



# B.B.R.A.G.

## THE BROMLEY BOROUGH ROADS ACTION GROUP

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Committee Members: P.Appleby, R.W.Lawson, M.J.Stilwell

Mr S. MacMillan  
Chief Planner  
London Borough of Bromley  
Stockwell Close  
Bromley  
BR1 3UH

5 April, 2004

Reference DC/03/04023/OUT (Tesco Redevelopment of Multi-Storey Car Park, Station Road, Orpington).

Dear Mr MacMillan,

On behalf of BBRAG, I have the following comments to make about the revised outline planning application for the above mentioned development:

### **I. Summary.**

The changes made to the previous planning application appear to be relatively trivial in relation to our previous complaints about this development, and in one respect are likely to worsen the impact of the increased traffic generated by the development on local residents. Neither do the revised plans take account of criticisms in the "Review of the Transport Assessment" prepared by Peter Brett Associates, the councils own consultants, which I will cover in some depth. Note that I understand a revised or supplementary comment on the Transport Assessment submitted by the developer may yet be received so the comments made below are submitted without sight of those and therefore we may submit additional comments at a later date.

The revisions to the application also go nowhere to meeting the complaint that the application is not in accordance with the Planning Brief for the site.

## **2. Height of the Building.**

Although the developer has apparently reduced the height of the building somewhat, it is still substantially higher than the existing car park and will certainly overshadow neighbouring residential properties. Note that we do not accept that the statement concerning the relative height of the new development and the existing structure given in the letter to yourself from G.L. Hearn dated the 26<sup>th</sup> March 2004 is correct when the lift towers are taken into account.

## **3. Architectural Merit and Consistency With Surrounding Properties.**

No improvements have been made to the architectural merit of the building and the design is still exceedingly bland and unappealing. It is of course totally inconsistent with the surrounding residential and retail properties, which on three sides are of 1930s date. In addition it is totally different to the scale of those structures, and indeed will be larger and more bulky in appearance than the more modern office properties to the north. The slight reduction in footprint by the moving back of the frontage on the Station Road side is a very trivial change and still leaves insufficient pavement width to provide an adequate public space, particularly in comparison with that currently in existence.

## **4. Transport - Service Vehicle Access**

The removal of the right turn from Station Road into Augustus Lane, although sensible on the grounds that it could cause disruption at the War Memorial roundabout, is surely going to cause major difficulties for heavier vehicles delivering goods to the store. Service vehicles will only be able to access the site via a left turn from Station Road, but as many such vehicles will come from the M25 or other routes that lead to Spur Road, this will cause major problems. At worst they will have to take a route that includes the High St, Knoll Rise, Orchard Grove and Station Road which will disrupt the lives of residents in those roads. Other alternative routes are hardly any better or safer.

## **5. Transport - Public Access**

The removal of the right turn from Station Road into Augustus Lane will require any public users (as opposed to store shoppers) who wish to access the public parking provision and are coming from the east to use the High Street, Knoll Rise, Augustus Lane route. This section of the High Street is often congested (see below) and will also route more traffic over a section of road which is known to be an accident black spot, and an area of poor atmospheric pollution.

## **6. Transport - Car Parking Provision**

Apparently parking provision has been reduced from 926 to 917 spaces, but it is not currently clear which sections have changed. Such a reduction however certainly does not meet our previous objections that the reduction in public car parking provision from that provided in the existing car park on the site will leave a substantial shortfall which cannot be accommodated by alternative nearby facilities (more on this later).

## **7. Transport - Traffic and Parking Issues**

I would also suggest that the revised planning application takes no account of the comments made in the report entitled “Review of Transport Assessment” by Peter Brett Associates, the independent consultants appointed by the council. Specifically:

a - In Paragraph 5.1.2 it states: “*The interaction between the junctions and the effect on the overall capacity of the proposed network have not been considered*”. It is already the case that the approaches to the war memorial roundabout, and Station Road, become congested for this very reason WITH THE EXISTING LEVEL OF TRAFFIC. Congestion along the High Street at the junction with Knoll Rise and with Homefield Rd already often causes traffic to come to a standstill along this stretch of the High Street with the result that the roundabout suffers gridlock. Likewise traffic congestion around Orpington Station and the roads that lead into Station Road to the east can also tail back to the war memorial roundabout. The new development will impose much higher traffic loads, when the existing road structure cannot even cope with existing loads at peak times. The developer has not even attempted to model the impact of these additional traffic flows on this very complex set of junctions and the data produced is therefore likely to be grossly unrealistic.

In addition we would like to point out that the developers suggested trip figures are grossly optimistic based on an unrealistically small catchment area. The developer should substantiate his data by providing comparisons with other similar stores of their own, or for example in comparison with the new Safeway store which is located near to Sidcup High Street (where traffic problems were encountered for reasons which are no doubt similar).

b - In Paragraph 5.22 of the Peter Brett report it states: “*However based on the information provided, it is considered that the tests undertaken overestimate the capacity provided at the proposed store access junction.*” This reinforces our point made above and the developer appears not to have made any revisions to cope with this issue.

c - In Paragraph 6.3.3 of the report it states: *“The office car park would remain unchanged. However the provision of public car parking spaces would be reduced below the maximum demand. On a week day, it is estimated that the 166 spaces provided would represent a shortfall of about 226 spaces to accommodate the maximum demand currently observed (max accumulation = 392, provision = 166 spaces). However the TA estimates that the shortfall would represent only about 118 spaces on a week day”*. This is exactly the complaint we have previously made about the inadequate parking provision and nothing in the revised planning application tackles this issue.

In addition of course there will be a loss of some car parking provision in Augustus Lane so the shortfall will in practice be even higher than stated above. Reducing capacity below the existing level of demand for car parking in that location is clearly inadvisable and irrespective of your comments to the last Development Control Committee Meeting that discussed this development, is contrary to guidance in PPG13 regarding the need *“to take account of economic considerations, such as revitalizing and broadening the local economy and stimulating employment opportunities”*. We have of course exchanged emails on this subject but I certainly do not agree that your interpretation of the PPG documents and other documents such as the London Plan provide any justification for adopting such a policy in the face of clear evidence that it would cause major inconvenience to many people and badly affect local businesses and retailers in that part of Orpington.

d - In Paragraph 6.3.5. the report suggests that sharing the car parking between food store users and town centre (ie. public) users would be a solution to the above problem, but again this suggestion has not been taken on board.

e - Note also that under the provisions of RPG3 (Appendix 2), there should be an independent Traffic Impact Assessment for any development such as this that will have an impact on the trunk road network. We therefore call for such an Assessment to be produced.

## **8. Still Not In Accordance with the Planning Brief.**

The proposed development still is not consistent with the Planning Brief produced by the council for this site and that is sufficient reason alone under planning law to reject this planning application - see an Appendix for a note on that.

We therefore urge that this revised application be again rejected and that the developer be asked to revise it further so that it meets our objections, tackles the objections made by your own independent transport consultants, and is made consistent with the original Planning Brief for the site.

Yours sincerely

Roger Lawson  
Secretary & Treasurer  
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## Appendix - The Planning Brief

In December 2001 the council issued a “Planning Brief” for the site. This document covered the background to the site and some of the proposed uses. It was issued to potential developers who might wish to purchase the site and build on it. In summary it says the following about the proposed uses:

- *“...this site is considered appropriate for a “mixed-use” development to complement the existing economic and social activity.”* It then has three headings of Retail, Leisure and Residential.

- Under Retail it says: *“Any proposed retail use should have no detrimental effect on the town as a whole. The use, therefore, should not only be one that attracts the general public but one that also complements the existing shopping facilities in the town. Retail uses could include small units associated with a larger leisure element....”*

- Under Leisure it says: *“Leisure uses could include cinemas, and/or health & fitness club and restaurant(s).”*

- Under Residential it says: *“Any residential scheme should seek a high-quality sustainable, living environment.”* It also suggests it could be relatively high density.

The impression given is that any development will be of smaller facilities with a mix of retail, leisure and housing. What is now being proposed is a very large supermarket, with some “affordable” housing, a small medical centre to house the existing health facility, but no leisure facilities at all. And the retail part of it hardly “complements” the existing Orpington town centre shops as there is already a supermarket present there and the Tesco store will no doubt be retailing non-food merchandise as well. The size of the proposed Tesco store in fact will cause it to dominate rather than complement the other retail facilities in Orpington.

Note that Planning Briefs should be taken into account in the planning process when considering the acceptability of particular proposals as is made clear in PPG 1 and in the note entitled “Planning and development briefs: a guide to better practice” produced by the ODPM. Failure to adhere to the development principles set out in a Planning Brief is sufficient reason to reject the Planning Application, particularly when there is widespread consultation on the Planning Brief as was the case in this example.

In addition to the above I wish to point out that although the Planning Brief itself does not mention any retention of existing public parking provision, I understand that copies of the Planning Brief sent to potential developers and other parties had a covering letter or note that specified that the new development must contain 350 public spaces (I am relying on a letter to me dated 20<sup>th</sup> December 2001 from Rita Westlotorn for that information). In practice therefore that could be seen as a part of the Planning Brief, or a condition for development. It has clearly been breached in that the proposed development only provides provision for 166 public spaces.

In addition Rita Westlotorn sent an email to Councillor John Holbrook on the 10<sup>th</sup> April 2002 stating "*The leased car parking spaces (282) are to be replaced in any new re-development, as are at least 350 public parking spaces.*" which is further evidence of the intention of the Planning Brief and the consultation that took place on it.

In conclusion, these failures to adhere to the conditions laid down in the Planning Brief, and the fact that the proposed development is clearly very different to that anticipated by the terms of the Planning Brief, suggest that not only should the current planning application be rejected, but that all similar proposals should be rejected. In other words, it is not possible to make the proposals compliant with the Planning Brief by making minor revisions to the plans, as has been done to date. The proposals need reconsidering by the developer in their entirety.