent years in the Borough, including the old Civic Centre. The appellant's written evidence also states that the Council approach the management of Bickley Manor to help fill the gap created by the closure of Bromley Palace. The closure of other large venues in adjacent boroughs have also been flagged. However, minimal information has been presented either in written evidence or at the hearing as to the reasons for these closures or regarding the Council's approach about Bromley Palace.
29. The appellant has provided a list of other operational venues in the wider region. Concern has been raised that this list is not comprehensive, but little evidence is presented to substantiate that assertion. This aside, as already outlined, relevant London Plan policies highlight the provision of this type of infrastructure may be a cross boundary matter. Outside the administrative boundaries of Bromley, the evidence shows that there is one comparable facility to this marquee in the southeast area that is only 20 miles away.
30. I do however note that the limited details submitted suggests that that other marquee only has a temporary planning permission and therefore its long term availability is uncertain. Be this as it may, the list shows that there are at least two other large venues within an approximate 25m radius of Bromley town centre, and a further two large venues less than 40 miles away. Bickley Manor is closer to Bromley centre than these other venues, but the information nevertheless illustrates that there are other similar sized facilities available in a reasonable travel distance of the Borough's boundary.
31. Submitted and verbal evidence shows the appellant, and his employees have detailed and considered appreciation of different community groups requirements with regards social and religious events and hospitality. However, there is nothing to suggest that the staff at the other venues outlined above do not also have a similar appreciation of different cultures and their requirements.
32. Not all the other venues are marquees, and site features of each venue vary. While the facility offered at Bickley Manor may be a customer preference, there is nothing indicating that a marquee set in hotel grounds is the only option for large social and cultural events highlighted in this case. There are other large facilities in the wider area capable of accommodating large weddings and a range of religious events which also appear to have their own unique appeal. With some large venues south of London and more in the wider southeast, the region appears to have a least a fair amount of large social infrastructure available for diverse community needs.
33. In light of the above, I find no substantive evidence that there is a particular local unmet need for this size social infrastructure in a suburban part of Bromley. It has not been demonstrated that there is an unmet need for the type of development proposed in this case. Consequently, the development does not satisfy this requirement of paragraph 155 of the Framework and does not qualify as an exception. Therefore, the marquee is inappropriate development in the Green Belt.

Openness

34. The Framework confirms the essential characteristics of Green Belts are their openness and permanence. As already described the appeal site comprises the

grounds of a hotel, and as such it has a relatively undeveloped quality which with limited structures has a sense of openness and space.

35. The marquee is a large structure that fills a significant space in the hotel grounds. In turn the presence of the marquee has significantly eroded the sense of openness at the site. The hotel grounds are substantially bounded by high mature vegetation and the appeal site is partially obscured from the public realm by these green features and cottages and other buildings at the property. As such, the visual change and loss of openness as a result of the development is largely localised.
36. Nonetheless, there is a loss of openness at the appeal site and as such in this part of the Green Belt. While the spatial change and visual effect is limited and localised, harm to the openness of the Green Belt would occur.

Living Conditions

37. Although the appeal site is near a large built up area, the built form largely comprises outer suburban residential properties. While the Manor at the appeal property is a sizeable building, with 16 bedrooms, the hotel is a relatively modest commercial operation in this suburban setting.
38. The high school in the vicinity has around 1000 pupils and has been extended in recent years. It is highlighted that in addition to the day to day school activities during term time, the premises are regularly hired out. With good sports facilities, it is understood that the school has hosted national sporting competitions. However, located to the south, the appeal property and the neighbouring field provide some separation between the school and the dwellings east of Thornet Wood Road.
39. As outlined above, the wider area also includes a Country Park, and the character of the area becomes more tranquil on the approach to this significant green public space. While noting that Thornet Wood Road is regularly used for access to the school and for the Country Park, it is a no through way, secondary road.
40. The hotel has operated at the site for several decades, but as already stated the Manor is a relatively modest building in terms of hotels. The building itself is set in the southeast quadrant of the site and separated from the dwellings to the north by a cottage, outbuildings and the northern portion of the hotel grounds. The building has outside hardstanding seating areas, but these are largely confined to the immediate edge of the building and are relatively small in size. There is additional outside seating scattered around the grounds, but these are few in number and generally positioned in the southern section or in the west of the grounds.
41. The hotel car park is south of the marquee site. This space does not have marked parking bays, but the appellant suggests that it could accommodate over 100 vehicles. I observed that this may be so if vehicles are parked carefully.
42. Modest in scale and set a good distance from the dwellings on the eastern side of Thornet Wood Road, discernible sounds from the hotel, experienced by occupants of those dwellings, would largely be from staff and customers using the outside space of the appeal property, such as in the car park or grounds. However, while there would be some sounds heard, confined to the use as a modest hotel, the volume of sounds are unlikely to significantly disturb those living nearby. Also, with a good degree of separation from the hotel building and the school playing field

further to the south, the internal space of dwellings on Thornet Wood Road, and their rear gardens, are likely to be relatively peaceful, with the type and level of external sounds, largely limited to the hum of road traffic and other sounds not unexpected in any residential suburban setting.

43. The marquee is located north of the Manor, and therefore significantly closer to the dwellings on Thornet Wood Road than that existing building. The tent like structure has an area of decking at the south elevation, which is the principal access for the marquee. This elevation has two sets of double doors, with the remaining sections comprising clear panels that it appears could be opened.
44. There is another smaller opening on the northern elevation of the marquee, which provides access to the relatively undeveloped lawn in the northern section of the wider hotel site. Access to the attached kitchen and toilet block appear to be limited to the entrances on these two elevations of the marquee.
45. The marquee, as previously outlined, can host up to 500 persons. It is understood that the facility is available to hire from early spring and the list of bookings indicate that the marquee will be used through to December. Bookings also show that while there may only be one or two events in some months, during late spring and the summer periods this increases, with eight events already planned in August. While the evidence shows these may not be full capacity events, they will still be sizeable, with in excess of 250 guests arriving and using the venue.
46. At the hearing it was indicated that not all these large events would continue into late hours. Be this as it may, the evidence suggests that a significant number of the events would not likely end until the very late evening. Also, while some cultures may not have loud music playing at events, the marquee has equipment for amplified music and its not unreasonable to conclude that many social gatherings held in it will use this onsite facility.
47. The appeal is supported by an Acoustic Impact Assessment (AIA) which includes survey data indicating the ambient background noise levels for this area. The data was collected over a period of four days, with data collected on the fourth day discounted due to unfavourable weather conditions. While there is concern regarding the survey duration, the data shows representative noise levels, and the typical background sound levels are said to be around 42- 45 db in the day and evening time and 35 db after 23.00hrs. In short, the evidence shows that the background noise levels, when the marquee is not in use, is roughly that which is to be expected in a built-up residential area.
48. The AIA identifies the nearest sensitive receptor to the marquee as the dwelling at on Thornet Wood Road, which is just over 80m from the edge of the structure. The AIA assumed that the marquee would host over 30 events per year and each event would continue until midnight.
49. The methodology applied in this AIA was based on mitigation measures that include Zone Array PA system, acoustic lining, double entrance lobby, acoustic glass frontage and a noise management plan. The AIA concluded with these measures, a proposed limit of 10db below the established ambient background noise level on amplified music and PA systems could be achieved when the events are held in the marquee. On that basis, it is asserted the use of the venue would not lead to unacceptable noise levels at the nearest sensitive receptor.

50. However, it was clarified at the hearing that these conclusions, while based on best practice, are nonetheless theoretical. It was also conceded the AIA is largely focussed on noise arising from amplified voices and music. While some of the mitigation suggested relates to other activities associated with event management, such as dispersal of guests and clearing up after the event, those potential sources of noise disturbances and their impact do not appear to have been assessed.
51. The amplified sound system and Zone Array system is undoubtedly sophisticated technology, and I find no compelling evidence that the lining of the marquee would be too heavy for that structure and would not reduce the sound emitting from the venue at the level suggested. The amplification system appears to be reasonably straightforward and while I share the Council's reservation that this may not be compatible with the equipment used by bands and music artists employed for events, I am reasonably content that this is a matter which could be addressed by condition and could be enforced.
52. However, with up to 500 guests and the venue likely to be in use frequently over the summer months when the temperature is higher, there would be pressure for doors of the marquee to be opened. Moreover, this pressure would likely result in the opening of most of the southern elevation. Although this is not the closest side to the most sensitive receptors, it is still relatively close to the dwellings on Thornet Wood Road.
53. Even if the openings of the marquee were closed, I find nothing before me preventing significant groups of guests using the grounds near the marquee and this could give rise to the sound of considerable chatter late at night. Even with mature vegetation at the site boundary, the sound of voices are likely to travel and be heard at nearby properties, at periods when the background noise level is low. This potential source of noise does not appear to have been assessed in this case.
54. It is not unreasonable to assume that if the doors of the marquee remain closed, other measures to cool the venue would be necessary during periods of fine weather. Also, a heating system may be required during cooler times of the year. Cooling and air conditioning units can be noisy, and I find limited consideration of this potential noise source.
55. As already outlined, the hotel does not have a large number of rooms such that only a small number of guests from these events could be accommodated at the premises. Therefore, several guests would be leaving the property when events finish, at night and most likely at a similar time. Even if they are considerate, a significant number of guests leaving the event by vehicles at a late hour, when the background noise levels are relatively low, is likely to cause considerable noise and disturbance and this is a matter which does not appear to have been assessed. The impact of this potentially harmful source of disruption to nearby neighbours remains uncertain.
56. Also, it was highlighted at the hearing, that the ground north of the marquee is used at times as an overflow carpark for large events and that this area has a separate access north of the main entrance. This is only likely to occur during good weather conditions. Be this as it may, this would mean that a significant number of vehicles could be parked very close to the dwellings on Thornet Wood Road. Moreover, when the social gatherings disperse, the noise associated with

the opening of these car doors, voices of the guests and the starting of vehicle engines could be considerable during the later hours. Again, I find minimal consideration of this potential source of harmful noise disturbance in this appeal.

57. The main parties jointly agreed three conditions in an attempt to address noise impacts. These include further noise assessment, controls of the sound system and the approval of a noise management plan. An example of a noise management plan has also been submitted with this appeal.
58. Addressing the effectiveness of these conditions, while the use of the development is for hospitality and similar in this regard to the existing use of the site, the marquee introduces a substantially larger scale of use than is currently permitted at the property. For the reasons stated I find the evidence to be, at most, a partial assessment of the potential effect that the use of the venue could have on the living conditions of those residing near the marquee.
59. It has been established that the wider setting of this development is noise sensitive. Given this circumstance and the nature of the development, unless all potential harmful noise sources are understood and addressed there remains a risk that the quality of neighbouring residents' living conditions would be significantly and harmfully diminished by the development.
60. Also, other evidence points to the venue being in use frequently and often late in the evening. Indeed, a further condition has been suggested for the closure of the marquee by 23.00hrs Sunday through to Thursday, and midnight on the remaining days. This would allow large events to take place very late into the evening seven days a week.
61. The development therefore has the potential to considerably alter the existing character of the area with regards frequency, type and level of noise disturbance. In turn nearby neighbours will be disturbed during the late evening on a relatively regular basis. Frequent noise associated with use of the marquee is likely to disturb occupants of neighbouring properties when inside their dwellings and when using their gardens. This regular nighttime noise could also disrupt sleep, and this would have consequences in respect of the health and well-being of occupants of these dwellings.
62. Without clarity on this matter, I am not persuaded that the stated conditions and measures in the noise management plan could satisfactorily address the range of noise disturbances that are likely to occur from this development.
63. The appellant has suggested a five year temporary permission in order to demonstrate that the noise control mitigation in the marquee and other suggested mitigation would make the development acceptable. I am directed, in relation to this matter, to examples of other marquees that have secured temporary consents. The reason for the condition in respect of one of those developments does not include impact on local amenity. Amenity is cited in the other case. However, what may be acceptable in one place may not at another location despite the similarities in the type of development proposed.
64. In this case, factoring in the local circumstances, the nature of the development, the potential frequency of late night events and the level of uncertainty described, I find even a three year period would be considerable for local residents to endure if the mitigation suggested was found to be inadequate. With the level of uncertainty

outlined, I am not convinced that the conditions suggested in this case would be effective and make this development acceptable in terms of this issue.

65. Another mitigating measure advanced is the new management team at Bickley Manor. While not challenging their expertise and effectiveness, retention of staff members is not a certainty. In any event, even if the appropriate staff are retained, this alone would not address the concerns detailed above. This matter has not altered my findings for this reason.
66. It is asserted that the nearby school hosts large events which result, amongst other things, in a high level of parking demand on Thornet Wood Road. While this may be so, sports tournaments and events held at a school tend to be distinctly different in nature from a wedding or gathering in a marquee. Even if school events go on into late evening, no compelling evidence has been advanced that this would occur at the same frequency of the events in the marquee. This matter attracts limited weight accordingly.
67. In conclusion on this matter, insufficient information has been submitted to ensure that this development will not have a harmful effect on the living conditions of occupants of nearby dwellings, having particular regard to noise. In this respect, the development fails to accord with Policies 119 and 37 of the Local Plan and Policies D13 and D14 of the London Plan. These Policies collectively require development to respect the amenity of occupiers of neighbouring buildings and seek to minimise adverse impacts on noise sensitive receptors.

Highways

68. Policy 30 of the Local Plan requires for non-residential development parking is to be provided at levels set out in the London Plan Table 6.2. However, the revised London Plan advises that where there are no parking standards account should be taken of Policy T6 of the London Plan. Supporting text of that Policy requires parking standards take account of PTAL and goes on to recognise the difference in car use between inner and outer London, with trip distances and patterns sometimes making walking and cycling difficult in outer London.
69. Policy Policy T6.4 of the London Plan relates specifically to hotel and leisure uses parking and clarifies that in locations of PTAL 0 – 3 schemes should be assessed on a case by case basis. The Policy goes on to state the aim is to improve public transport reliability and reduce congestion and traffic levels.
70. The main parties agree that the immediate area of the appeal site has a PTAL rating of 1a which is low. However, the evidence shows that there are some public transport options in a reasonable walking distance of the site which include a bus service less than 350m away and Bickley railway station at around 1km distance. There are some public transport options available to future users of the marquee.
71. That said, consistent with factors acknowledged in the London Plan, as the site is in an outer London suburb it is likely many patrons will access Bickley Manor and the venue by motorised vehicles. However, while vehicle movements are likely to increase in the area at times of marquee events, this would be focused around Thornet Wood Road, which is a minor road which comes to a dead end. As such any traffic changes would not significantly affect connectivity and traffic flows in the area or the reliability of public transport that is using the local highway network.

72. With regards safe parking provision, as previously indicated the hotel has a car park at the front which appears to be able to accommodate around 100 vehicles. Also, although not shown on the submitted plans, there is an access off the carriageway to the lawn of the northern part of the appeal site and it is understood that this at times is used for overflow onsite parking. This is a significant space capable of accommodating in excess of 100 vehicles, although as previously stated this would only be suitable when weather conditions permit.
73. In terms of off-street parking provision for other uses in this immediate area. The dwellings in this road generally have parking spaces at their fronts, and the Country Park has a small car park at the end of the lane. There is also some parking provision in the school site.
74. Regarding parking in the street, despite Thornet Wood Road being a secondary road, it is wide and straight. It has some parking restrictions in the form of double yellow lines, but this effects a relatively small stretch of the carriageway near the access to the school and the Country Park.
75. While the capacity of the Marquee is 500, I accept that it is very unlikely that an event would generate this number of vehicles, and guests are likely to share lifts to and from the venue and/or use taxis. Nevertheless, given the venue's location and the size of this development will give rise to a significant demand for parking spaces. However, as stated, there is a significant level of parking provision on site that could accommodate these vehicles.
76. There could be times when the function rooms in the hotel and venue were being used at the same time. This could also coincide with the overflow parking area not being unavailable. In such occurrences, event guests and patrons of the hotel may choose to park on Thornet Wood Road.
77. It is highlighted that there is some parking stress in this road at school drop off and pick up times. But this is for a relatively short duration in the day and unlikely to overlap significantly with large social gatherings which tend to take place after schools are closed. I also understand that this road is used for parking when all day sports tournaments and other events are held at the school. However, while not doubting that there is some pressure on the on-street parking spaces in this area, I observed that the favourable conditions of Thornet Wood Road allows several cars to park without resulting in unsafe highway conditions or unduly impeding traffic flows in this locale or the wider area.
78. The supporting text of Policy T6.4 of the London Plan clarifies that hotels and leisure uses should be located in accessible locations to encourage walking, cycling and public transport use. Although patrons are likely to use a car, as already stated there are some public transport options in this area.
79. To summarise, there is significant off-street parking provision at the site and for surrounding uses and development. There is also significant on street parking available in this area and using those spaces does not harmfully effect traffic flows and the movement of public transport in this part of Bromley for the reasons outlined. Taking account of the PTAL level, locational circumstances including the fact this is an outer London borough, I find that the development does not significantly increase road danger in this area and the parking provision is acceptable in terms of relevant parking and transport policies of the development plan.

80. The Framework clarifies that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, and I find that this development would not have a harmful effect on highway safety. In respect of highway matters and parking, the development accords with Policies T3, T4 and T6 of the London Plan and Policies 30 and 32 of the London Plan. These Policies collectively, require the consideration of potential impacts of development on road safety, guide parking and seek to improve and safeguard public transport accessibility and connectivity.

Other Considerations

81. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the development, is clearly outweighed by other considerations.

Viability and Economic Benefits

82. The appellant states that the development is necessary to assure the viability of the hotel. In respect of this matter a business case has been submitted indicating that an average costs of keeping the doors open is £900,000 although it is noted that this is running at a reduced staffing level. At the hearing the appellant indicated that the costs are in the region of £1.2m and that this covers the cost of maintaining the fabric of the building, insurance, wages, food and drink and other overheads. While this has not been substantiated with any detailed breakdown, I find no reason to doubt these figures.
83. The hotel has 16 bedrooms, a cottage and a lodge, and the business case states that the occupancy rate over the past 4 years has been 30%. Suggested factors accounting for this apparent low rate of occupancy include other hotels and 'AirBnB' amongst other things. However, the offering at the family-run Bickley Manor appears distinctly different to that offered at some of the local hotels cited such as the Premier Inn and Travel Lodge. Moreover, I find no significant evidence that there is a particular oversupply of hotels in the Borough.
84. The evidence suggests that even if the occupancy rate at the hotel improves (to 65%) this would only generate an income of £427,000 and a shortfall would still remain. In terms of other income sources, I have been made aware through this appeal process that the Council has refused planning permission for a smaller marquee at the property. Be this as it may, the hotel has a number of function rooms in the building. Although the capacity of those internal rooms are lower than that of the marquee subject of this appeal, I saw that there is significant space in the hotel building, at the ground and lower ground floor, that could accommodate events of significant size and in turn could generate some income. However, while information about the marquee bookings have been supplied, I find no detailed evidence regarding the use of these other function rooms.
85. It appears from the submitted and verbal evidence that the business strategy for the premises has almost exclusively revolved around marquees in the hotel grounds. Indeed, in addition to the cost of purchasing the marquee and ancillary features, the evidence suggests that the appellant has made considerable investment in the mitigation equipment within it. In short, the evidence points to limited attempts to explore alternative strategies for developing the business other than the focus on marquees.

86. So, while I find no reason to dispute the appellant's view that dry hire of the marquee has been the biggest growth area, it seems to me that the investment made in this aspect of the business is no small factor in this success. Furthermore, I find no compelling evidence that investment in an alternative business plan, and a less harmful scheme at the site than this, would not yield similar financial benefits and assure the business' viability in the long term.
87. I appreciate that the hospitality sector is challenging and has been so for many years, and this requires considerable agility and enterprise on the part of owners. Also, this particular enterprise is not underpinned by a large corporate business and the hotel provides a number of full time and part time jobs. There are also other direct and indirect economic benefits that the hotel generates through its continued operation. I find these benefits weigh considerably in favour of the development. However, given the factors set out, I am not convinced that this harmful development is the only way of securing the viability of the business and the economic benefits identified. This reduces the weight that the economic benefits attract, and consequently they attract no more than moderate weight.
88. Also, with regards the investment made to date, particularly the mitigation measures. The appellant is out of pocket in respect of this not insignificant expense, but the evidence suggests that this investment in the business was made with some appreciation of the risks attached. Given this, it seems to me unreasonable that this matter should weigh considerably in favour of allowing development that would result in harms to the Green Belt and that could harm residents living conditions. This matter attracts very little weight for this reason.
89. I understand that the venue is popular with companies and public bodies including the NHS. However, as already outlined the hotel has some function rooms to cater for smaller events. Also, large venues are available in the region such that these users would not be disproportionately affected by the loss of the large marquee at this location. This matter does not weigh considerably in favour of the development for this reason.

Other Benefits and Relevant Matters

90. Modes of transport other than by car are available at this location as already set out. But this appears to be the case for other large venues in the wider area such that this positive feature attracts limited weight.
91. Attention is drawn to Policy 26 of the Local Plan with regards the social benefits of this development. The Policy relates to working with health professionals and relevant bodies. That said, Policy 26 highlights delivering quality, healthy infrastructure to meet the needs of the community and considering the implication of proposals for health and well-being. In this regard the local Policy appears consistent with provisions of the Framework for promoting healthy and safe communities.
92. As already outlined the marquee accommodates social events and the venue is appealing to a diverse range of customers, due to its capacity in particular. The development therefore has significant social benefit to those who use it. Opportunities for social gatherings, communities to connect and for dancing can be important for mental and physical well-being. Also, providing venues that appeal to diverse communities is a considerable benefit. However, these benefits are countered by the uncertainty regarding the level of noise and how this would

impact on the quality of life of those living nearby. These wider social benefits therefore attract moderate weight in this case.

93. With regards whether the site is PDL, I am guided by the Glossary of the Framework. The property is occupied by permanent structures. While there is nearby residential development, with land around it, Bickley Manor is not part of that built-up estate. Although the Manor has grounds, this is not a residential garden. Also, with the use of the grounds largely limited to patrons of the hotel, the grounds do not appear to be a park or recreation ground in the common meaning of those uses. Therefore, in my judgement the appeal site is PDL in the terms described in the Framework.
94. The Framework seeks to make as much use as possible of PDL, except where this would conflict with other policies of the Framework. The Framework seeks a high standard of amenity for existing and future users, and with uncertainty in respect of noise, this development fails to achieve this. Also, this is inappropriate development in the Green Belt and harm to openness has been identified. There is conflict with provisions of the Framework related to these issues and the development does not comprise an efficient use of land for these reasons. The matter of PDL therefore attracts limited weight.
95. The Council did not raise significant concern regarding the impact on the character of the area. However, even if I accept this, good design should be expected such that this matter does not weigh considerably in favour of this development at this site. Moreover, the Framework, in achieving well-designed places, requires a high standard of amenity for existing and future users. With the uncertainty regarding noise disturbance, it is not clear that the development is well-designed, and this tempers any weight that design quality attracts in this case.
96. The appellant draws attention to the recent planning permission at Bromley High School for Girls. However, that is for a school extension and the educational needs identified in that case amounted to very special circumstances. That proposal is distinctly different from this development in these regards.
97. Other examples of potentially inappropriate development in the Green Belt have been presented. Three of these relate to marquees. Extracts from the decision notice has been provided for Fairlop and the full decision notice for North Mymms . Minimal information has been submitted in respect of Addington Palace. While these developments may have similarities with this case, all three are located outside of Bromley.
98. Moreover, with limited information provided it is not possible to consider the very special circumstances for allowing those developments in the Green Belt. In any event, as acknowledged by the appellant, each case should be considered on its own merits. Also, development elsewhere should not be a justification for harmful development at this location. These examples attract very limited weight for the reasons stated and have not altered my findings.
99. The evidence suggests that the outcome of this appeal has the potential to affect those with protected characteristics as defined in the Equality Act 2010. In reaching this decision I therefore have due regard to the aims stated in this Act, that seek to eliminate discrimination, advance equality of opportunity between persons who share a relevant protected characteristic and foster good relations

between persons who share a relevant protected characteristic and persons who do not share it.

100. As already outlined the marquee offers social infrastructure that is particularly attractive to groups and individuals with protected characteristics. To their credit, the appellant and the management team at Bickley Manor have demonstrated their detailed understanding of catering for the requirements of a wide range of groups and individuals with different cultural backgrounds and from different religions.
101. Be this as it may, the evidence points to the availability of other venues that have the scale to address these requirements elsewhere in the southeast region. Moreover, no compelling evidence has been advanced that this harmful development would be the only means of addressing the requirements of those with differing religious and cultural backgrounds in the Borough and wider region.
102. Also, relevant to this matter, while Policy GG1 and Policy S1 of the London Plan and Policy 20 of the Local Plan support inclusive growth and the provision of regional and local social infrastructure, this support is qualified, with development needing to be good or high quality. As stated, not only does this development result in Green Belt harms but there remains uncertainty it could be made acceptable with regards the adverse effect on neighbouring residents' living conditions, with reference to noise disturbance. It has not been proven in this case that this is good quality development in this regard.
103. It is stated that 80% of the marquee bookings in 2023/2024 were from Hindu, Sikh, Muslim and African and Caribbean communities. Be this as it may, while there may be several future bookings for the marquee in the coming year, the evidence does not indicate the cultural characteristics of those making the bookings. In any event, for the reasons already covered, while a market may exist, I have not been persuaded by the evidence that there is an unmet need for the type of development offered in this case.
104. Furthermore, even if an unmet need was demonstrated, no compelling evidence has been advanced that this harmful development is the only means of addressing the need or that it could not be provided less harmfully elsewhere. For the reasons stated, I find that dismissing this appeal would not have a disproportionately harmful effect on those with protected characteristics in this area.
105. The appellant highlights paragraph 146 of the Framework, but this relates to reviewing Green Belt boundaries in the context of preparing and updating plans. Attention is also drawn to Policy 21 of the Local Plan. However, this Policy addresses temporary use of vacant buildings, use of town and district centres and parades, community hubs, sport and recreation and use of the public realm. These are all matters that are not relevant in this case.

Conclusion

106. I have found that this development is inappropriate in the Green Belt and has led to a loss of openness in this part of the Green Belt. These are harms that I attach substantial weight to. Also, I have not been persuaded that all potential noise sources that may arise from the use of the marquee have been considered and could be mitigated to a level to avoid unacceptable harm to the living conditions of neighbouring residents.

107. The other considerations identified in this case carry moderate weight. However, even when considered together, these considerations do not clearly outweigh the harms to the Green Belt. As a result, the very special circumstances that are necessary to justify the development do not exist. The development conflicts with Policy 49 of the Local Plan, Policy G2 of the London Plan and the Framework in respect of protecting Green Belt land. There are no other considerations which outweigh this finding.
108. Having regard to the development plan and other material considerations, including the Framework, the appeal should be dismissed.

A J Sutton

INSPECTOR

Participants at Hearing

For the Appellant:

Graham Sansom - Hotel Director, Bickley Manor Hotel

Dr R Wickham - Consultant to the Bickley Manor Hotel

C Davis - Sales and Operations Manager, Bickley Manor Hotel

Mr J Oakley Bickley Manor Hotel Employee

Peter Rogers - Sustainable Acoustics

Diego Cordes - Sustainable Acoustics

For the Council:

David Bord - Principal Planner

Chris Howard - Environmental Protection Officer

Additional Submissions Prior, During and After the Hearing

Appellant:

Documents submitted prior to the hearing and accepted by the Inspector at the event:

App 1: List of Events booked for 2025 period

App 2: Map showing venues in the region

App 3: List of venues indicating capacity

App 4: Decision Notice and Officer Report - Proposed extension at Bromley High School for Girls - Ref 19/00577/FULL1

Documents submitted during the hearing:

App 5: WebCAT PTAL Map

App 6: Aerial Image of Appeal Site and Location

App 7: Extract of Bromley Local Plan Proposals Map

Document after the hearing:

APP8: Comments on Green Belt Planning Practice Guidance (Published 27 February 2025)

Council:

Document submitted during the hearing:

LPA 1: Copies of Policies GG1 and T6.4 of the London Local Plan

LPA 2: Details of Bus Route R7

LPA 3: Complete Officer Report for Delegated Decision - Proposed extension at Bromley High School for Girls - Ref 19/00577/FULL1

Main Parties:

Document submitted by both parties during the hearing:

MP1: A list of three proposed conditions.