



SUMMARY PROOF OF EVIDENCE FOR LONDON BOROUGH OF BROMLEY

SUMMARY PROOF OF EVIDENCE OF BEN JOHNSON

Appeal by Mr and Mrs Selby

Home Farm, Kemnal Road, Chislehurst BR7 6LY

PINS Ref: APP/G5180/W/24/3339919

LBB Ref: 22/03243/FULL1

I am Ben Johnson. My current position is Head of Planning Policy and Strategy at the London Borough of Bromley. I have worked as a town planner for 15 years, entirely in planning policy/spatial planning, both at a regional and local authority level, in London and North East England.

I hold a Bachelor of Arts Honours Degree in Town Planning and a Postgraduate Diploma in Town Planning from Newcastle University. I am a Full Chartered Member of the Royal Town Planning Institute.

I have had significant involvement with self-build and custom housebuilding since 2016, when the Self-Build and Custom Housebuilding Act 2015 came into force. I have personally led on the establishment and management of a self-build and custom housebuilding register, and I currently oversee the management of the Bromley register. In addition, I have led on the introduction of local eligibility conditions in two London Boroughs. This experience gives me a unique perspective on the issue of self-build and custom housebuilding in a local authority context.

The evidence which I have prepared and provide for this appeal (in this proof of evidence) is true to the best of my knowledge and has been prepared and is given in accordance with the guidance of my professional institution. I confirm that the opinions expressed in this proof of evidence are my true and professional opinions.

1. Summary

- 1.1. My proof of evidence provides an assessment of the proposed self-build housing, Vine House, setting out the rationale for the weight that the Council considers should be attributed to this provision.
- 1.2. My proof of evidence first sets out the planning policy framework, identifying relevant national and Development Plan policies that relate to self-build and custom housebuilding.
- 1.3. My proof of evidence then addresses the points raised in the Appellant's Self-Build and Custom Housebuilding Technical Note (prepared by Iceni Projects). This document was submitted eight months into the planning application determination period and was the first mention of the issue of self-build and custom housebuilding as part of this application.
- 1.4. The first point I address is the suggestion that the absence of a specific self-build and custom housebuilding policy is reason to trigger paragraph 11(d) of the NPPF. I consider that there is no policy vacuum that would trigger paragraph 11, and regardless, paragraph 11 would not be engaged by virtue of footnote 7 of the NPPF, as the appeal site is located in the Green Belt.
- 1.5. Next, I discuss the legislative framework which underpins the issue of self-build and custom housebuilding, including the relevant regulations which govern the self-build and custom housebuilding register; and the introduction of local eligibility conditions. I note that there has been a recent change to the Self-build and Custom Housebuilding Act 2015 (as amended) in relation to how development permissions for self-build and custom housebuilding count towards meeting demand, but this change is dependent on regulations to clarify its implementation, and at the time of writing no regulations have been published.
- 1.6. I then go on to discuss the Bromley local connection test, a local eligibility condition which requires applicants for the self-build and custom housebuilding register to demonstrate that they have been resident in the borough for a continuous period of five years, up to and including the day of application for entry onto the register. The Appellant erroneously claims that the Bromley local connection test should not be taken into account when assessing demand for self-build and custom housebuilding, as they claim that it was not introduced in line with non-statutory planning guidance. However, I set out in detail that this point has no merit, noting that the local connection test was introduced in line with relevant legislative requirements, which the Appellant ignores. Notwithstanding this, even considering the local connection test against the non-statutory guidance highlighted by the Appellant, I consider that the test is still justified.
- 1.7. I then set out Bromley's current position in terms of meeting the demand from the self-build and custom housebuilding register, including details of the relevant development permissions that the Council relies on to meet demand. These figures show that the Council has consistently met the demand arising

from the register, with 105 permissions provided across Base Periods 1 to 5, against a total demand of 106 permissions across the same period. In terms of individual base periods, the Council has fully met demand from three of the five base periods.

- 1.8. Next, I highlight that the Appellant is entered onto the Bromley self-build and custom housebuilding register, and set out a timeline of relevant dates related to this entry, noting that the application for the register was only received in May 2024; and that the Appellant being entered onto the register does not place a requirement on the Council to permit a serviced plot specifically for the Appellant.
- 1.9. Having taken into account a range of relevant considerations including the extent to which self-build demand is being met in Bromley, I conclude my proof of evidence by stating that moderate weight should be given to the proposed provision of one self-build unit, where this is secured through legal agreement.