ID – Revised table of conditions for discussion

28 September 2025

Table 1 – Matters where the parties agree that a condition is appropriate, in either agreed form or the forms proposed by the LPA and the Appellant

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|  |  | LPA | Appellant |
|  |  | **Agreed** | |
| 1 | *Approved plans* | The development hereby permitted shall not be carried out otherwise than in accordance with the following plans approved under this planning permission:  **Z1-9-20100 P03 – Proposed Ground Floor Plan**  **Z1-10-20100 P02 – Proposed Elevations (storage bays, cabins and lights)**  *Reason: In the interest of the residential and visual amenities of the area and conditions of highways safety and the free-flow of traffic, to accord with Policies 119, 83, 37 and 32 and of the Bromley Local Plan.* | |
| 2 | *Restriction on use* | The area shown shaded blue on drawing no. Z1-9-20100 P03 shall be the only part of the site used as a scaffolding storage and distribution yard and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).  *Reason: To accord with the scope of the application and the submitted details and in order that alternative uses can be considered in the light of potential impacts on residential and general amenity and the highways implications of an alternative use, to accord with Policies 119, 83, 37 and 32 of the Bromley Local Plan.* | |
| 3 | *Temporary permission* | The building(s)/structures hereby permitted shall be removed and the use discontinued and the land reinstated to its former condition on or before the [*insert date 5 years from date of appeal decision*].  *Reason: To accord with the terms of the application for temporary planning permission and in order that the situation can be reconsidered in the light of the circumstances at that time in the interest of the amenities of the area, to accord with Policies 119, 83, 37 and 83 of the Bromley Local Plan.* | |
| 4 | *Hours of site operation* | Site operations on the area shown shaded blue on drawing no. Z1-9-20100 P03 shall only take place between the hours of:  0800 to 1830 Monday to Friday  0800 to 1700 Saturday  *Reason: In the interest of the residential amenities of the area and to accord with Policies 119, 83, 37 and 32 of the Bromley Local Plan.* | [With the exception of HGV movements (which are subject to condition [X])], site operations on the area shown shaded blue on drawing no. Z1-9-20100 P03 shall only take place between the hours of:  0800 to 1830 Monday to Friday  0800 to 1700 Saturday  0800 to 1300 Sunday and also on bank holidays  *Reason: In the interest of the residential amenities of the area and to accord with Policies 119, 83, 37 and 32 of the Bromley Local Plan.* |
| 5 | *Length of HGVs* |  | HGVs accessing the area shown shaded blue on drawing no. Z1-9-20100 P03 shall not exceed 12.84 metres in length  *Reason: In the interest of the residential amenities of the area and to accord with Policies 37 and 32 of the Bromley Local Plan.* |
| 6 | *Lighting* | 1. Details of a scheme for lights (in accordance with Institute of Lighting Professionals Guidance note 1/21 (E4 – Urban environment) and that excludes any periods associated with an emergency) on the lighting columns approved for the scaffolding yard hereby permitted (shown shaded blue on drawing no. Z1-9-20100 P03) shall be submitted for approval to the Local Planning Authority within one month of the date of this decision. 2. The scheme approved under part (a) shall be implemented in full within one month of approval and the use hereby approved shall cease where the approved plan is not implemented in full within one month of approval. The scheme of lighting approved shall be retained for the duration of the permission.   *Reason: In order to comply with Policies 122 and 37 of the Bromley Plan in the interest of visual amenity and the safety of occupiers of and visitors to the development.* | |
| 7 | *Refuse and recycling* | 1. Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted for approval to the Local Planning Authority within one month of the date of this decision. 2. The arrangements approved under part (a) shall be implemented in full within one month of approval and the use hereby approved shall cease where the approved plan is not implemented in full within one month of approval. The approved arrangements shall be retained for the duration of the permission.   *Reason: In order to comply with Policies 32 and 37 of the Bromley Local Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.* | |
| 8 | *Cycle Parking* | 1. Details of arrangements for bicycle parking (including covered storage facilities where appropriate) shall be submitted for approval to the Local Planning Authority within one month of the date of this decision. 2. The arrangements approved under part (a) shall be implemented in full within one month of approval and the use hereby approved shall cease where the approved plan is not implemented in full within one month of approval. The approved arrangements shall be retained for the duration of the permission.   *Reason: In order to comply with Policy T5 of the London Plan and Policies 31 and 33 of Bromley Local Plan in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.* | |

Table 2 – Matters where the Appellant does not consider that a condition is necessary but, where the Inspector considers that it would be necessary to do so, suggested wording is produced below either in agreed form or alternative forms proposed by the LPA and Appellant

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|  | LPA | Appellant |
|  | **Agreed** | |
|  | ***Interaction between Churchfields Road Primary School and HGVs*** |  |
| *Option A – banksman* | HGVs shall not access or egress the area shown shaded blue on drawing no. Z1-9-20100 P03 in any circumstance between the hours of 0800-0900 and 1500-1700 during term-time on days that Churchfields Primary School is open to pupils except with the presence of a suitably qualified banksman who has been trained by a recognised training service provider (such as Commodius) and the Council has been provided with such certificate of qualification.  *Reason: To manage any conflict with the operation of the nearby school and to accord with Policy 32 of the Bromley Local Plan.* | The Appellant does not consider it necessary to require a banksman during school drop off and pick up time but in the event that the Inspector considers it necessary to do so, the below is proposed.  HGVs shall not access or egress the area shown shaded blue on drawing no. Z1-9-20100 P03 in any circumstance between the hours of 0830-0900 and 1500-1545 during term-time on days that Churchfields Primary School is open to pupils except with the presence of a suitably trained HGV banksman.  *Reason: To manage any conflict with the operation of the nearby school and to accord with Policy 32 of the Bromley Local Plan.* |
| *Option B – hours restriction* | There shall be no HGV access to or HGV egress from the site between the hours of 0800 to 0900 and 1500 to 1700 Monday to Friday.  *Reason: To avoid conflict with existing periods of congestion within the adjacent highway associated with the operation of the nearby school, and in the interest of conditions of pedestrian and highways safety and the free flow of traffic, to accord with Policy 32 of the Bromley Local Plan.* | The Appellant does not consider it necessary to restrict the hours of HGV movements to deal with the interaction between HGVs and Churchfields Road Primary School, but in the event that the Inspector considers it necessary to do so, the below is proposed.  Notwithstanding condition [4] there shall be no HGV movements to or from the area shown shaded blue on drawing no. Z1-9-20100 P03 in any circumstance between the hours of 0830-0900 and 1500-1545 during term-time on days that Churchfields Primary School is open to pupils.  *Reason: To manage any conflict with the operation of the nearby school and to accord with Policy 32 of the Bromley Local Plan.* |
|  | ***HGV Routeing*** |  |
|  |  | 1. Details access to the scaffolding yard hereby permitted (shown shaded blue on drawing no. Z1-9-20100 P03) for HGVs operating the scaffold yard shall be submitted for approval to the Local Planning Authority within one month of the date of this decision securing left-in, right-out access only. 2. The details approved under part (a) shall be implemented in full within one month of approval and the use hereby approved shall cease where the approved details are not implemented in full within one month of approval. The approved details shall be retained for the duration of the permission.   *Reason: In the interest of the residential amenities of the area and to accord with Policies 37 and 32 of the Bromley Local Plan.* |
|  | ***Out of hours HGV movements*** |  |
|  |  | No more than 10 one-way HGV movements per month to or from the area shown shaded blue on drawing no. Z1-9-20100 P03 shall occur outside of the following times:  Monday to Saturday: 0600 to 2000  *Reason: In the interest of the residential amenities of the area and to accord with Policies 119, 83, 37 and 32 of the Bromley Local Plan.* |
|  | ***Pole Cutting*** |  |
| *Option A – hours restriction* |  | The Appellant does not carry out pole cutting operations outside of Monday to Friday 0900-1700 however, should it be considered necessary, the Appellant would not object to this being conditioned.  No cutting of scaffold poles shall occur on the area shown shaded blue on drawing no. Z1-9-20100 P03 outside of the following hours:  Monday to Friday 0900 to 1700  *Reason: In the interest of the residential amenities of the area and to accord with Policies 119, 83 and 37 of the Bromley Local Plan.* |
| *Option B – hours restriction and duration cap* |  | The Appellant does not consider it necessary to restrict the duration of pole cutting operations, but in the event that the Inspector considers it necessary, the below is proposed to allow only one, two-hour period per week.  The cutting of scaffold poles on the area shown shaded blue on drawing no. Z1-9-20100 P03 shall be restricted to a single period of no more than two hours per week, which shall not occur outside of the following hours:  Monday to Friday 0900 to 1700.  *Reason: In the interest of the residential amenities of the area and to accord with Policies 119, 83 and 37 of the Bromley Local Plan.* |
| *Option C – further mitigation required* | Prior to the commencement of any pole cutting activity on site, a noise impact assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall:   .          Be undertaken in accordance with BS 4142:2014+A1:2019.  .          On weekdays and Saturdays use 39 dB LA90,T  as the representative background sound level (LA90,T) at the nearest noise-sensitive receptor on Clock house Road.  .          Evaluate tonal and impulsive characteristics at source, using the reference methods from Annex C of BS 4142:2014+A1:2019  .          Demonstrate that the rating level at the receptor does not exceed the representative background sound level (LA90).  and the use hereby approved shall cease where the noise impact assessment is not complied with throughout the life of the development.  and  Pole cutting shall only take place for a maximum of 2 hours per week in total and shall not occur outside the hours of between 1000 to 1600  *Reason: In the interest of the residential amenities of the area and to accord with Policies 119, 83 and 37 of the Bromley Local Plan* | The Appellant does not consider that further mitigation is necessary, but in the event that the Inspector considers it necessary, the below is proposed to require it.  No cutting of scaffold poles shall occur on the area shown shaded blue on drawing no. Z1-9-20100 P03 until a pole-cutting noise mitigation scheme demonstrating that the LAeq,1 hour with pole cutting operations would not exceed 50dB LAeq,1 hour (without on-time adjustment) at closest point on the railway boundary to the pole cutting operation has been submitted to the Council for approval and the approved scheme has been implemented.  *Reason: In the interest of the residential amenities of the area and to accord with Policies 119, 83 and 37 of the Bromley Local Plan.* |
|  | ***Operational Management Plan*** |  |
|  | Within 1 month of the date of this decision an operational management plan shall be submitted to the Local Planning Authority to set out the hours of access to and egress from the site, details of a complaint-handling policy, and of management of the safe access to the site. The operational management plan shall include details of the times of access to/egress from the site by lorries associated with the operation, and shall set out the process for avoiding conflict with school drop-off and pick-up times during the school week and a process for marshalling vehicles accessing and egressing the application site at the junction with Churchfields Road. Following approval of the submitted plan, the operation/use of the site shall accord with the approved details thereafter unless previously agreed in writing by the Authority.  *Reason: In the interest of conditions of safety, the free-flow of traffic in the adjacent highway and along the access road, and to accord with Policies 119, 83, 37 and 32 of the Bromley Local Plan.* | For hours of access, interaction with the primary school, and marshalling (i.e. a banksman) see the relevant section of this table above.  The principle of a complaints handling policy is not agreed but in the event it is considered necessary, the following in proposed:   1. Details of a policy for complaints handling shall be submitted for approval to the Local Planning Authority within one month of the date of this decision. 2. The policy approved under part (a) shall be implemented in full within one month of approval and the use hereby approved shall cease where the approved policy is not implemented in full within one month of approval. The approved policy shall be retained for the duration of the permission.   *Reason: In order to comply with Policies 32 and 37 of the Bromley Local Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.* |

Table 3 – Conditions of the 1992 Permission to be applied to the Appeal Scheme

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|  | **Condition as imposed in 1992** | **Form of condition agreed between the parties that should be applied to any permission granted pursuant to this appeal** |
| 1 | The servicing, testing, repairing and storing of vehicles on the application site other than those owned by or belonging to London Electricity Plc shall cease on or before 1st May 1994. | The servicing, testing, repairing and storing of vehicles on the application site shall be carried out only on vehicles owned by or belonging to London Power Networks PLC shall cease on or before 1st May 1994.[[1]](#footnote-2) |
| 2 | The servicing, testing, repairing and storing of vehicles on the application site hereby permitted shall be carried out only by London Electricity Plc. | The servicing, testing, repairing and storing of vehicles on the application site hereby permitted shall be carried out only by London Power Networks PLC.[[2]](#footnote-3) |
| 3 | The use hereby permitted shall not operate before 07.30 hours or after 17.30 hours on any day. | The use hereby permitted shall not operate before 0730 or after 1730 on any day.[[3]](#footnote-4) |
| 4 | The night trunking operation involving the use of 2 x 30 tonnes maximum length drawbar units will no longer collect or deliver to the application site outside of the hours of opening as stipulated by condition 03 of this decision notice. | The night trunking operation involving the use of 2 x 30 tonnes maximum length drawbar units shall not collect or deliver to the part of the site unshaded on plan Z1-9-20100 P03 outside of the hours of opening as stipulated by condition 03 of this decision notice.[[4]](#footnote-5) |

1. Updated to reflect current name of LPN. [↑](#footnote-ref-2)
2. Updated to reflect current name of LPN. [↑](#footnote-ref-3)
3. Updated to reflect the way hours of operation are referred to in planning conditions today. [↑](#footnote-ref-4)
4. Updated to reflect that this relates not to the entire Appeal Site but to the LPN part only. [↑](#footnote-ref-5)