

**APPEAL REF: APP/G5180/W/24/3340223**

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

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).

**CASE MANAGEMENT CONFERENCE (via Microsoft Teams)**

**TO BE HELD AT 10.00 ON FRIDAY 17 MAY 2024**

**INSPECTOR’S PRE-CONFERENCE NOTE**

1. The case management conference will be led by the Inquiry Inspector,
Glen Rollings, a chartered town planner and urban designer. A conference agenda is sent with this note.
2. There will be no discussion as part of the conference as to the merits of your respective cases and I will not hear any evidence. Rather, the purpose is to set out a clear indication as to the ongoing management of this case and the presentation of evidence, so that the forthcoming Inquiry is conducted in an efficient and effective manner.
3. The Inquiry is scheduled to open at 10.00am on Tuesday 16 July 2024, beginning as an in-person event at Bromley Council offices, or an alternative venue to be advised by the Council. Eight sitting days are currently proposed.
4. No parties have applied for ‘Rule 6’ status at this time.

**Main Issues**

1. The Council provided six reasons for refusal (RfRs). Taking into account these reasons as well as the initial arguments put forward in the statement of case and draft statement of common ground, together with the Mayor of London’s submissions and those of other interested parties, the main issues in this appeal are likely to relate to:
* The effect of the proposed development on the character and appearance of the area (RFR 3);
* The effect of the proposed development on heritage assets (RFR 3);
* Whether the proposed development would provide appropriate living conditions for future occupiers, with particular reference to outlook, daylight, privacy, play space provision, and inclusive design (RFR 4);
* The effect of the proposed development on the living conditions of surrounding occupiers, with particular reference to outlook, daylight and sunlight, and privacy (RFR 5); and
* The effect of the proposed development on the local housing supply, with particular reference the provision of family accommodation
(RFR 2).
1. The Council has advised that it no longer wishes to contest its reason for refusal relating to affordable housing provision (RFR1), although it will argue that it has an effect on the overall planning balance.
2. A planning agreement is currently being negotiated and it is expected that this will be finalised by the start of the Inquiry (RFR6). Its content will also be considered within the planning balance evidence.
3. Accordingly, the Inquiry will look at any benefits to be weighed in the planning balance, including the amount of affordable housing proposed, together with any implications of not proceeding with the scheme. Interested parties have made representations and I will need to take any matters raised into account, together with any further representations made at the inquiry. These will include the effects of the proposal on local infrastructure, fire safety and air quality.
4. I will also seek agreement between the parties as to the approach to the housing land supply position. At this stage it appears to me to be best suited to inclusion within the planning balance evidence, rather than a separate topic for evidence, but we will discuss this further during the conference.
5. It is essential that all parties communicate effectively with each other to seek to narrow the issues for consideration at the Inquiry. This should be an ongoing conversation. You are therefore requested to give consideration in advance of the case management conference as to whether the identified matters encapsulate those most pertinent to the outcome of the appeal.

**Dealing with the Evidence**

1. The Inquiry will focus on areas where there is disagreement. With that in mind, the conference will explore how best to hear the evidence to ensure that the Inquiry is conducted as efficiently as possible.
2. The parties should collaborate on separate, topic-specific statements of common ground for each of the main issues.
3. I suggest that the main issues that rely on technical/numerical evidence are best suited to the formal presentation of examination-in-chief by a witness for each of the main parties wishing to participate, which would be subject to cross-examination. All of the main issues other than character and appearance would be suitable for this method.
4. At this stage it seems that the character and appearance (including design/townscape matters) main issue would be best suited to a
round-table discussion, where I would ask questions directly to the parties. I intend that discussion of the planning obligations and suggested conditions session would also be in a round-table format.
5. The weighing of any benefits and disadvantages of the proposed development is likely to be best dealt with through the presentation of examination-in-chief and cross-examination of the planning witnesses for the applicant and the Council, so as to provide me with a clear understanding of the differences between the parties on the weight to be attributed to any adverse impacts as well as any benefits of the development. This would include consideration of the heritage balance.
6. You are requested to give the above careful consideration in advance of the related discussion at the case management conference. It would also be useful for me to have confirmation of the number of witnesses that each party intends to call.
7. The attached Annex sets out the preferred format and content of proofs and other material, which should be observed.

**Probity Declaration**

1. I was employed by the Greater London Authority (GLA) between 2009 and 2012, reporting and providing advice to the Mayor of London on major applications and the London Plan, at the same time as one of the named officers listed in the GLA stage 1 report. There will be an opportunity to discuss this matter at the conference.
2. Thank you for your participation and assistance, and I look forward to meeting you on 17 May.

*G Rollings*

INSPECTOR
10 May 2024

**Annex: Content and Format of Proofs and Appendices**

*Content*

Proofs of evidence **should**:

* focus on the main issues identified, in particular on areas of disagreement;
* be proportionate to the number and complexity of issues and matters that the witness is addressing;
* be concise, precise, relevant and contain facts and expert opinion deriving from witnesses’ own professional expertise and experience, and/or local knowledge;
* be prepared with a clear structure that identifies and addresses the main issues within the witness’s field of knowledge and avoids repetition;
* focus on what is really necessary to make the case and avoid including unnecessary material, or duplicating material in other documents or another witness’s evidence;
* where data is referred to, include that data, and outline any relevant assessment methodology and the assumptions used to support the arguments (unless this material has been previously agreed and is included as part of the statement of common ground).

Proofs **should not**:

* duplicate information already included in other Inquiry material, such as site description, planning history and the relevant planning policy;
* recite the text of policies referred to elsewhere: the proofs need only identify the relevant policy numbers, with extracts being provided as core documents. Only policies which are needed to understand the argument being put forward and are fundamental to an appraisal of the proposals’ merits need be referred to.

*Format of proofs and appendices*

* Proofs to be no longer than 3000 words if possible. Where proofs are longer than 1500 words, summaries are to be submitted.
* Proofs are to be bound in such a way as to be easily opened and read.
* Front covers to proofs and appendices are to be clearly titled, with the name of the witness on the cover.
* Pages and paragraphs should be numbered.
* Appendices are to be bound separately.
* Appendices are to be indexed using projecting tabs, labelled and paginated.