



**Legal Services, Bromley Council, Bromley Civic
Centre, Churchill Court, 2 Westmoreland Road,
Bromley BR1 1AS**

Telephone: 02083134881

Email: raheli.paris@bromley.gov.uk

Our ref: 23/00705/OPDEV PCN

The Owner/Occupier
Land at London Electricity Board Depot
Churchfields Road Beckenham
aka land and buildings lying to the south of
Churchfields Road
Beckenham

17th January 2025

Planning contravention notice

1. This notice is served by the London Borough of Bromley because it appears that there may have been a breach of planning control, within section 171A(1) of the Town and Country Planning Act 1990, at the Land below. It is served on your company as a person who appears to be the owner / occupier of the Land. The Council requires your company, in exercise of its powers under section 171C(2) and (3), so far as it is able, to provide the information requested in section 4 (on pages 1 to 5).

2. **The land to which this notice relates**

Land at London Electricity Board Depot, Churchfields Road, Beckenham aka land and buildings lying to the south of Churchfields Road, Beckenham. ("the Land") as shown edged red on the attached plan.

3. **The matters which appear to constitute the breach of planning control**

Without the required planning permission, the material change of use of the Land from an electricity undertakers depot (Sui Generis Use) to a mixed use Class B8 scaffold equipment storage and distribution and to retain electricity undertakers depot, and the installation of hardstanding to facilitate that use.

4. **What your company is required to do**

Provide in writing the following information with all evidence to support what you say:

- (a) The nature of your / your company's interest in the land:

☒ Freeholder ☐ Leaseholder ☐ Tenant ☐ Other (write below):

Section 3 continued

- (b) The name and address of each person you believe / your company believes is a freeholder, mortgagee, or lessee or who directly or indirectly receives rent for the Land:

Freeholder is Churchfields road BR3 Limited (Company Number 09777076) under the management of Urban & Provincial Limited. The redline provided as part of the PCN does not show the full extent of the ownership. There is a long-term lease to UKPN for the substation and buildings in N/E corner, which includes lift and shift provisions.

- (c) The name and address of each person you believe / your company believes is an occupier of the Land and specifying if an occupier is less than 18 years old:

Mason Scaffolding, 179 Churchfields, Kent, BR3 4QY – (Head lease) Grant Mason

UKPN, 4th Floor Newington house, 237 Southwark bridge road, London, SE1 6NP - (Sub lease)

William Daniels

- (d) Do you agree planning permission is required for the material change of use of the Land from an electricity undertakers depot (Sui Generis Use) to a mixed use Class B8 scaffold equipment storage and distribution and to retain electricity undertakers depot, and the installation of hardstanding to facilitate that use, and that you don't have planning permission ¹ ?

☐ Yes. ☒ No. If not, why not? Specify any permitted development right you consider applies.

We agree that planning permission is required for the change of use of the Land from an electricity undertakers depot (Sui Generis Use) to a mixed use Class B8 scaffold equipment storage and distribution and to retain the electricity undertakers depot and that the site currently does not have this consent.

We do not agree that planning permission is required for the installation of the hardstanding. We consider this work is covered by PART 7 Class J of the Town and Country Planning General Permitted Development Order. However in the interests of resolving this issue we can confirm that we will be submitting an application to regularise the hardstanding.

- (e) On what date was the material change of use of the Land from an electricity undertakers depot (Sui Generis Use) to a mixed use Class B8 scaffold equipment storage and distribution and to retain electricity undertakers depot, and the installation of hardstanding to facilitate that use commenced, and when was it substantially complete?

In March 2024 the tenant erected temporary racks / offices but commercial operations commenced in October 2024.

- (f) How long (months/years) has the mixed use occurred described in paragraph 3 above?

Since October 2024.

- (g) Please state (list) all the use(s) of the Land in the last 10 years, state the use(s) commencement day/month/year how long that use existed, continue mentioning all the use(s) up to-date, and mention where applicable any gaps.

In 1992 planning permission was granted under reference 92/00337/FUL for the change of use from electricity undertakers depot to electricity undertakers depot and vehicle service repair and mot testing station.

The permission also required the cessation of the servicing, testing, repairing and storing of vehicles other than those owned by or belonging to London Electricity PLC on or before 1st May 1994.

¹ Go to tinyurl.com/2s3d29vw for more information on when permission is needed



- (h) When was the hardstanding installed? (Please state the day/month year)

November / December 2024.

- (i) Please state the reason(s) for: the material change of use of the Land from an electricity undertakers depot (Sui Generis Use) to a mixed use Class B8 scaffold equipment storage and distribution and to retain electricity undertakers depot, and the installation of hardstanding to facilitate that use.

To facilitate bringing part of an underutilised site into use through the operation of a scaffolding yard facilitating circa 76 jobs and supported by the London Plan and Bromley Local Plan.

- (j) Please can you confirm whether your company is aware that the above Land is in a flood zone 2 and 3? Has flood risk assessment(s) been conducted at the Land? if so, please provide relevant details of the assessment(s) or report(s).

The site is predominately in Flood Zone 2 with a small element in Flood Zone 3. The flood risk assessment is enclosed with this response.

- (k) Can you/ your company demonstrate how you manage surface water run-off generated by the area?

As per previous use the site has existing drainage and was existing hard standing made up from foundations and roadways as per previous use.

- (l) Is permeable paving being used at the above Land? if so, please provide details of that paving.

Stone Mastic Asphalt has been installed and water runoff drains into the sewer as per existing.

- (m) If the Council required your company to cease the mixed use described in paragraph 3 above and to remove the hardstanding:

- (i) How would this affect you / your company and anyone else?

The company would be forced to close. The company spent 2 years looking for premises after its previous operations were sold for development. The closure will result in the loss of 45-60 scaffolders (this number fluctuates but 45-60 are a minimum and maximum average), 7 permanent yard staff, Lorry drivers, 8 full time management, 3 part time management TOTAL = 76 using average of 52 scaffolders.

Loss of direct income for the landlord.

- (ii) How much time would you your company need to cease the mixed use and to remove the hardstanding described in paragraph 3 and how has your company estimated this?

Given that the cessation of the use would result in the closure of the tenants only site time would be required to find means to close and relocate. We estimate for the complete closure of the site and removal of any hardstanding it would take circa 3-6 months.

Evidence enclosed:

Flood Risk Assessment prepared by SLR.

Your name (on behalf of): The Owner/Occupier

Your signature:



Date: 05/02/2025

Write your company's answers above and continue on a separate sheet if necessary.

Then post this notice to Corporate Services, Legal Services, (Planning, Litigation and Licensing team), Civic Centre, Churchill Court, 2 Westmoreland, Bromley, BR1 3AS or email raheli.paris@bromley.gov.uk

5. Time within which the information must be provided

Within 21 days, beginning with the day on which this notice is served.

6. Opportunity to make representations in response to notice

If you wish / your company wishes to make an offer to apply for planning permission, or to refrain from carrying out any operations or activities, or to undertake remedial works, or to make any representations about this notice, representatives of the Council, will consider them at the Civic Centre, Churchill Court, 2 Westmoreland Road, Bromley, BR1 1AS where you / your company will be able to make any such offer or representations in person at a time and place to be agreed. Please contact John Stephenson on 020 8313 4687 or email john.stephenson@bromley.gov.uk and or Planning.Investigation@bromley.gov.uk to arrange a mutually convenient appointment.

7. Warning

It is an offence to fail, without reasonable cause, to comply with any requirement of this notice within 21 days beginning with the day on which it was served. The maximum penalty on conviction of this offence is a fine of £1,000. Continuing failure to comply following a conviction will constitute a further offence

It is also an offence knowingly or recklessly to give information, in response to this notice, which is false or misleading in a material particular. The maximum penalty on conviction of this offence is an unlimited fine.

If you are in any doubt at all as to what you should do in order to comply with the requirements in this Planning contravention notice, please contact John Stephenson or the case officer at Planning.Investigation@bromley.gov.uk without delay.

You may wish to seek independent legal advice.

8. Additional information

If your company fails to respond to this notice, the Council may take further action in respect of the suspected breach of planning control. In particular, it may issue an enforcement notice, under section 172 of the Town and Country Planning Act 1990, requiring the breach, or any injury to amenity caused by it, to be remedied.

If the Council serves a stop notice, section 186(5)(b) of the Town and Country Planning Act 1990 provides that should your company otherwise become entitled to

compensation for loss or damage attributable to that notice, no such compensation will be payable in respect of any loss or damage which could have been avoided had your company given the Council the information required by this notice, or had your company otherwise cooperated with the Council when responding to it.

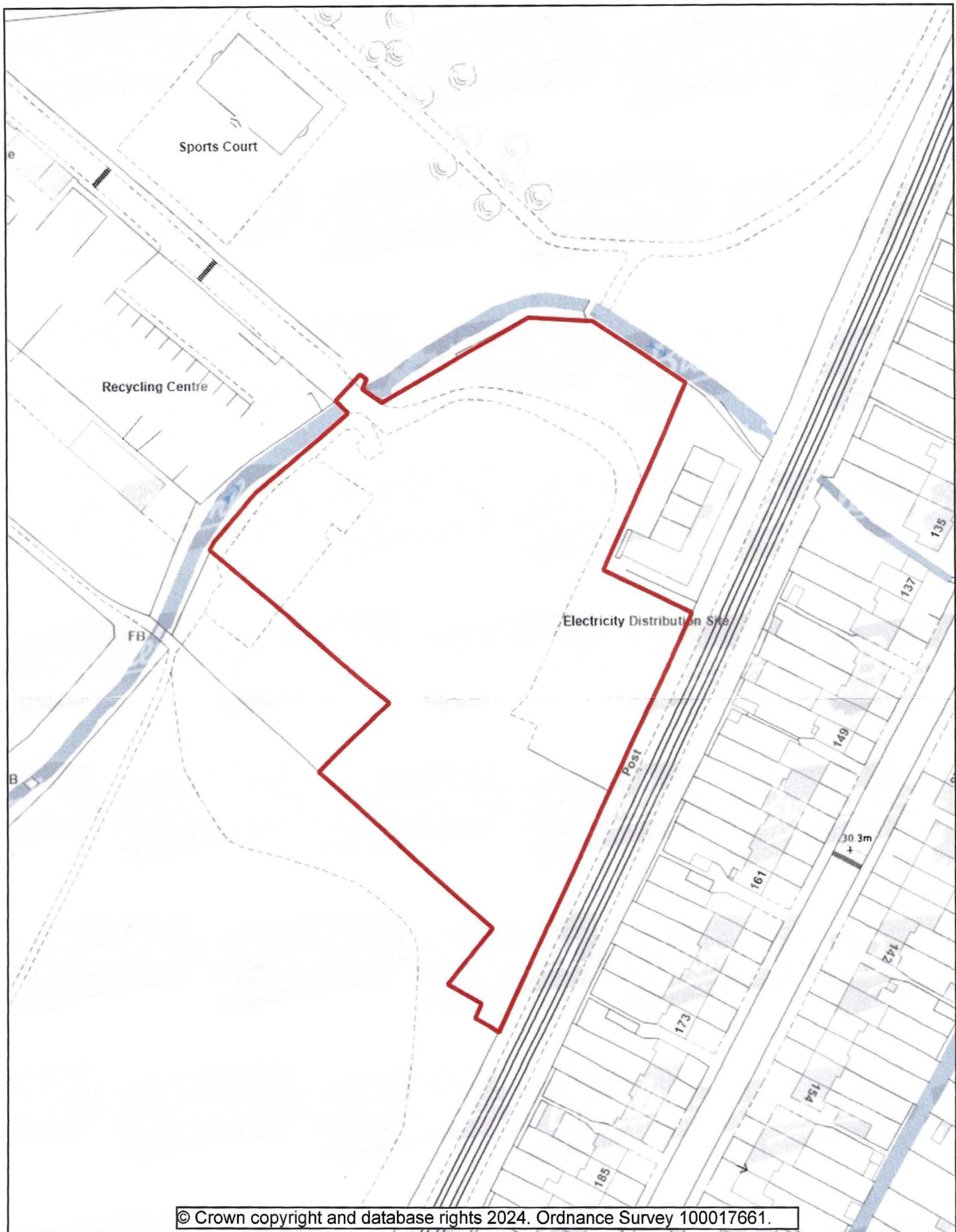
Information about how the Council uses and protects personal data and about personal data rights is available at bromley.gov.uk/privacy



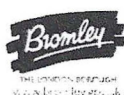
Signed:

A handwritten signature in black ink, appearing to be 'P. Smith', written over a horizontal line.

Director of Corporate Services



TOWN PLANNING



Tim Horsman
Assistant Director (Planning)
Planning Division
London Borough of Bromley
Stockwell Close, Bromley BR1 3UH
Tel: 020 8464 3333

Planning Contravention Notice

LONDON ELECTRICITY BOARD DEPOT, CHURCHFIELDS ROAD, BECKENHAM

Scale: 1:1250



ENF 23/00705

15/01/2025

Plan No: