



HAYES FARM CAMPAIGN

RAVENSBOURNE PLACE · APPLICATION 26/02199/OUT

THE CASE AGAINST RAVENSBOURNE PLACE

Complete Evidence Pack

The full objection to planning application 26/02199/OUT, Hayes Farm, Bromley. Seven documents in one volume.

Application
26/02199/OUT

Authority
London Borough of Bromley

Consultation deadline
24 July 2026

Applicant
Berkeley Homes (Southern) Ltd

GLA referral
2026/0331/S1

Status
For circulation · v2.0

Contents of this pack

This volume combines the seven documents of the Hayes Farm objection to planning application 26/02199/OUT. Each document begins with its own cover, which acts as a section divider. Page numbers below refer to this combined volume.

1	Executive Summary	3
2	The Case Against Ravensbourne Place (Formal Report)	6
3	Green Belt Purposes Assessment	52
4	Analysis of the Application Documents	56
5	Strategic Risks and Deeper Investigations	63
6	Legal Strategy Brief	69
7	Model Objection	78

Prepared for the Hayes Farm Campaign and Keep Bromley Green. Not legal advice. Figures verified to June 2026; check the planning register for the current consultation deadline and committee date before acting.



HAYES FARM CAMPAIGN

RAVENSBOURNE PLACE · APPLICATION 26/02199/OUT

THE CASE AGAINST RAVENSBOURNE PLACE

Executive Summary

A summary of the objection to planning application 26/02199/OUT, Hayes Farm, Bromley.

Application

26/02199/OUT

Authority

London Borough of Bromley

Consultation deadline

24 July 2026

Applicant

Berkeley Homes (Southern) Ltd

GLA referral

2026/0331/S1

Status

For circulation · v2.0

What is proposed

Berkeley Homes (Southern) Limited has applied to Bromley Council for a hybrid planning permission (application 26/02199/OUT) for a residential-led development of up to around 2,200 homes on roughly 59.3 hectares (~146 acres) of Metropolitan Green Belt at Hayes Farm, off Hayes Lane, wrapping around Norman Park and Bromley FC. The first phase (578 homes) is in detail; the rest is in outline. The developer markets it as “Ravensbourne Place” and offers 50% affordable housing, ~15 ha (~37 acres) of open space, a health centre and a children’s home.

KEY FACTS (VERIFIED 25 JUNE 2026)	
Application reference	26/02199/OUT (Bromley)
Applicant	Berkeley Homes (Southern) Ltd
Site	~59.3 ha Green Belt at Hayes Farm (not allocated in the Local Plan)
Homes	Up to ~2,200 (578 in detailed phase 1)
Public consultation deadline	24 July 2026
Scheduled decision	15 September 2026
Referred to the Mayor of London	Yes, Stage 1, ref 2026/0331/S1

Why it should be refused

- It is Green Belt, not “grey belt.” The site is open, undeveloped former farmland that strongly contributes to the Green Belt’s purposes of checking the sprawl of Bromley and preventing it merging with Hayes, Coney Hall and West Wickham. By law (NPPF December 2024, para 143), land that strongly contributes to those purposes cannot be “grey belt.” Recent appeals confirm this (*Broad Lane, Beaconsfield*, Feb 2025).
- It is not a sustainable location. Transport for London’s own pre-application advice says the site’s public-transport accessibility ranges “from 3 in the north to zero on the eastern edges of the south site” (zero is the worst possible rating), warns of a “high risk of ‘getting it wrong’” and a “vicious circle” of congestion. Any Green Belt release must be in a sustainable location (NPPF para 155(c)); this is not. In *Holyport* (June 2025) a scheme was refused on this basis even though it was accepted as grey belt.
- Heritage and flood risk also disqualify it. The grey belt definition does not apply where other designations give a strong reason to refuse. Here, the setting of the Grade II listed Hayes Street Farmhouse and flood risk in the Ravensbourne corridor both apply, and the developer has itself submitted a Flood Risk Sequential Test.
- The harms are serious and wide: loss of countryside and a green gap; harm to the River Ravensbourne corridor and the headwaters feeding Keston and Hayes Commons SSSI; increased downstream flood risk in an area with a flooding history (record river levels at Hayes Lane in December 2013; the 1968 Lewisham floods); car-dependency conflicting with net-zero duties; pressure on GPs, schools and water/sewerage; and air-quality and construction impacts over a long, phased build.
- The “50% affordable” claim needs locking down. No separate viability assessment was submitted. Berkeley has elsewhere sought to reduce affordable housing (Peckham’s Aylesham Centre from 35%

ard ~8–12%; 7.5% at Bromley-by-Bow). Any consent must fix 50% as social rent with no later viability review.

The democratic picture

- A petition has 11,834 signatures; around 500 people marched on 22 March 2026.
- Conservative-run Bromley Council (re-elected May 2026) formally opposes Green Belt development and does not recognise the “grey belt” label; the site is not allocated in the Local Plan.
- Local MP Peter Fortune calls the scheme a “significant threat.”

What you can do now

1. Object before 24 July 2026. Submit your own objection on Bromley’s planning register (application 26/02199/OUT); individual letters carry more weight than form letters. A model objection is included at the end of this pack. Use the headline reasons above (Green Belt/grey belt; unsustainable location; flood risk; heritage; environment; infrastructure; climate).
2. Ask the statutory bodies to object: Transport for London, Natural England, the Environment Agency and Historic England.
3. Write to the Mayor of London (GLA case 2026/0331/S1) and to local councillors and MPs.
4. Support the campaign: Keep Bromley Green (keepbromleygreen.uk) and the Coney Hall Village Residents’ Association.

Briefing prepared for the Hayes Farm campaign by Dr Alexander Deighton. Figures verified to 25 June 2026; check the planning register for the current deadline before acting. Not legal advice. This summary opens the evidence pack; the full report, supporting analyses, legal strategy brief and a model objection follow.



HAYES FARM CAMPAIGN

RAVENSBOURNE PLACE · APPLICATION 26/02199/OUT

A FORMAL REPORT · JUNE 2026

The Case Against Ravensbourne Place

Why the proposed development of up to 2,200 homes on Green Belt land at Hayes Farm, Bromley, should be refused.

Application
26/02199/OUT

Authority
London Borough of Bromley

Consultation deadline
24 July 2026

Applicant
Berkeley Homes (Southern) Ltd

GLA referral
2026/0331/S1

Status
For circulation · v2.0

Prepared for the Hayes Farm Campaign and Keep Bromley Green · Dr Alexander Deighton · 25 June 2026 · Not legal advice

Document control

Report title	The Case Against Ravensbourne Place: a formal report on planning application 26/02199/OUT
Subject site	Land at Rookery Estates / Hayes Farm, Bromley Common, London Borough of Bromley (marketed as “Ravensbourne Place”)
Applicant	Berkeley Homes (Southern) Limited
Local planning authority	London Borough of Bromley
Application reference	26/02199/OUT (hybrid; outline with detailed first phase)
GLA reference	2026/0331/S1 (Stage 1 referral to the Mayor of London)
Consultation deadline	24 July 2026
Prepared for	The Hayes Farm Campaign; Keep Bromley Green; Coney Hall Village Residents’ Association
Prepared by	Dr Alexander Deighton, with contributing campaign research
Version / date	2.0 (Expanded), 25 June 2026
Status	Formal report for circulation to elected members, statutory consultees, the Mayor of London, and the community

Purpose and standing. This is a formal report setting out, comprehensively and on the evidence, why planning application 26/02199/OUT should be refused. It is intended to be read and relied upon by Bromley councillors and officers, by statutory consultees, by the Mayor of London and (if necessary) the Secretary of State and the Planning Inspectorate, and by the community and its advisers. It draws on the application’s own documents, on national and regional planning policy, on the published evidence of statutory bodies, and on independent verification undertaken in June 2026.

Status of advice. This report is a planning and evidence document. It is **not legal advice**. Where legal challenge is discussed, qualified planning counsel and solicitors should be instructed. Companion documents (the Legal Strategy Brief, the Green Belt Purposes Assessment, the Application Document Analysis and the Phase 2 Strategic Risks brief) accompany this report and are referred to throughout.

A note on accuracy. Every material fact in this report has been checked against primary sources, and figures drawn from the applicant’s submitted documents are cited to the relevant document and page. Where a matter is contested, unverified, or campaign-stated, this is made explicit. A full fact-verification log appears at Appendix A.

Contents

FRONT MATTER

Document control	1
Glossary and abbreviations	4
Executive summary	5

THE CASE

1 Introduction, scope and methodology	7
2 The site and its planning history	9
3 The proposal	11
4 The planning policy framework	13
5 The planning balance: why “grey belt” is central	15
6 Green Belt and the “grey belt” question	17
7 Transport and accessibility	19
8 Environment, biodiversity and trees	23
9 Flood risk and water	25
10 Climate change	27
11 Health and quality of life	28
12 Public services and infrastructure	29
13 Heritage	31
14 Agricultural land and food production	32
15 Affordable housing and viability	33
16 Community opposition and the democratic mandate	34
17 Legal strategy and routes of challenge	35
18 Conclusions	37
19 Schedule of principal concerns	38
20 Recommended actions and timeline	40

APPENDICES

A Fact-verification log	41
--------------------------------------	-----------

C	Key verbatim quotations	43
D	Sources and references	44
E	Contacts and resources	45

Glossary and abbreviations

TERM	MEANING
AQMA	Air Quality Management Area: an area an authority must declare where air-quality objectives are exceeded
ALC	Agricultural Land Classification (Grades 1–5; Grades 1, 2 and 3a are “best and most versatile”)
BMV	Best and Most Versatile agricultural land (ALC Grades 1, 2 and 3a)
BNG	Biodiversity Net Gain: the mandatory minimum 10% gain required for major development
CIL	Community Infrastructure Levy: a charge on development to fund infrastructure
EIA / ES	Environmental Impact Assessment / Environmental Statement
Golden rules	NPPF requirements (affordable housing, infrastructure, green space) for major Green Belt/grey belt housing
Grey belt	Green Belt land that is previously developed, or does not “strongly contribute” to Green Belt purposes (a), (b) or (d)
HDT	Housing Delivery Test: government measure of homes delivered against requirement
LPA	Local planning authority (here, the London Borough of Bromley)
NPPF / PPG	National Planning Policy Framework / Planning Practice Guidance
PTAL	Public Transport Accessibility Level (0 = worst, 6b = best)
SSSI	Site of Special Scientific Interest
Tilted balance	The NPPF para 11(d) presumption in favour of development engaged where policies are out of date
VSC	Very special circumstances (the test for inappropriate development in the Green Belt)
5YHLS	Five-year housing land supply

Executive summary

59.3_{ha}

GREEN BELT LAND FOR RELEASE (~146 ACRES)

2,200

HOMES, ON LAND NOT ALLOCATED IN THE LOCAL PLAN

1.93_{yrs}

BROMLEY HOUSING LAND SUPPLY

The proposal

Berkeley Homes (Southern) Limited has applied to the London Borough of Bromley for a **hybrid planning permission** (application 26/02199/OUT) for a residential-led, mixed-use development of **up to approximately 2,200 homes** on around **59.3 hectares (146 acres)** of **Metropolitan Green Belt** at Hayes Farm, off Hayes Lane, wrapping around Norman Park and Bromley Football Club. The first phase (578 homes) is sought in detail; the remainder is in outline, with all matters reserved. The scheme is marketed as “Ravensbourne Place” and is promoted with a claimed 50% affordable housing, around 15 hectares of public open space, a health centre, a children’s home and community and retail uses. The application was validated on 16 June 2026 and the public consultation closes on **24 July 2026**.

Why this development should be refused

This report sets out, on the evidence, that the application should be refused. The principal concerns are summarised here and developed in full in the sections that follow.

1. **The site is Green Belt, not “grey belt.”** The developer’s case depends on the land qualifying as “grey belt.” On the Government’s own tests (NPPF paragraph 143 and the Planning Practice Guidance), the site **strongly contributes** to the Green Belt’s purpose of checking the unrestricted sprawl of Bromley (purpose a) and to preventing Bromley merging with Hayes, Coney Hall and West Wickham (purpose b). The applicant’s own assessment concedes a “moderate contribution” to purpose (a) and, implausibly, claims “no contribution” to purpose (b). Land that strongly contributes to even one of these purposes **cannot be grey belt** (Section 6).
2. **This is the central issue.** Bromley cannot demonstrate a five-year housing land supply (about 1.93 years), has failed the Housing Delivery Test (about 58%) and has an out-of-date Local Plan. The developer expressly relies on this to engage the “tilted balance.” That balance is, however, switched off where Green Belt protection applies. If the site is shown to be Green Belt and not grey belt, the housing-supply deficit largely falls away and the strong “very special circumstances” test protects the land (Section 5).
3. **It is not a sustainable location.** Transport for London’s own pre-application advice records public-transport accessibility ranging “from 3 in the north to zero on the eastern edges of the south site,” a “high risk of getting it wrong,” and a possible “vicious circle” of congestion. The application generates around 18,000 trips a day and proposes up to 1.5 car-parking spaces per home, and the traffic model TfL required (VISSIM) was **not available when the application was submitted** (Section 7).
4. **The environmental harms are serious and, in part, conceded.** The scheme **fails the mandatory 10% biodiversity net gain on site** (achieving only +5.21%); it would result in the loss of **over 35 hectares of “best and most versatile” agricultural land**; the site contains “multiple small areas of medium and high surface water flood risk”; and it lies **within the Bromley Air Quality Management Area** (Sections 8, 9, 14).

5. **The infrastructure to support it is not there.** The applicant's own evidence concedes a secondary-school deficit and an acute special-school shortfall, GP provision already far above the national average, and a proposed on-site health centre that is not guaranteed; while Thames Water (financially distressed and under enforcement) has no dedicated upgrade for this catchment (Section 12).
6. **The "50% affordable" claim requires scrutiny.** It is weighted toward the less-affordable "intermediate" tenure (only about 21% affordable rented in the first phase), and the applicant states there is "no requirement for early, mid or late stage affordable housing reviews," so there is no clawback and nothing to prevent a later reduction (Section 15).
7. **The community and its representatives are firmly opposed.** A petition has gathered 11,834 signatures, some 500 people marched in March 2026, the local Member of Parliament has called the scheme a "significant threat," and the Conservative-run Council, re-elected in May 2026, formally opposes Green Belt development and does not recognise the "grey belt" label (Section 16).

What is asked

This report asks the Council to **refuse** application 26/02199/OUT, and sets out the strategy to defend that refusal on appeal and to guard against the application being approved by other routes (Sections 17–20). The most valuable supporting step is the commissioning of an **independent, survey-based Green Belt assessment** to rebut the developer's classification and to give the Council appeal-proof reasons for refusal.

1. Introduction, scope and methodology

1.1 Background

The land at Hayes Farm has been open countryside on the southern edge of the Bromley built-up area for generations. It is designated Metropolitan Green Belt and is not allocated for development in the Bromley Local Plan. In late 2025 Berkeley Homes began promoting a major residential scheme on the land, branded “Ravensbourne Place,” and on 1 June 2026 submitted a hybrid planning application for up to approximately 2,200 homes. The application relies on the Government’s new “grey belt” policy, introduced through the revised National Planning Policy Framework in December 2024, to argue that this Green Belt land may now be released for housing.

The proposal has generated sustained and broad-based community opposition. This report has been prepared to consolidate the evidence against the scheme into a single, formal document that the campaign, the Council, statutory consultees and elected representatives can rely upon.

1.2 Purpose and audience

The report has three purposes:

- to set out, comprehensively and on the evidence, **why the application should be refused**;
- to provide councillors and officers with **robust, policy-anchored reasons for refusal** capable of withstanding an appeal; and
- to equip the community, the Mayor of London and others with an accurate, referenced account of the development’s impacts.

It is written to be read by a non-specialist (through the executive summary and the schedule of concerns) and by professionals (through the detailed sections and appendices).

1.3 Scope

The report addresses the full range of material planning considerations engaged by the application: Green Belt and the grey-belt question; the planning balance and housing-supply context; transport and accessibility; environment, biodiversity and trees; flood risk and water; climate change; health and quality of life; public services and infrastructure; heritage; agricultural land; affordable housing and viability; and the democratic and community context. It then sets out the legal strategy and routes of challenge, conclusions, a schedule of concerns and recommended actions.

1.4 Methodology and evidence base

The analysis rests on four sources:

1. **The application’s own documents.** The full application (234 documents, including the Environmental Statement, Transport Assessment, Flood Risk Assessment, Planning Statement, Development Specification and Biodiversity Net Gain Plan) was obtained from Bromley’s planning register and reviewed. Citations to these documents give the document name and page so that every point can be verified; the documents themselves have been archived (Appendix B).
2. **National and regional planning policy.** The NPPF (December 2024, as amended February 2025), the Planning Practice Guidance, the London Plan (2021) and the Bromley Local Plan (2019).

3. **The published evidence of statutory and public bodies.** Transport for London, Natural England, the Environment Agency, Historic England, Ofwat, the NHS South East London Integrated Care Board, and Bromley Council’s own monitoring reports and place-planning data.
4. **Independent verification.** Each significant factual claim (including the site’s designations, the housing-supply position, the relevant case law and the developer’s track record) was checked against primary sources in June 2026. The verification log is at Appendix A.

1.5 How to read this report

Readers pressed for time should read the **executive summary** and the **schedule of principal concerns** (Section 19). The **planning balance** (Section 5) explains why the Green Belt question is central. Each topic section is self-contained and cross-referenced. Defined terms are listed in the glossary.

2. The site and its planning history

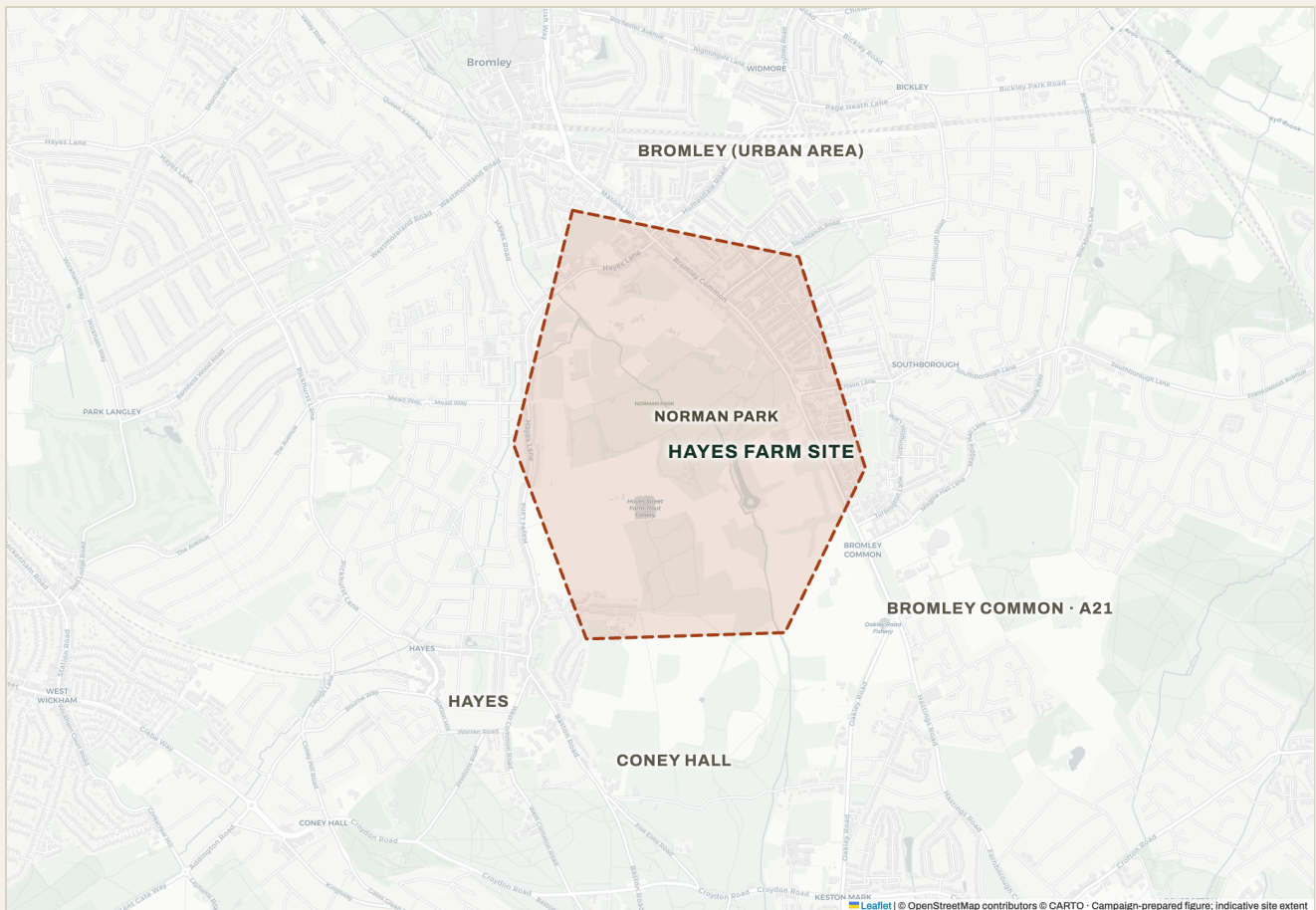


Figure 1. Location and Green Belt context. The site occupies open land between the Bromley urban area and the settlements of Hayes, Coney Hall and West Wickham. This is the gap the Green Belt exists to keep open. Basemap © OpenStreetMap contributors © CARTO; indicative site extent (precise red-line boundary per application 26/02199/OUT).

2.1 Location and character

The application site comprises around **59.3 hectares (146 acres)** of open land on the southern edge of the Bromley urban area, in the London Borough of Bromley. It lies between Hayes Lane and the A21, and wraps around Norman Park, Bromley Football Club, Bromley Town Cricket Club and the sports centre. The River Ravensbourne, which rises a short distance to the south at Caesar's Well, Keston, runs through the site. The land falls within three wards: Bromley Common & Holwood, Bromley Town, and Hayes & Coney Hall.

The site is **open former farmland**, historically Hayes Street Farm, comprising grassland parcels. The applicant's own ecological evidence describes it as "a complex of improved grassland parcels grazed by horses, with... scattered parkland trees as part of the former estate" (Biodiversity Net Gain Plan, p.5). It is **predominantly greenfield**, with only minor existing farm structures; there is no significant previously developed land.

2.2 Designations

The site is **Metropolitan Green Belt**. It is **not allocated** for development in the Bromley Local Plan (2019). It contains, or lies adjacent to, the **Grade II listed Hayes Street Farmhouse** (239 Hayes Lane) and curtilage-listed former farm buildings. The wider area includes the **Keston and Hayes Commons Site of Special**

Scientific Interest (a short distance upstream at the river's source) and the **Bromley Air Quality Management Area**, within which the site lies.

2.3 Ownership and “hope value”

The land is owned by **The Rookery Estates Company** (Companies House number 00414067), the corporate vehicle of the Norman family, historically the principal landowning family of Bromley Common. Berkeley Homes (Southern) Limited (Companies House number 01454061), part of Berkeley Group Holdings plc, is promoting the scheme; the precise contractual arrangement between Berkeley and the landowner (option, promotion or purchase) is a private agreement and is not in the public domain.

The Campaign to Protect Rural England (CPRE London), in its analysis of this scheme, observes that “Berkeley Homes want Bromley’s Green Belt released for homes” and that developers have “bought up land around London for its ‘hope value’”: the premium paid above agricultural value in anticipation that planning rules might one day relax. The land was acquired and held as protected Green Belt; the application is, in substance, a Green Belt release dressed in the language of grey belt.

2.4 Planning history

The site has a relevant planning history. In 2019, The Rookery Estates Company secured planning permission on appeal (appeal reference **APP/G5180/W/18/3206947**, decision dated 25 June 2019) for the demolition of farm buildings and the erection of nine dwellings at Hayes Street Farm, the Inspector having considered the impact on the setting of the listed farmhouse and the conservation area. That was a small-scale, nine-dwelling scheme. The present application, for up to approximately 2,200 homes across 59 hectares of Green Belt, is of an entirely different order of magnitude, and raises the strategic Green Belt, transport, flood and infrastructure issues addressed in this report.

2.5 The pre-application stage

The scheme was the subject of public consultation events in November 2025 and March 2026 and of pre-application engagement with Transport for London and Bromley Council, before the application was submitted on 1 June 2026. Transport for London’s pre-application advice, obtained by the campaign under the Freedom of Information Act, is of particular significance and is addressed in Section 7.

3. The proposal

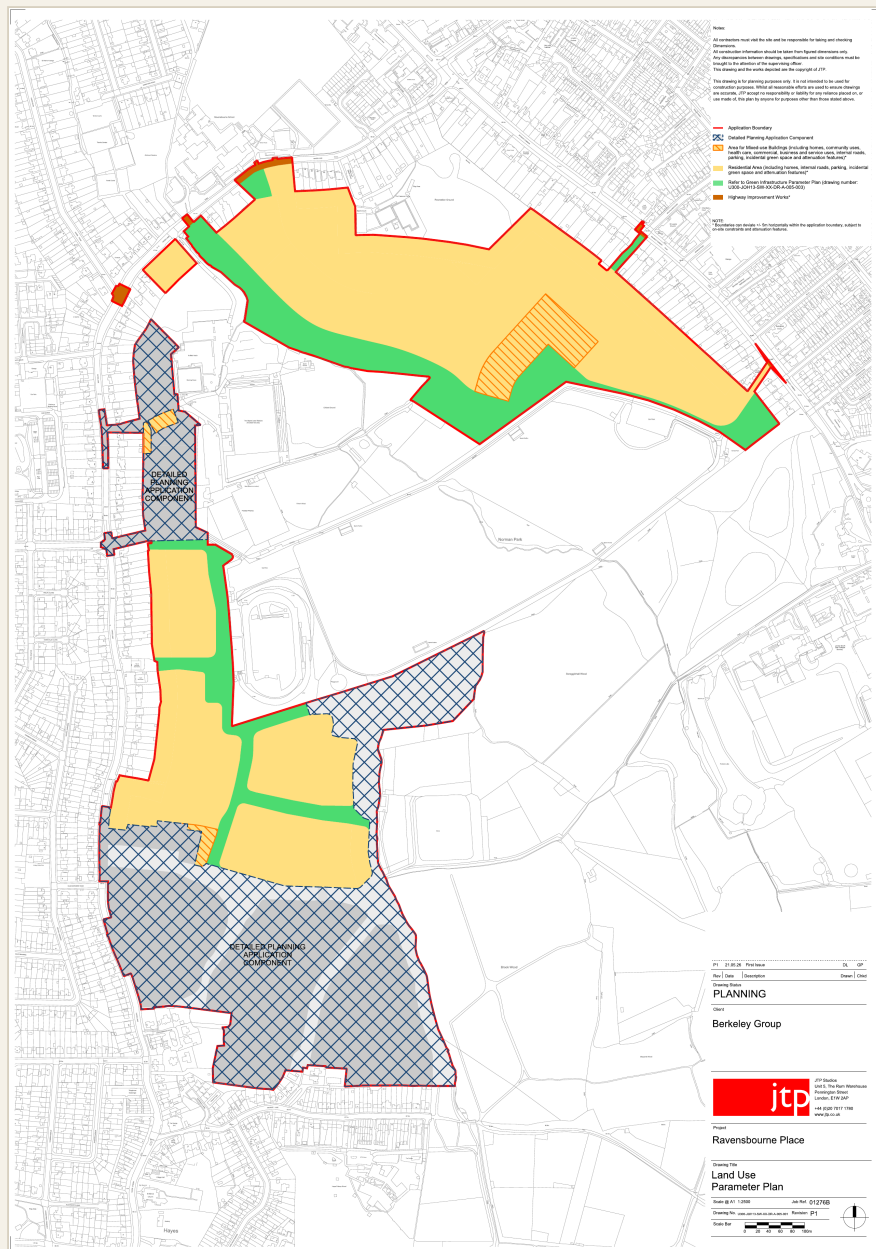


Figure 2. The applicant's own Land Use Parameter Plan. The development parcels (coloured) show the scale and reach of the proposed urbanisation across the Green Belt site. Source: application document, Land Use Parameter Plan (Berkeley Group / ITP).

3.1 The application

The application (reference 26/02199/OUT) is a **hybrid application**: it seeks **full planning permission** for a first phase, and **outline planning permission, with all matters reserved**, for the remainder. The registered description is, in summary, for “a phased residential-led mixed use development” comprising homes, a residence for children in care, flexible commercial, social, healthcare and community uses, retail, public open space and landscaping, demolition of existing structures, enhancements to public rights of way, and access and highway works.

It is an **Environmental Impact Assessment development**, supported by a full Environmental Statement.

3.2 Quantum and components

- **Homes:** up to approximately 2,200 across all phases, of which 578 are in the detailed first phase (Development Specification, pp.7, 11, 19).
- **Affordable housing:** stated as 50% (the tenure split is examined in Section 15).
- **Open space:** approximately 15 hectares (37 acres) of publicly accessible open space across the site, including a riverside linear park along the River Ravensbourne; this is the open space *within* the scheme, not the site area.
- **Community facilities:** a health centre, a “residence for children in care,” and community and flexible commercial floorspace.
- **Heights and density:** houses up to three storeys; apartments in buildings ranging from two to five storeys (Development Specification, p.12), with maximum parameters set by the outline parameter plans.

3.3 The supporting documents

The application is accompanied by 234 documents, including a full **Environmental Statement** (Volume 1 chapters A–P; Volume 2 appendices; Volume 3 non-technical summary), a **Transport Assessment** (in three parts), a **Flood Risk Assessment and Outline Drainage Strategy** and a separate **Flood Risk Sequential Test**, a **Biodiversity Net Gain Plan**, a **Built Heritage Impact Assessment**, an **Agricultural Land Classification Report**, a **Health Impact Assessment**, a **Whole Life-Cycle Carbon Assessment** and a suite of parameter plans and drawings.

Two features of the documentation are significant. First, **most of the scheme is in outline only**, with heights, density, layout, tenure and the delivery of community facilities deferred to reserved matters. Second, there is **no separately titled Affordable Housing Statement, Financial Viability Assessment or Green Belt assessment** as a standalone document; these matters are dealt with within the Planning Statement and Development Specification. The implications of both features are addressed later in this report.

3.4 Current status and key dates

MILESTONE	DATE
Application received	1 June 2026
Application validated	16 June 2026
Referred to the Mayor of London (Stage 1)	22 June 2026
Public consultation deadline	24 July 2026
Mayor’s Stage 1 response anticipated by	3 August 2026
Scheduled (target) decision date	15 September 2026
Committee date	Not yet set

4. The planning policy framework

4.1 The statutory starting point

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications be determined **in accordance with the development plan unless material considerations indicate otherwise**. The development plan here comprises the **London Plan (2021)** and the **Bromley Local Plan (2019)**. Under both, the site is **Green Belt** and is **not allocated** for development. The proposal is therefore a departure from the development plan, and the burden is on the applicant to demonstrate that material considerations justify that departure.

4.2 National policy: the Green Belt

The NPPF (December 2024, as amended February 2025) continues to attach great importance to the Green Belt. Paragraph 143 sets out its **five purposes**:

- a. to check the unrestricted sprawl of large built-up areas;
- b. to prevent neighbouring towns merging into one another;
- c. to assist in safeguarding the countryside from encroachment;
- d. to preserve the setting and special character of historic towns; and
- e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in **very special circumstances** (paragraphs 152–153).

4.3 National policy: “grey belt” and the golden rules

The December 2024 NPPF introduced the concept of **grey belt**, defined in Annex 2 as:

“land in the Green Belt comprising previously developed land and/or any other land that, in either case, **does not strongly contribute to any of purposes (a), (b) or (d) in paragraph 143.**”

The definition is **disapplied** where the policies for the assets and areas listed in the NPPF’s **footnote 7** (which include designated heritage assets, Sites of Special Scientific Interest, irreplaceable habitats, Local Green Space, and **areas at risk of flooding**) would provide a strong reason for refusing or restricting development.

Where land is, in fact, grey belt, development is **not inappropriate** only where it satisfies the cumulative tests in **paragraph 155** (including, at 155(c), that the development is in a **sustainable location**) and meets the “golden rules” in **paragraphs 156–157**. The golden rules require affordable housing, infrastructure improvements and accessible green space. The default affordable-housing level (paragraph 157) is **15 percentage points above the highest existing local requirement, subject to a cap of 50%**. Development that complies with the golden rules is to be given **significant weight** (paragraph 158).

The Planning Practice Guidance on the Green Belt (27 February 2025) explains how to assess whether land “strongly contributes” to purposes (a), (b) and (d), setting out illustrative features for each. This guidance is

applied in detail in Section 6.

4.4 Regional policy: the London Plan (2021)

The London Plan protects the Green Belt under **Policy G2**, which states that the Green Belt should be protected from inappropriate development and that development proposals that would harm it should be refused. Other relevant policies include **Policy T1** (the strategic target for 80% of trips to be by sustainable modes, with 75% in outer London), **Policies H4–H5** (affordable housing and the threshold approach), **Policy G6** (biodiversity and access to nature), **Policies SI 12–SI 13** (flood risk management and sustainable drainage), **Policy SI 1** (air quality), and **Policy HC1** (heritage conservation). The application engages, and in the respects set out in this report conflicts with, each of these.

4.5 Local policy: the Bromley Local Plan (2019)

The Bromley Local Plan protects the Green Belt and identifies the borough's valued environments. The Council has confirmed that it does not recognise the "grey belt" label and that its policy is to direct development to brownfield land and to protect the Green Belt. The site is not an allocated housing site. The Local Plan is, however, now some seven years old and under review, which bears on the planning balance considered in Section 5.

4.6 The decision-makers

Three decision-makers may be involved, and the case must be made to all three: **Bromley Council** (which determines the application at first instance and is on record opposing Green Belt development of this kind); the **Mayor of London** (the application having been referred as one of potential strategic importance); and the **Secretary of State** (who may call the application in and who will hear any appeal). The respective powers, and the strategic risks they carry, are addressed in Section 17.

5. The planning balance: why “grey belt” is the central issue

Housing land supply: far below the requirement

Bromley deliverable supply vs the five-year requirement (Oct 2025 trajectory)



The deficit is the reason the developer invokes the “tilted balance”, which Green Belt status disappplies.

5.1 The housing-supply context

The planning balance in this case is shaped by Bromley’s housing-supply position, which it is necessary to understand because it is the foundation of the applicant’s case.

- **Five-year housing land supply.** Bromley cannot demonstrate a five-year supply of deliverable housing sites. An Inspector found only about 2.4 years in October 2024 (appeal APP/G5180/W/24/3340223), and Bromley’s own October 2025 housing trajectory put the figure at about 1.93 years.
- **Housing Delivery Test.** Bromley failed the most recent Housing Delivery Test, delivering about 58% of its requirement (2023 measurement, published December 2024), well below the 75% threshold.
- **Local Plan.** The adopted Local Plan dates from 2019 and is under review; for the purposes of housing supply its policies are liable to be treated as **out of date**.

5.2 The “tilted balance” and the footnote-7 exception

Where an authority cannot demonstrate a five-year supply, the NPPF’s “tilted balance” (paragraph 11(d)) is normally engaged: permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. **The applicant’s Planning Statement expressly runs this argument** (paragraph 11(d)(ii); Planning Statement, pp.3, 21, 96), relying on the fact that Bromley’s policies are out of date for want of a five-year supply.

The tilted balance is, however, switched off by paragraph 11(d)(i) where the application of policies protecting footnote-7 assets or areas, which include land designated as Green Belt, provides a clear reason for refusing the development.

5.3 Why the Green Belt question is central

It follows that the case turns on the Green Belt question:

- **If the site is Green Belt (not grey belt) and the development is inappropriate**, then footnote 7 applies, the tilted balance is **disappplied**, and the strong “very special circumstances” test governs. The housing-supply deficit then carries comparatively little weight, because Green Belt protection is precisely the kind of policy that para 11(d)(i) preserves.
- **If the site is grey belt and satisfies paragraph 155 and the golden rules**, then the development is not inappropriate, the tilted balance is engaged, and the golden rules add significant weight in favour.

It follows that the grey-belt classification (Section 6) and the sustainable-location test (Section 7) are not peripheral but central. If they are established, the supply deficit is largely neutralised; if they are not, the bala-

nce tilts firmly towards approval.

5.4 The evidential consequence

Two practical consequences follow. First, the campaign and the Council must **win the grey-belt argument at committee**, because at appeal, with under two years' housing land supply, Inspectors are currently inclined to grant grey-belt schemes. The Council's reasons for refusal must be built to survive an appeal and a possible award of costs. Second, **Bromley has not carried out its own Green Belt review**, which leaves an evidential vacuum that the developer's own assessment is filling. The most valuable step the Council or the campaign can take is to **commission an independent, survey-based Green Belt assessment** of the site (see Section 6 and Section 20).

6. Green Belt and the “grey belt” question

FROM THE APPLICATION DOCUMENTS

“The Site makes a moderate contribution to purpose (a), no contribution to purpose (b), and a moderate contribution to purpose (d).”

Source: Planning Statement, p.138. Land that strongly contributes to *any* of (a), (b) or (d) cannot be grey belt.

6.1 The test

As set out in Section 4, grey belt is land that “does not strongly contribute to *any* of purposes (a), (b) or (d).” The logical corollary is fundamental: **if the site strongly contributes to even one of those purposes, it is not grey belt.** It is therefore sufficient, to defeat the classification, to establish a strong contribution to purpose (a) *or* purpose (b).

The Planning Practice Guidance (27 February 2025) sets out the illustrative features of land that “strongly contributes” to each purpose, and it is against that guidance that the site must be judged.

6.2 The applicant’s case

The applicant’s Planning Statement concludes that the site makes “a moderate contribution to purpose (a), no contribution to purpose (b), and a moderate contribution to purpose (d)” (Planning Statement, p.138; the purpose-by-purpose assessment is at pp.34–35), and that the site is therefore “considered to be grey belt” (pp.21, 43, 100). Two features of that conclusion warrant attention: the applicant concedes that the land contributes to two of the three relevant purposes (albeit at “moderate” level), and it claims the land makes “no contribution” to preventing neighbouring towns from merging.

6.3 Purpose (a), checking unrestricted sprawl: a strong contribution

The PPG indicates that land contributes **strongly** to purpose (a) where it is free of existing development, lacks physical features that could restrict and contain development, and is likely to be adjacent or near to a large built-up area where development would create an incongruous, sprawling pattern. Each limb is satisfied here:

- **Free of existing development:** the site is open former farmland, with only minor farm structures; it is not previously developed.
- **Lacks containing features:** the land is open and has no robust, durable boundary that would naturally contain a 59-hectare urban extension.
- **Adjacent to a large built-up area:** it abuts the Bromley urban area.
- **Would create an incongruous, sprawling pattern:** around 2,200 homes across 59 hectares would push the built edge of Bromley deep into open Green Belt.

All four illustrative features are present. On the PPG’s own criteria the site **strongly** contributes to purpose (a). The applicant’s classification of that contribution as merely “moderate” appears calibrated to fall just below the threshold; it is not supported by the guidance.

The recent appeal at **Broad Lane, Holtspur, Beaconsfield** (APP/N0410/W/24/3337981, 24 February 2025) is directly relevant: an Inspector found that land bounded by the A40 and M40 still strongly contributed to

purposes (a) and (b). If land hemmed in by two motorways checks sprawl, open and uncontained farmland does so.

6.4 Purpose (b), preventing merging: a strong contribution, and the applicant's "no contribution" finding is untenable

The PPG indicates that land contributes strongly to purpose (b) where it forms a substantial part of a gap between settlements, the development of which would result in a loss of visual or physical separation. Hayes Farm is open land in the gap between the Bromley built-up area and the distinct settlements of **Hayes, Coney Hall and West Wickham**. The development of around 2,200 homes across 59 hectares would erode that separation, visually and physically, and is the coalescence that purpose (b) exists to prevent.

The applicant's finding of "no contribution" to purpose (b) is not credible. A development site of this scale, in this location, cannot reasonably be said to make *no* contribution to preventing the merging of settlements. Because the site strongly contributes to purpose (b), as well as to purpose (a), it falls outside the grey-belt definition.

6.5 The footnote-7 exclusions

Even if (contrary to the above) the site were found not to strongly contribute to purposes (a), (b) or (d), the grey-belt definition is **independently disappplied** where footnote-7 assets or areas give a strong reason to refuse. **Two apply here:**

1. **A designated heritage asset:** the setting of the Grade II listed **Hayes Street Farmhouse** and its curtilage-listed farm buildings. This is the mechanism that took a site outside grey belt in the appeal at **Waterstock Golf Course** (APP/Q3115/W/24/3343775, dismissed December 2025).
2. **Areas at risk of flooding:** the applicant's **own** documents confirm "multiple small areas of medium and high surface water flood risk" across the site (Flood Risk Sequential Test, p.8).

6.6 The wider policy context

Independent analysis supports the conclusion that this is a Green Belt release, not a grey-belt site. CPRE London, considering this scheme, states that "the site proposed for development is clearly green fields and not 'grey belt', a term so ill-defined it simply allows developers and speculators to claim a site is 'grey belt.'" Research has found that the great majority of homes approved on "grey belt" sites nationally have been on previously undeveloped countryside rather than genuine brownfield, which is the pattern this application exemplifies.

6.7 Conclusion on Green Belt

Applying the Government's own tests, the site **strongly contributes** to Green Belt purposes (a) and (b); it is **not grey belt**; and the proposed development is therefore **inappropriate development in the Green Belt**, by definition harmful, to be refused unless very special circumstances are demonstrated. None exist. A companion **Green Belt Purposes Assessment** sets out the analysis in full; the Council should commission a chartered landscape professional to formalise it for committee and any appeal.

7. Transport and accessibility

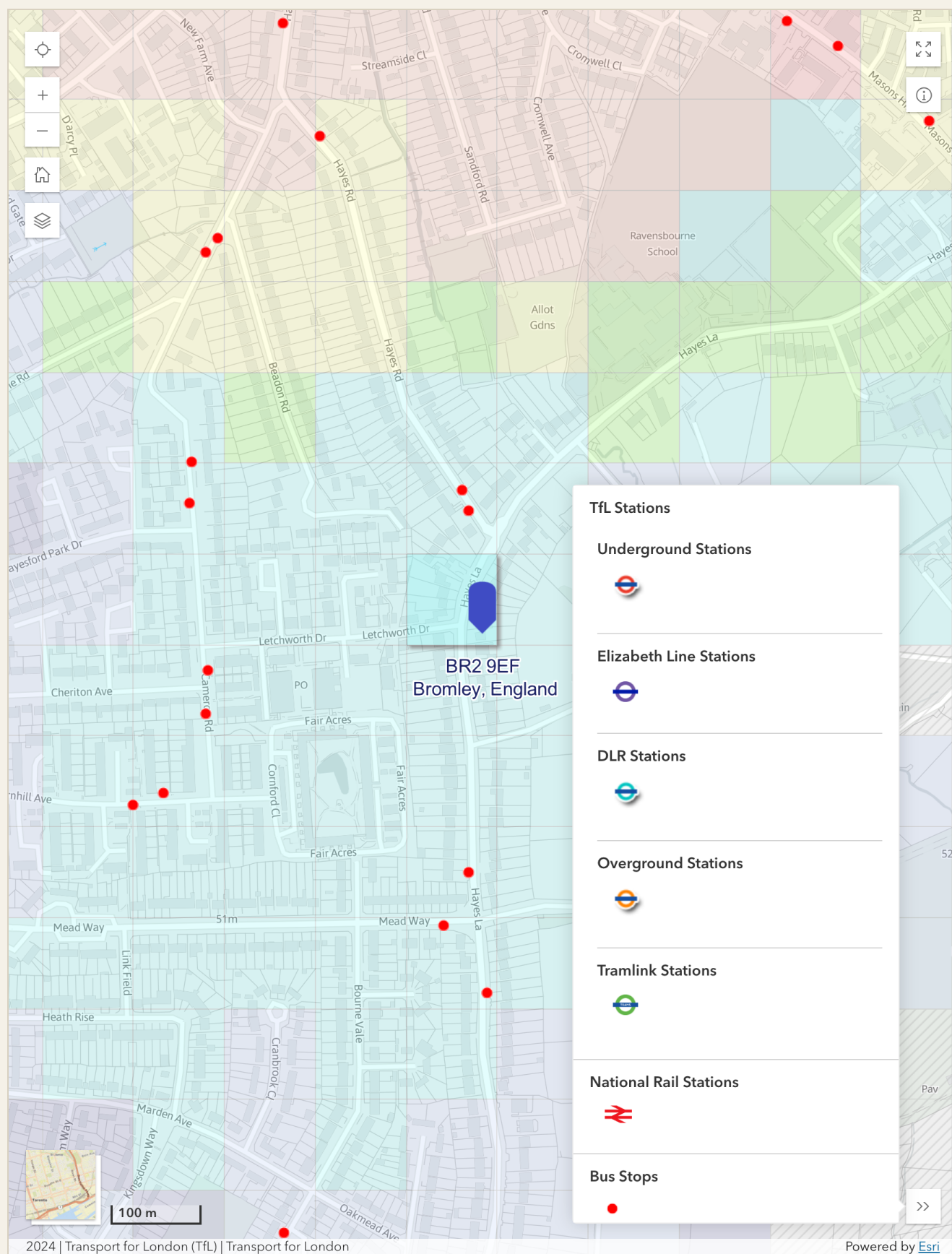


Figure 3. Public transport accessibility (PTAL). Transport for London WebCAT PTAL map for the area around the site, which falls within the lower PTAL bands. TfL pre-application advice records PTAL ranging from 3 in the north to 0 on the eastern edges of the south site, and the WebCAT query returns PTAL 2 at Bromley FC (BR2 9EF). A PTAL of 0 indicates effectively no practical access to public transport. Source: Transport for London (WebCAT); © Transport for London.

FROM THE APPLICATION DOCUMENTS

“A VISSIM traffic model is being calibrated with TfL but was not available at the time of submission.”

Source: Environmental Statement, Chapter E (Transport). The junction-capacity assessment TfL required was not before the Council at submission.

This is the strongest evidence-based ground of objection, because it rests substantially on Transport for London’s own pre-application advice.

7.1 A location with the worst possible public-transport access

TfL’s pre-application advice records that, the site being extensive, its Public Transport Accessibility Level (PTAL) is “very variable, ranging from 3 in the north to zero on the eastern edges of the south site.” PTAL runs from 0 to 6b, and 0 is the worst possible rating, indicating effectively no practical access to public transport. A large housing scheme that includes PTAL 0 land is, on its face, car-dependent, and the opposite of a “sustainable location.”

7.2 TfL’s own warnings

TfL’s advice is explicit:

- it identifies a “high risk of ‘getting it wrong’” in the transport strategy for the site;
- it warns that, if the scheme cannot meet the **London Plan Policy T1 target of 75%** of trips by sustainable modes (ideally the London-wide 80%), there is a risk of a “vicious circle” in which “local traffic congestion is worsened... bus journey time reliability worsens, and active travel [is] undermined... so more people drive”; and
- it notes that the standard London Plan car-parking standards “were not designed with large scale housing in low PTAL green belt areas in mind.”

7.3 The scale of traffic generated

The application’s own Transport Assessment expects the development to generate “around **2,633 person two-way trips in the AM peak, 1,648 in the PM peak, and over 18,000 across a typical weekday**” (Transport Assessment Part 1, p.114). This is a very substantial volume of new movement on Hayes Lane, the A21 and the A232.

7.4 Parking confirms car-dependency

Despite the “sustainable location” claim, the scheme proposes parking of “0.75–1 spaces per dwelling in the Northern Neighbourhood... and 0.75–1.5 spaces” in the south (Transport Assessment Part 1, p.64). Provision of up to 1.5 spaces per home is at the high end and is difficult to reconcile with a sustainable-location case, particularly given TfL’s advice that, for low-PTAL Green Belt land, the expectation should be “considerably lower.”

7.5 The missing traffic model

The VISSIM traffic model that TfL required was not available when the application was submitted. The Environmental Statement states: “A VISSIM traffic model is being calibrated with TfL but was not availa-

ble at the time of submission... the results of the VISSIM model are not presented within this ES chapter... Instead, professional judgment has been used" (ES Chapter E, repeated at several points). The consequence is that the application's assessment of junction capacity and driver delay, which is the congestion risk TfL flagged as "high," rests on professional judgement rather than the agreed model. The transport evidence base is therefore incomplete and premature, and the Transport Assessment presents no junction-capacity (degree-of-saturation) results.

7.6 Bus capacity and active travel

The applicant asserts that "both Hayes Lane and Bromley Common have good existing bus services" (Transport Assessment Part 1, p.81). That assertion sits uneasily with the PTAL 0 rating on parts of the site and with TfL's explicit warning of a bus-capacity "vicious circle." The spare capacity of existing bus services to absorb the demand from up to 2,200 homes should be independently tested.

7.7 The sustainable-location test

NPPF paragraph 155(c) requires that any grey-belt (or Green Belt) housing release be in a **sustainable location**. The TfL evidence shows it is not. This consideration is sufficient by itself: in the recovered appeal at **Holyport, Windsor & Maidenhead** (reference 3346409, 6 June 2025), the Secretary of State accepted that the site was grey belt but nonetheless dismissed the appeal because it was not a sustainable location and there was no demonstrable unmet need. The same conclusion follows here.

8. Environment, biodiversity and trees

8.1 The designated site

The relevant statutory wildlife designation is the **Keston and Hayes Commons Site of Special Scientific Interest** (Natural England site code S1003496, notified 27 March 1987, 26.558 hectares). It is notified for habitats including valley mire (Keston Bog, described as the richest bog flora in London), heathland, acid grassland and wet woodland, together with the headwaters of the River Ravensbourne. SSSIs are protected under the Wildlife and Countryside Act 1981, and Natural England is a statutory consultee.

The SSSI lies upstream of the development site (at the river's source, a short distance to the south). The principal pathways by which the development could affect it are therefore air quality and nitrogen deposition from the traffic the scheme generates, and increased recreational pressure from several thousand new residents, both of which should be properly assessed.

8.2 Biodiversity net gain: the scheme fails on site

A mandatory minimum **10% biodiversity net gain** applies to major development. The application fails to achieve this on site, reaching only +5.21%. The Biodiversity Net Gain Plan states that the scheme achieves only “the mandatory 10% net gain of on-Site area habitat units (8.86 units; +5.21%). As such, the on-Site proposed development alone does not meet the mandatory 10% target” (Biodiversity Net Gain Plan, p.25). The shortfall would be made up with off-site units, meaning the development is a net loss of biodiversity on the land itself, reliant on credits elsewhere. The baseline, the metric and the security and deliverability of any off-site provision should be scrutinised, and the survey season tested for adequacy.

8.3 The river corridor and irreplaceable habitat

The River Ravensbourne runs through the site and forms part of an ecological corridor connecting to the SSSI system upstream. The applicant describes the watercourse as in “Fairly Poor condition” (Biodiversity Net Gain Plan, p.14), a characterisation that should be tested, given that it lowers the river's assessed value. While the applicant states that “no irreplaceable habitats will be affected” (p.19), the Environmental Statement acknowledges ancient woodland near the river and Keston Commons (ES Chapter F, pp.22–23). The development boundary should be checked against the Ancient Woodland Inventory and the veteran-tree and Tree Preservation Order registers: irreplaceable habitat cannot be offset and attracts strong protection.

8.4 Protected species

Protected species are present. The Environmental Statement is supported by a **Badger Mitigation Strategy** (ES Chapter F, p.5), notes the potential dispersal of **great crested newts** from nearby ponds (p.13), and references bats, reptiles and hedgehogs. The adequacy of the surveys and the proposed mitigation and licensing should be examined by Natural England and the Council's ecologist.

8.5 Indirect effects and the law

The Environmental Statement must properly assess the likely significant **indirect effects** of the development. The Supreme Court in *R (Finch) v Surrey County Council* [2024] UKSC 20 confirmed that an EIA must address indirect effects that are a true consequence of a project. While *Finch* concerned mineral extraction and its application to a housing scheme is not settled, the practical force of the case here is to require the

ES to assess properly the downstream flood and water-quality effects, the traffic-related air-quality effects (including on the SSSI), and the cumulative effects with other development in the catchment.

9. Flood risk and water

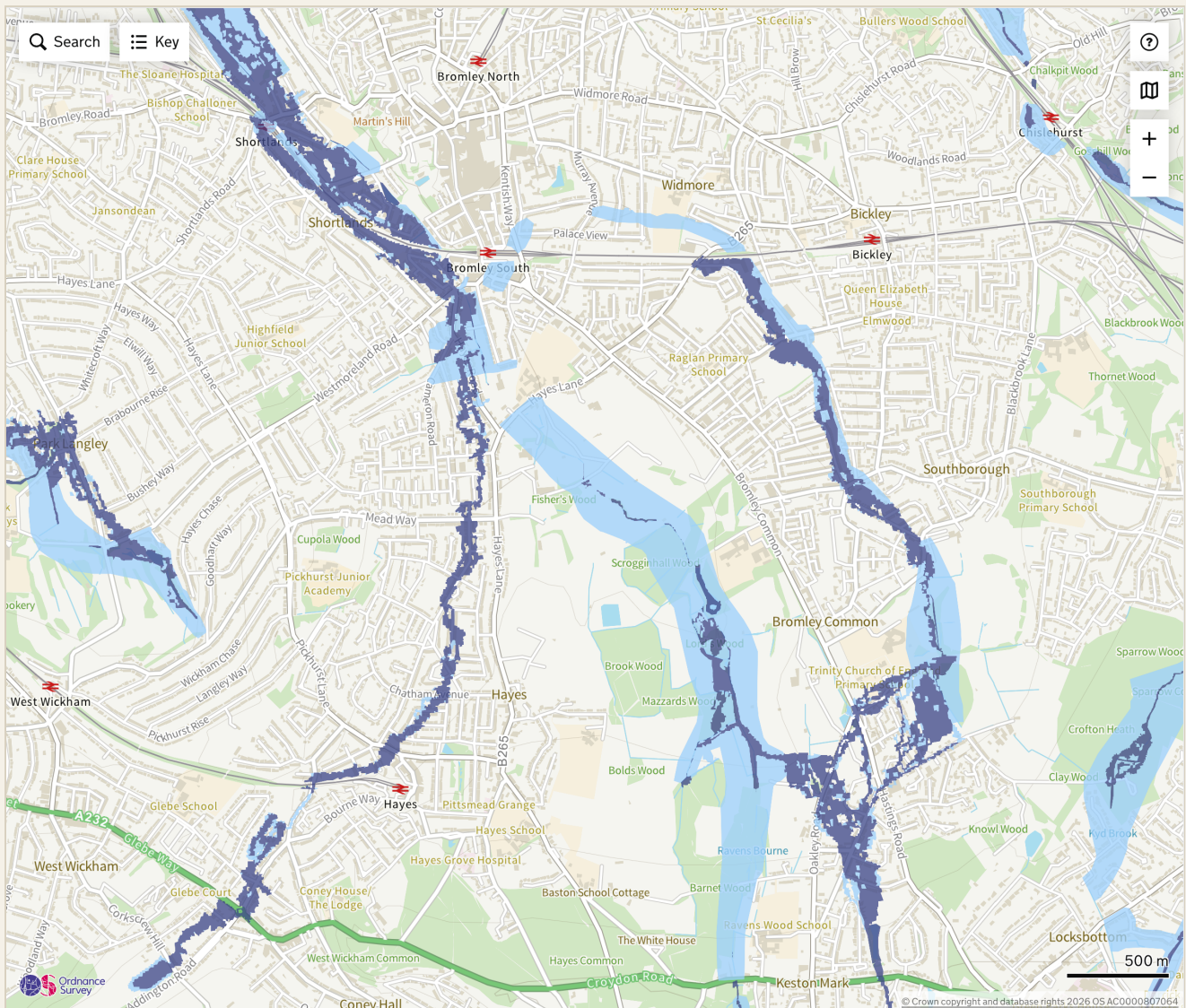


Figure 4. Environment Agency Flood Map for Planning (site and surrounds). Flood Zone 2 (light blue) and Flood Zone 3 (dark blue) follow the River Ravensbourne and its tributaries through and around the site. The applicant also concedes multiple areas of medium-to-high surface-water flood risk on site (Flood Risk Sequential Test, p.8), and run-off drains downstream toward Bromley, Catford and Lewisham. Source: flood-map-for-planning.service.gov.uk (Environment Agency); © Crown copyright and database rights 2026 Ordnance Survey AC0000807064; Open Government Licence v3.0.

9.1 A catchment with a serious flooding history

The site lies in the River Ravensbourne catchment, which has a documented history of damaging floods. The 1968 “Lewisham floods” (15–16 September 1968) followed roughly 150 mm of rain in 48 hours and caused the Ravensbourne and its tributaries to burst their banks. On 24 December 2013 the river gauge at Hayes Lane recorded its highest level (about 1.05 m). The Environment Agency maintains a “Ravensbourne at Bromley” Flood Warning Area (reference 064FWF43Bromley).

9.2 The site’s flood risk: surface water is the issue

The application material indicates that the majority of the site is in Flood Zone 1, with areas to the north in Flood Zone 2 (ES Chapter G). The more significant point, and one the applicant concedes, is **surface-water (pluvial) flood risk**: the Flood Risk Sequential Test confirms that “the Site contains multiple small areas

of medium and high surface water flood risk” (Flood Risk Sequential Test, p.8). It is for this reason that a sequential test was required.

9.3 The development would increase run-off

Replacing around 59 hectares of permeable farmland with roofs, roads and hard surfaces would increase the volume and speed of run-off, raising peak flows downstream. The applicant proposes to discharge surface water into the River Ravensbourne and its tributaries at “restricted rates” using attenuation tanks beneath parking areas (Flood Risk Assessment Part 1, pp.38, 42), and claims a “reduction in flood risk compared with the existing situation” (p.25). That betterment claim depends on sustainable drainage systems performing as designed and being maintained in perpetuity, and should be tested, along with the adequacy of the **40% climate-change allowance** used (p.40) for a development of this lifetime in this catchment.

9.4 The sequential test and the area-of-search dispute

The flood sequential test requires development to be steered to areas at lower risk of flooding, and may only be passed where there are no reasonably available lower-risk sites. The applicant’s scoping proposed that only sites which abut the application site be considered, but Bromley Council told the applicant that the search should be conducted borough-wide (Flood Risk Sequential Test, pp.15–16, 19). A narrow area of search excludes alternatives. On a 59-hectare Green Belt release, there is a strong argument that reasonably available, lower-risk, non-Green-Belt sites exist, and that the sequential test is not passed. The relationship between the NPPF and the PPG on flood risk was recently considered by the Court of Appeal in *Mead Realisations Ltd v Secretary of State* [2025] EWCA Civ 32.

9.5 Sewerage capacity and Thames Water

Surface water and foul drainage cannot be considered in isolation from the capacity of the sewerage network. **Thames Water** is in serious financial difficulty (carrying debts of over £20 billion and at risk of special administration), was fined **£123 million by Ofwat in May 2025** (including £104.5 million for wastewater failures), and is subject to an enforcement order in respect of storm overflows. There is **no dedicated sewerage upgrade for the Ravensbourne catchment** in its current investment plan. The addition of up to 2,200 homes’ foul and surface water to a network that already spills, operated by a financially distressed company, is a serious objection and is directly connected to the surface-water flood risk the applicant concedes.

10. Climate change

10.1 The statutory and policy duty

The United Kingdom has a legally binding target of **net zero greenhouse gas emissions by 2050** under the Climate Change Act 2008, delivered through five-yearly carbon budgets. The NPPF requires the planning system to support the transition to net zero and to take full account of climate impacts. The London Plan sets a target of 80% of trips by sustainable modes and requires referable development to assess and minimise whole life-cycle carbon.

10.2 Where the climate harm lies

The applicant's **energy strategy is all-electric**, using air-source heat pumps and solar photovoltaic panels (ES Chapter K, pp.34, 36, 41); the heating strategy is therefore not a sound basis for objection, and the report does not pursue one. The climate case lies elsewhere:

- **Transport emissions.** A car-dependent development on PTAL 0–3 Green Belt land (Section 7) locks in car travel for decades, in direct tension with the net-zero duty and the London Plan's 80% sustainable-transport ambition. This is the single largest climate concern.
- **Embodied carbon.** The construction of up to 2,200 homes and associated infrastructure carries a very large embodied-carbon footprint. The Whole Life-Cycle Carbon Assessment should be tested against the GLA benchmarks; construction emissions are acknowledged in the Environmental Statement (ES Chapter K, p.26).
- **Loss of carbon and natural function.** Developing around 59 hectares of greenfield land removes soils and vegetation that store and sequester carbon and provide natural flood-attenuation and cooling functions.

10.3 Resilience

NPPF climate policy also requires resilience to overheating, drought and flooding. The flooding analysis in Section 9 and the loss of green cooling infrastructure are directly relevant: the scheme increases exposure to the climate risks that national policy requires planning to reduce.

11. Health and quality of life

11.1 Loss of open space and its wellbeing value

The site is open countryside on the edge of the Bromley urban area, adjoining Norman Park, used informally for recreation and, as the applicant's own evidence confirms, for the grazing of horses. The loss of this openness and tranquillity carries physical and mental-health costs for existing residents, a material consideration that the NPPF's "healthy places" policies recognise. The applicant has submitted a Health Impact Assessment, which should be tested against the loss of green space, the air-quality effects of additional traffic, and construction-phase disturbance.

11.2 Air quality

The site lies **within the Bromley Air Quality Management Area**, declared because nitrogen-dioxide objectives are exceeded (ES Chapter H, p.27), and the Council's own reporting indicates that the 2026 air-quality objectives will not be met. The introduction of some 18,000 vehicle and person trips a day in an area already in exceedance is a significant concern for the health of existing and future residents, and for the nitrogen-sensitive habitats nearby. The traffic-emissions modelling should be tested at the upper-bound traffic scenario.

11.3 Construction-phase impacts

A phased build of this scale will run for many years, with prolonged construction traffic, dust, noise and disruption for surrounding communities. This sustained quality-of-life burden weighs against the scheme and, at a minimum, requires stringent and enforceable controls if permission were granted.

11.4 Equalities

Decision-makers are bound by the Public Sector Equality Duty (section 149 of the Equality Act 2010). The Council should evidence how it has considered the effects on groups with protected characteristics, for example older residents reliant on accessible local green space, and the deliverability of affordable (social-rented) homes for those in housing need.

12. Public services and infrastructure

General practice is already overstretched

Registered patients per full-time GP, local area vs national average (ES Ch.J, p.46)



About **48% above** the national average, before 2,200 new homes.

FROM THE APPLICATION DOCUMENTS

“...in the event that no agreement is reached for an on-Site health centre...”

Source: Environmental Statement, Chapter J, pp.48–49. The promised health centre is contingent, not guaranteed.

The golden rules (NPPF paragraph 156) require infrastructure improvements to support development. The evidence, including the applicant’s own Environmental Statement, shows that the infrastructure is not in place. Each matter below is therefore not merely a “harm” but a failure of the golden-rules infrastructure test.

12.1 Schools

The Environmental Statement claims a “combined surplus of 660 primary school” places across a wide three-area study zone (ES Chapter J, p.24), a figure that masks local pressure and the volatility of falling rolls. It concedes, however, a secondary deficit of 28 places (p.26) and, more seriously, an existing deficit of 87 special-school (SEN) places in the borough, to which the development would add demand for around 75 more (pp.28, 45). Bromley’s own School Places Plan shows secondary schools largely at or above capacity. The scheme worsens an acknowledged SEN shortfall, a concrete and serious harm.

12.2 Healthcare

The Environmental Statement records that local general practitioners already serve **2,570 patients per full-time GP, against a national average of 1,736** (ES Chapter J, p.46), roughly 48% above the average, and around two-thirds of Bromley practices are not accepting new patients. The proposed on-site health centre would accommodate only up to 3 full-time GPs, and is expressly contingent: the ES assesses the position “in the event that no agreement is reached for an on-Site health centre” (pp.48–49). A health-centre shell that is not funded, staffed and commissioned does not satisfy the golden-rules test. The Princess Royal University Hospital is space-constrained, and its maternity unit is rated “requires improvement.”

12.3 Water and sewerage

For the reasons set out in Section 9.5, the capacity of the Thames Water network, and the deliverability of any upgrades by a financially distressed operator under regulatory enforcement, is a serious and unresolved concern.

12.4 Other services and the open-space deficit

Demand on emergency services and primary care rises with several thousand new residents. While the scheme provides around 15 hectares of managed open space, it does so at the cost of around 59 hectares of de facto open countryside, in an area the Local Plan already identifies as deficient in access to nature.

12.5 Deferred delivery

Because most of the scheme is in outline only, infrastructure delivery would largely be deferred to reserved matters and to section 106 and CIL negotiation. The Council should require hard, front-loaded and enforceable obligations. It should also weigh against the application the uncertainty of deferred, contingent delivery, of which the non-guaranteed health centre is the clearest example.

13. Heritage

The site contains or adjoins the **Grade II listed Hayes Street Farmhouse (239 Hayes Lane)**, a late-eighteenth-century farmhouse, with associated curtilage-listed former farm buildings. The application is supported by a Built Heritage Impact Assessment and an archaeological desk-based assessment.

Heritage is material in two ways. First, decision-makers are under a statutory duty to have special regard to the desirability of preserving listed buildings and their settings (the Planning (Listed Buildings and Conservation Areas) Act 1990), and NPPF policy requires great weight to be given to the conservation of designated heritage assets. Harm to the setting of the listed farmhouse from surrounding development weighs against the scheme. Second, as explained in Section 6.5, if that heritage harm provides a strong reason for refusing or restricting development, it excludes the site from the grey-belt definition altogether, as occurred at *Waterstock Golf Course*. The Council's conservation officer's and Historic England's responses, and an independent setting assessment, should inform the decision.

14. Agricultural land and food production

National policy protects the **best and most versatile (BMV) agricultural land** (Grades 1, 2 and 3a) and requires that, where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality are preferred.

The applicant's own Agricultural Land Classification survey finds that **61.2% of the site, over 35 hectares, is Grade 3a, which falls within the definition of best and most versatile land** (ES Chapter N, p.11), with the remainder Sub-grade 3b; the impact on the 3a land is itself rated of "High" sensitivity (p.16). The Planning Statement's description of the land as merely "Grade 3 (Good to Moderate)" (Planning Statement, p.11) understates this position.

The loss of more than 35 hectares of BMV land is a significant adverse effect by itself. It also exceeds the 20-hectare threshold at which Natural England must be consulted on the loss of BMV land not allocated in the development plan, and it reinforces the countryside and food-production value that the Green Belt and national agricultural-land policy exist to protect.

15. Affordable housing and viability

“50% affordable”: mostly the weaker tenure

Phase 1 tenure mix (Development Specification, p.13)



15.1 The claim, and the detail behind it

The development is promoted on the basis of **50% affordable housing**. The detail is less generous than the headline. The first-phase tenure split is “Low Cost Rented (21%) / Intermediate (29%)” (Development Specification, p.13): of the 50% affordable, the affordable rented element is only about 21% of homes, while the majority (29%) is “intermediate” (shared ownership or intermediate rent), which is frequently unaffordable to those in housing need; and “low cost rented” is not stated to be social rent. The applicant matches Bromley’s preferred 60:40 split only for the first 35%, with the additional 15% on more flexible terms (Planning Statement, pp.40, 91).

15.2 No viability assessment, but also no clawback

No separate Financial Viability Assessment was submitted, which is consistent with the 50% being offered as policy-compliant. However, the Planning Statement states that “there is no requirement for early, mid or late stage affordable housing reviews” (p.92). This has two consequences: there is no clawback if the scheme proves more profitable than projected, and nothing in the application prevents a later application under section 73 to reduce the affordable element after permission is granted.

15.3 Why scepticism is justified

Berkeley Group is highly profitable (Group pre-tax profit of about **£529 million** in the year to 30 April 2025, with about £381.5 million returned to shareholders), yet has repeatedly used viability arguments to reduce affordable housing on other schemes:

- at the **Aylesham Centre, Peckham**, the affordable offer was reduced from 35% toward roughly 8–12%, the subject of an October 2025 public inquiry;
- at **Borough Triangle, Elephant & Castle**, an 892-home scheme was approved in March 2025 with around 17% of homes affordable; and
- at the **Bromley-by-Bow Gasworks** (the St William joint venture), some 2,200 homes were approved in 2024 with just 166 affordable homes (about 7.5%).

15.4 What any consent must secure

If permission is not refused, any consent should: fix the 50% affordable housing as a binding obligation, weighted toward social rent, with the tenure split specified; contain no reserved right to a later downward viability review, and ideally an upward-only review that can increase affordable housing if values rise; and tie affordable delivery to the phasing so that it cannot be back-loaded or eroded at reserved-matters stage.

16. Community opposition and the democratic mandate

The proposal is opposed by the community and its elected representatives:

- a petition, “Save Hayes Farm and the green belt behind Bromley FC,” had **11,834 signatures** (verified 25 June 2026);
- the Keep Bromley Green campaign’s legal and awareness crowdfunder was successfully funded in February 2026;
- around **500 people** marched in protest on 22 March 2026 (organisers had expected 80–100); the local Member of Parliament, **Peter Fortune**, attended and called the scheme a “significant threat,” as did the Council Leader, **Colin Smith**, and the event drew cross-party support;
- the opposition is led by **Keep Bromley Green** and the long-established **Coney Hall Village Residents’ Association**, and is supported by **CPRE London**;
- the Conservative-run **Bromley Council**, re-elected in May 2026, **formally opposes** Green Belt development of this kind, and in December 2025 the relevant portfolio holder stated that the Council does **not recognise the term “grey belt”**; the land is **not allocated** for development in the Local Plan.

This breadth of opposition is a material consideration and strengthens the case for a robust, well-evidenced refusal capable of being defended on appeal.

17. Legal strategy and routes of challenge

The realistic sequence is to win the case for refusal now, to defend that refusal on appeal and guard against approval by other routes, and to hold judicial review in reserve against any grant of permission. Because the Council already opposes the scheme, the most likely outcome is refusal followed by a developer appeal; the priority is therefore to build an appeal-proof evidence base.

17.1 Stage 1: securing a refusal

The campaign should coordinate a large volume of individualised objections by the 24 July 2026 deadline, tied to the material considerations in this report; secure and place on record robust responses from the statutory consultees (Transport for London, Natural England, the Environment Agency and Historic England); and give the Council the evidence, above all an independent Green Belt assessment, to refuse safely and to withstand an appeal and any costs application.

17.2 Stage 2: the Mayor, the Secretary of State and appeal

The Mayor of London is engaged at Stage 1 (reference 2026/0331/S1). The Mayoral route carries both opportunity and risk: the Mayor can direct refusal, but can also take over and grant a refused application, and is generally supportive of housing delivery and grey-belt release. Representations should make the strategic-harm case to the Mayor without assuming his support. A call-in by the Secretary of State under section 77 of the Town and Country Planning Act 1990 can be requested on “more than local importance” grounds, but is discretionary and, in the current pro-housing national context, carries its own risks. If the Council refuses, an appeal to the Planning Inspectorate (or a non-determination appeal) should be expected, and the campaign should prepare for a public inquiry with Rule 6 party status and expert witnesses.

17.3 Stage 3: judicial review or statutory review

Any grant of permission may be challenged by judicial review, or by statutory review under section 288 of the Town and Country Planning Act 1990, within a strict six-week time limit that cannot be extended by agreement. Possible grounds include the misapplication of the grey-belt definition, an inadequate Environmental Statement, failures in the flood sequential test, a failure to have regard to material considerations or to give adequate reasons, and irrationality. Solicitors should be instructed immediately on any approval.

17.4 Costs protection

Environmental judicial reviews benefit from the Aarhus Convention cost caps: a claimant’s liability for the other side’s costs is capped at £5,000 (individual) or £10,000 (organisation), with the defendant’s exposure capped at £35,000. This materially reduces the financial risk of a challenge.

17.5 Prospects

GROUND	INDICATIVE STRENGTH
Not “grey belt”: strongly contributes to purposes (a)/(b)	Strong
Footnote-7 exclusion (heritage; surface-water flooding)	Strong-moderate
Not a sustainable location (paragraph 155(c))	Strong

Flood risk / sequential test (area of search)	Moderate–strong
Golden-rules infrastructure not met (schools, GP, sewerage)	Moderate–strong
Loss of best and most versatile agricultural land	Moderate–strong
Biodiversity net gain not met on site	Moderate
Inadequate EIA (<i>Finch</i>)	Moderate
Heritage harm to the listed farmhouse setting	Moderate
Affordable-housing deliverability	Moderate (conditions / politics)

18. Conclusions

1. The application is a **major release of Metropolitan Green Belt** for up to approximately 2,200 homes, promoted under the Government's new grey-belt policy.
2. On the Government's own tests, the site is **not grey belt**: it strongly contributes to the Green Belt purposes of checking sprawl and preventing the merging of settlements, and it is excluded from the grey-belt definition by the footnote-7 heritage and flood-risk considerations. The development is therefore **inappropriate development in the Green Belt**.
3. Because the site is Green Belt and not grey belt, the footnote-7 exception disapplies the tilted balance on which the applicant relies; the housing-supply deficit does not justify the harm; and very special circumstances, which do not exist, would be required.
4. The application **fails the sustainable-location test**, on the strength of Transport for London's own evidence, and submitted **without the traffic model TfL required**.
5. The development would cause **serious environmental harm** that is, in significant part, **conceded by the applicant's own documents**: a failure to achieve biodiversity net gain on site, the loss of over 35 hectares of best and most versatile farmland, surface-water flood risk, and a location within an Air Quality Management Area.
6. The **infrastructure to support the development is not in place**: conceded school deficits, overstretched general practice, a contingent health centre, and a sewerage network operated by a financially distressed utility with no committed upgrade.
7. The **"50% affordable" claim is weighted to the less-affordable tenure** and is unprotected by any review mechanism.
8. The development is **opposed by the community, by the local Member of Parliament and by the Council**, and the land is not allocated for development.

For these reasons, the application should be **refused**.

Our asks

- **Of the London Borough of Bromley**: refuse application 26/02199/OUT for conflict with the development plan and the National Planning Policy Framework; and, to make that refusal robust on appeal, commission an independent, survey-based Green Belt assessment of the site.
- **Of the statutory consultees** (Transport for London, Natural England, the Environment Agency and Historic England): object, on the transport, ecological, flood-risk and heritage grounds set out in this report.
- **Of the Mayor of London**: at Stage 1, recognise the strategic harm to the Green Belt, the unsustainable location and the conceded environmental and infrastructure failings, and support refusal.
- **Of the community**: submit individual objections before the **24 July 2026** deadline (a model objection is available), citing the material considerations summarised in Section 19.

19. Schedule of principal concerns

#	CONCERN	POLICY ENGAGED	KEY EVIDENCE	WEIGHT
1	Site is Green Belt, not grey belt (strongly contributes to purposes a & b)	NPPF 143, Annex 2; PPG; London Plan G2	Applicant concedes “moderate (a)/no (b)”; <i>Broad Lane</i>	HIGH
2	Footnote-7 exclusions (heritage; surface-water flooding)	NPPF 143 fn 7	Listed farmhouse; Sequential Test p.8; <i>Waterstock</i>	HIGH
3	Not a sustainable location	NPPF 155(c); London Plan T1	TfL: PTAL 0–3, “high risk”; <i>Holyport</i>	HIGH
4	Tilted balance is disappplied by Green Belt	NPPF 11(d)(i)	Applicant relies on 11(d)(ii); PS pp.3, 21, 96	HIGH
5	Excess traffic / car-dependency; missing VISSIM model	NPPF 155(c); London Plan T1	TA Pt1 p.114 (~18,000 trips); p.64 (parking); ES Ch.E	HIGH
6	Loss of 35+ ha best and most versatile farmland	NPPF; NE consultation threshold	ES Ch.N p.11	HIGH
7	Fails 10% biodiversity net gain on site	Environment Act 2021	BNG Plan p.25 (+5.21%)	MED-HIGH
8	Surface-water flood risk; sequential test / area of search	NPPF; London Plan SI 12–13	Sequential Test pp.8, 15–16; <i>Mead Realisations</i>	MED-HIGH
9	Sewerage capacity; Thames Water distress	Golden rules (NPPF 156)	Ofwat enforcement; AMP8	MED-HIGH
10	School deficits, incl. SEN	Golden rules (NPPF 156)	ES Ch.J pp.26, 28, 45	MED-HIGH
11	GP capacity; contingent health centre	Golden rules (NPPF 156)	ES Ch.J pp.46, 48	MED
12	Within the Bromley AQMA	NPPF; London Plan SI 1	ES Ch.H p.27	MED
13	Harm to setting of Grade II listed farmhouse	P(LBCA)A 1990; NPPF; London Plan HC1	Built Heritage Impact Assessment	MED
14	“50% affordable” weighted to intermediate; no review	London Plan H4–H5	Dev Spec p.13; PS p.92	MED
15	Climate: car-dependency and embodied carbon	Climate Change Act 2008; NPPF	ES Ch.K	MED

16	Loss of open space / countryside; wellbeing	NPPF; London Plan GG3	HIA; Local Plan deficiency mapping	MED
----	---	-----------------------	------------------------------------	-----

20. Recommended actions and timeline

Immediately (by 24 July 2026, the consultation deadline):

1. Coordinate a **structured objection campaign**: every household submitting an individual objection citing the material considerations in this report (a model objection is provided as a companion document).
2. Submit **representations to the Mayor of London** at Stage 1 (reference 2026/0331/S1).
3. Write to **Transport for London, Natural England, the Environment Agency and Historic England** urging robust consultation responses, and request copies.
4. **Archive the key application documents** (this has been done; see Appendix B).

Through summer and autumn 2026:

5. **Commission an independent, survey-based Green Belt assessment** (a particularly valuable step), together, if funds allow, with independent transport, flood and heritage input.
6. Keep councillors and the local Members of Parliament engaged, and provide them with the evidence to support refusal.
7. Prepare for **Rule 6 status** at any inquiry and identify expert witnesses.

On any decision:

8. If the application is **refused**, prepare to defend the refusal on appeal and to resist any costs application against the Council.
9. If the application is **approved** (by the Council, the Mayor, or on appeal or call-in), instruct solicitors within days, given the strict six-week challenge deadline, and assess the judicial-review grounds under Aarhus cost protection.

Appendix A: Fact-verification log

Verified against primary sources (high confidence): the application reference, type, applicant, site, wards and key dates (Bromley planning register); the GLA Stage 1 referral (GLA register); the scheme quantum and components (Development Specification; developer material); the NPPF (December 2024, amended February 2025) Green Belt and grey-belt provisions and paragraph numbers; the PPG “strongly contributes” test; the case law (*Finch* [2024] UKSC 20; *Mead Realisations* [2025] EWCA Civ 32; appeals *Broad Lane* APP/N0410/W/24/3337981, *Waterstock* APP/Q3115/W/24/3343775, *Holyport* 3346409); the SSSI designation (Keston and Hayes Commons SSSI, S1003496); the flood history and Flood Warning Area; mandatory 10% biodiversity net gain; the Grade II listing of Hayes Street Farmhouse; the housing-supply position (~1.93 years, Oct 2025; HDT ~58%); the petition, protest and political positions; Berkeley Group financials and comparator schemes; and the figures cited from the application’s own documents (with document and page references throughout).

Flagged, to confirm before formal reliance: the exact maximum heights and densities in the outline parameter plans; the precise social-rent proportion within the affordable offer; whether ancient woodland, veteran trees, Tree Preservation Orders or a SINC clip the red-line boundary; the National Heritage List entry number for Hayes Street Farmhouse; the appropriateness of the 40% climate-change allowance for this catchment and lifetime; Transport for London’s formal consultation response (to corroborate the pre-application advice); and the most current 5YHLS/HDT figures at the date of the committee.

Appendix B: Application documents and how to access them

The full application (234 documents) is on Bromley's planning register under reference 26/02199/OUT (planningaccess.bromley.gov.uk) and on the GLA register under 2026/0331/S1 (planapps.london.gov.uk). The key documents relied on in this report (the Planning Statement, Development Specification, Environmental Statement (Non-Technical Summary and chapters E, F, G, H, J, K, N, O), the three-part Transport Assessment, the Flood Risk Assessment and Sequential Test, the Biodiversity Net Gain Plan, the Health Impact Assessment and the parameter plans) have been downloaded and archived in the campaign's `application_documents` folder for verification.

Appendix C: Key verbatim quotations

- PTAL “ranging from 3 in the north to zero on the eastern edges of the south site” (TfL pre-application advice).
- “There is a high risk of ‘getting it wrong’” (TfL).
- A “vicious circle” where “local traffic congestion is worsened... bus journey time reliability worsens, and active travel [is] undermined... so more people drive” (TfL).
- “A VISSIM traffic model is being calibrated with TfL but was not available at the time of submission” (ES Chapter E).
- “The on-Site proposed development alone does not meet the mandatory 10% target” (Biodiversity Net Gain Plan, p.25).
- “61.2% of the Site (over 35ha) is ALC Grade 3a, which falls within the definition of ‘best and most versatile agricultural land’” (ES Chapter N, p.11).
- “The Site and surrounding area are in the Bromley AQMA, declared for exceedances” (ES Chapter H, p.27).
- “In the event that no agreement is reached for an on-Site health centre...” (ES Chapter J, p.48).
- “There is no requirement for early, mid or late stage affordable housing reviews” (Planning Statement, p.92).
- The site “makes a moderate contribution to purpose (a), no contribution to purpose (b), and a moderate contribution to purpose (d)” (Planning Statement, p.138).

Appendix D: Sources and references

National and regional policy: NPPF (December 2024, amended February 2025); Planning Practice Guidance (Green Belt; Flood Risk); London Plan (2021). Statutory and public bodies: Transport for London; Natural England (Designated Sites); Environment Agency (flood map and warning areas); Historic England (National Heritage List); Ofwat; NHS South East London Integrated Care Board; Bromley Council (planning register, Authority Monitoring Report and housing trajectory, School Places Plan, Air Quality reports). Case law and appeals: as listed in Appendix A. Application documents: as listed in Appendix B. Independent commentary: CPRE London. Full URLs are held in the companion source list and the Application Document Analysis.

Appendix E: Contacts and resources

Keep Bromley Green (keepbromleygreen.uk); Coney Hall Village Residents' Association (coneyhallvillager-a.org); CPRE London (cprelondon.org.uk); Environmental Law Foundation (elflaw.org); Planning Aid England (rtpi.org.uk/planning-aid); Bromley planning register (planningaccess.bromley.gov.uk, reference 26/02199/OUT); GLA planning register (planapps.london.gov.uk, reference 2026/0331/S1); National Planning Casework Unit (pcu@communities.gov.uk); Planning Inspectorate (acp.planninginspectorate.gov.uk).

The Case Against Ravensbourne Place: a formal report prepared for the Hayes Farm Campaign and Keep Bromley Green. Not legal advice. All figures verified to 25 June 2026; readers should re-check the planning register for the current consultation deadline and committee date before acting.



HAYES FARM CAMPAIGN

RAVENSBOURNE PLACE · APPLICATION 26/02199/OUT

THE CASE AGAINST RAVENSBOURNE PLACE

Green Belt Purposes Assessment

A desk-based rebuttal of the applicant's grey belt classification.
Application 26/02199/OUT.

Application

26/02199/OUT

Authority

London Borough of Bromley

Consultation deadline

24 July 2026

Applicant

Berkeley Homes (Southern) Ltd

GLA referral

2026/0331/S1

Status

For circulation · v2.0

1. Purpose, method and status

This assessment tests whether the Hayes Farm site (application 26/02199/OUT) is “grey belt” as the applicant claims, or whether it remains Green Belt where development is inappropriate. It is the principal question in the case (see Section 5 of the Formal Report): if the site is Green Belt, the footnote-7 carve-out in NPPF para 11(d)(i) disapplies the “tilted balance” on which the developer relies, and the “very special circumstances” test applies.

Method. The assessment applies NPPF (December 2024) paragraph 143 (the five Green Belt purposes), the Annex 2 definition of “grey belt,” and the Planning Practice Guidance (PPG) “Green Belt” (27 February 2025), which sets out the *illustrative features* of land that “strongly contributes” to purposes (a), (b) and (d), the only purposes relevant to the grey-belt test. It compares those criteria against the applicant’s own conclusions in its Planning Statement.

The principal legal point. Grey belt is land that “does not strongly contribute to *any* of purposes (a), (b) or (d).” It follows that if the site strongly contributes to *even one* of those purposes, it cannot be grey belt. It is therefore sufficient to establish a strong contribution to either purpose (a) or purpose (b).

Status. This is a desk-based assessment to inform objections and to brief professionals. A formal Green Belt / landscape assessment for committee or inquiry should be prepared by a chartered landscape architect or planner with a site survey (see §7). Bromley has not published its own Green Belt review, so this analysis helps fill that gap on an interim basis.

2. The applicant’s own conclusion

Berkeley’s Planning Statement concludes that “the Site makes a moderate contribution to purpose (a), no contribution to purpose (b), and a moderate contribution to purpose (d)” (Planning Statement, p.138; the purpose-by-purpose assessment is at pp.34–35) and that the site is therefore “considered to be grey belt” (p.21, p.43, p.100).

Two features of that conclusion warrant attention:

1. The applicant concedes that the site contributes to two of the three purposes: “moderate” to (a) and to (d). Its case rests on the distinction between “moderate” and “strong.” That is a fine and contestable line (§3, §5).
2. The applicant claims that the site makes “no contribution” to purpose (b), preventing neighbouring towns merging. As §4 shows, that finding is untenable for open land in the gap between the Bromley built-up area and Hayes / Coney Hall / West Wickham.

3. Purpose (a): checking the unrestricted sprawl of large built-up areas: STRONG

The PPG indicates that land contributes strongly to purpose (a) where it is free of existing development, lacks physical features that could restrict and contain development, and is likely to include all of: being adjacent or near to a large built-up area, and where development would result in an incongruous pattern of development (such as an extended “finger” into the Green Belt). Applying each limb:

PPG “STRONG CONTRIBUTION” FEATURE	HAYES FARM
Free of existing development	Yes: open former farmland / grazing land; only minor farm structures.

Lacks features that could restrict and contain development	Yes: the land is open; there is no robust, durable boundary that would contain a ~59-hectare urban extension.
Adjacent or near to a large built-up area	Yes: it abuts the Bromley urban area.
Development would create an incongruous, sprawling pattern	Yes: ~2,200 homes on ~59 ha would push the built edge of Bromley deep into open Green Belt.

All four illustrative features are present. On the PPG’s own criteria the site strongly contributes to purpose (a). The applicant’s downgrade to “moderate” appears calibrated to fall just below the “strongly contributes” threshold; it is not supported by the criteria.

Appeal support. In *Broad Lane, Holtspur, Beaconsfield* (APP/N0410/W/24/3337981, 24 Feb 2025) an Inspector found that land bounded by the A40 and M40 still strongly contributed to purposes (a) and (b). If land contained by two major roads checks sprawl, open farmland with no such containment does so to at least the same degree.

4. Purpose (b): preventing neighbouring towns merging: **STRONG** (the applicant’s “no contribution” is untenable)

The PPG indicates that land contributes strongly to purpose (b) where it is free of existing development and forms a substantial part of a gap between settlements, the development of which would result in a loss of visual or physical separation.

- Hayes Farm is open land between the Bromley built-up area and the distinct settlements of Hayes, Coney Hall and West Wickham. It is the kind of undeveloped gap that purpose (b) exists to protect.
- Building ~2,200 homes across ~59 hectares would erode the separation between these places, visually and physically, which is the form of merging that purpose (b) guards against.
- The applicant’s finding of “no contribution” to purpose (b) is therefore not sustainable. A site of this scale, in this location, cannot reasonably be said to make *no* contribution to preventing coalescence.

Because the site strongly contributes to purpose (b) (and to (a)), it is excluded from the grey-belt definition, independently of any other issue.

5. Purpose (d): setting and special character of historic towns

The applicant itself finds a “moderate contribution” to purpose (d) (PS p.138). For the grey-belt test the material point is that “moderate” is a contribution; combined with the strong contributions to (a) and (b), the site falls outside the grey-belt definition. (Purposes (c) safeguarding the countryside and (e) urban regeneration are not part of the grey-belt test but reinforce the openness and countryside value of the land.)

6. The footnote-7 exclusions: a second, independent reason it is not grey belt

Even if (contrary to §3–§4) the site were treated as not strongly contributing to (a), (b) or (d), the grey-belt definition is disapplied where the policies for footnote-7 assets/areas give a strong reason to refuse. Two apply here:

1. **Designated heritage asset:** the Grade II listed Hayes Street Farmhouse (239 Hayes Lane) and its curtilage-listed farm buildings; harm to its setting from surrounding development is a strong reason to restrict development. This is the mechanism that took the site outside grey belt in *Waterstock Golf Course* (APP/Q3115/W/24/3343775, Dec 2025).

2. Areas at risk of flooding: the applicant's own documents confirm "*multiple small areas of medium and high surface water flood risk*" across the site (Flood Risk Sequential Test, p.8), which is why a sequential test was required.

Either is capable, on the *Waterstock* approach, of excluding the site from "grey belt" altogether.

Note on agricultural value. The Planning Statement describes the land as "*Grade 3 (Good to Moderate)*" agricultural land (p.11), which understates the position: the applicant's own survey finds that 61.2% (over 35 ha) is Grade 3a, "*best and most versatile*" land (ES Ch.N, p.11). This is itself a material consideration and reinforces the countryside value the Green Belt protects.

7. Conclusion and recommendation

Conclusion. Applying the Government's own tests, Hayes Farm strongly contributes to Green Belt purpose (a) (checking sprawl) and purpose (b) (preventing merging). It is therefore not "grey belt." It is Green Belt in which the proposed development is inappropriate and, by definition, harmful. The consequence is material: the footnote-7 carve-out in NPPF para 11(d)(i) disapplies the "tilted balance" on which the applicant relies, and permission should be refused unless very special circumstances exist, which, given the transport, flood, infrastructure, heritage and BMV-land harms set out in the Formal Report, they do not.

Recommendation. Because this is the central issue and Bromley has no published Green Belt review, the campaign / the Council should commission a chartered landscape architect or planner to prepare a formal, survey-based Green Belt and landscape assessment that:

- maps the site's contribution to purposes (a) and (b) with viewpoints and a separation/gap analysis;
- rebuts the applicant's "moderate / no contribution" findings parcel by parcel; and
- is robust enough to support the Council's reasons for refusal and to withstand the developer's appeal (where, given Bromley's ~1.93-year housing land supply, the evidential bar will be high).

This evidence would significantly strengthen the rebuttal of the applicant's case.

*Desk-based Green Belt purposes assessment for the Hayes Farm campaign. Not legal advice and not a substitute for a chartered landscape professional's survey-based assessment. References to the Planning Statement and Environmental Statement are to the application documents downloaded on 25 June 2026 (saved in *application_documents/*).*



HAYES FARM CAMPAIGN

RAVENSBOURNE PLACE · APPLICATION 26/02199/OUT

THE CASE AGAINST RAVENSBOURNE PLACE

Analysis of the Application Documents

Citable findings from the applicant's submitted documents.
Application 26/02199/OUT.

Application
26/02199/OUT

Authority
London Borough of Bromley

Consultation deadline
24 July 2026

Applicant
Berkeley Homes (Southern) Ltd

GLA referral
2026/0331/S1

Status
For circulation · v2.0

How to use this annex

This annex records what Berkeley's own submitted documents say; the strongest objections quote the applicant against itself. Every point below gives the document and page reference so it can be cited directly in objections, consultee representations, and at any inquiry.

- Page numbers are the PDF page of each named document as downloaded from Bromley's planning register on 25 June 2026. The files are saved in `07_Comprehensive_Report/application_documents/` so every reference is verifiable.
- Documents are cited by short name, e.g. (*Transport Assessment Pt 1, p.114*) or (*ES Ch.J Socio-Economics, p.46*).
- Where the applicant concedes a point helpful to the campaign, it is marked [ADMISSION]. Where a claim appears optimistic or contestable, it is marked [CONTESTABLE].

Caveat: these are extractions from large PDFs; before formal use, re-open the cited page to confirm wording in context. A number of figures (e.g. exact tenure split) sit in tables that should be read in full.

1. The developer's planning case: what the campaign must rebut

The Planning Statement is explicit about the legal route Berkeley is running:

- It claims the site is "grey belt", "*the development is considered to be grey belt*" (Planning Statement, p.21), on the basis that the land "*does not strongly contribute to purposes (a), (b), or (d)*" (p.43), assessed in its own Table 6.1 (p.34). [CONTESTABLE: this is the central dispute; see Sections 5 and 6 of the Formal Report.]
- It then runs the tilted balance: "*NPPF presumption in favour, NPPF paragraph 11(d)(ii) test*" (p.3, p.96), expressly relying on the fact that policies are "*out-of-date in situations where the LPA cannot demonstrate a five-year supply*" (p.21). This confirms the strategic point in the Phase 2 brief: Berkeley's case depends on Bromley's housing-supply deficit, and on the site being grey belt so that Green Belt protection (footnote 7 / para 11(d)(i)) does not switch the tilted balance off.
- It argues that if the site is grey belt and "not inappropriate," there is "*no Green Belt harm*" (p.32, p.43) and the golden rules give "*significant weight*" (p.22, para 158).

The counter is that the site strongly contributes to Green Belt purposes (a) and (b), and footnote-7 assets (heritage; surface-water flooding) apply. On that basis it is not grey belt, the development is inappropriate, and the tilted balance is disappplied, requiring very special circumstances that do not exist.

2. Transport: the strongest evidence-based objection

[ADMISSION] The traffic model TfL required was not available at submission. The ES states: "*A VISSIM traffic model is being calibrated with TfL but was not available at the time of submission... the results of the VISSIM model are not presented within this ES chapter... Instead, professional judgment has been used*" (ES Ch.E Transport, p.~22; repeated p.~51 and p.~60). The application's assessment of junction capacity and driver delay, the "high risk" TfL flagged at pre-application, therefore rests on professional judgement rather than the agreed model. The transport evidence base is incomplete and premature.

Scale of traffic generated. The development is “expected to generate around 2,633 person two-way trips in the AM peak, 1,648 in the PM peak, and over 18,000 across a typical weekday” (Transport Assessment Pt 1, p.114). [Use to show the scale of new movement on Hayes Lane / the A21 / A232.]

Parking provision. The scheme proposes “0.75–1 parking spaces per dwelling within the Northern Neighbourhood... and 0.75–1.5 parking spaces” in the south (Transport Assessment Pt 1, p.64). [CONTESTABLE: up to 1.5 spaces/home is at the high end and is difficult to reconcile with the “sustainable location” claim; at pre-application TfL said the expectation for low-PTAL Green Belt should be “considerably lower” than London Plan standards.]

Construction traffic. HGV increases of “between 1% to 8% in the AM peak” during the construction year (ES Ch.E Transport, p.~?), over a multi-year, multi-phase build.

Cross-reference: TfL’s pre-application advice (in the campaign’s TfL file) records PTAL “ranging from 3 in the north to zero on the eastern edges of the south site,” a “high risk of ‘getting it wrong,’” and a possible “vicious circle” of congestion. The submitted documents do not dispel those concerns; they defer the key modelling.

3. Air quality: the site is inside an AQMA

[ADMISSION] “The Site and surrounding area are in the Bromley AQMA, declared for exceedances of the [nitrogen dioxide objective]” (ES Ch.H Air Quality, p.27). Building ~2,200 homes generating 18,000+ daily trips within an Air Quality Management Area, where Bromley’s own 2024 status report says the 2026 air-quality objectives are not achievable, is a direct conflict. The applicant relies on meeting the “Air Quality Neutral” benchmark (p.10, p.42) and judges construction dust “not significant” with mitigation (p.23). [CONTESTABLE: “neutral” still adds emissions in an area already in exceedance.]

4. Public services: the golden-rules infrastructure test

Schools: the applicant’s own data shows deficits it then qualifies:

- It claims a “combined surplus of 660 primary school” places across a wide three-area study zone (ES Ch.I Socio-Economics, p.24) [CONTESTABLE: a wide-area surplus can mask local pressure and falling-rolls volatility].
- It concedes secondary pressure: although a commissioning plan “suggests a surplus,” “published [DfE] data indicates a small overall deficit of 28” secondary places (p.18, p.26).
- [ADMISSION] Special educational needs: “a deficit of 87 special school places across LBB” already exists (p.28, p.36), and the development “is estimated to generate demand for a further 75 SEN places” (p.45). The scheme worsens an existing, acknowledged SEN shortfall, a concrete harm that is difficult to rebut.

Healthcare: GPs already overloaded, and the new surgery is not guaranteed:

- [ADMISSION] existing provision is “2,570 patients per FTE GP, which exceed[s] the national average of 1,736 patients per FTE” (ES Ch.J, p.46), i.e. local GPs already carry ~48% more patients than the national average.
- The on-site health centre would accommodate only “up to 3 FTE GPs” plus 520 m² flexible space (p.19, p.46), and is contingent: “in the event that no agreement is reached for an on-Site health centre, the residual effect...” (p.48–49). [ADMISSION: the “health centre” may not be delivered; a shell-without-commissioning risk.]

5. Flood risk and water

- **Site flood zones:** *“the majority of the Site is situated within Flood Zone 1”* with areas to the north in *“Flood Zone 2”* (ES Ch.G Flood Risk, p.~?). [Frame the water case accurately: the site is mostly low fluvial-zone; the principal issues are surface water and downstream effects.]
 - **[ADMISSION] Surface-water flood risk on site:** *“The Site contains multiple small areas of medium and high surface water flood risk”* (Flood Risk Sequential Test, p.8), which is why a sequential test was required despite the low river-zone classification. Hard-surfacing ~59 ha will worsen surface-water runoff.
 - **Area of search dispute:** the Sequential Test notes that *“in their response, LBB suggested that...”* about the appropriate area of search (p.16). [Bromley appears to have challenged the developer’s area of search; pursue this, as a narrow search artificially excludes lower-risk alternatives.]
 - Cross-reference Section 4: Thames Water capacity (financial distress; no dedicated Ravensbourne-catchment upgrade in AMP8) is the strongest water-services objection; see the Phase 2 brief.
-

6. Biodiversity and ecology

- **[ADMISSION] The scheme fails the mandatory 10% Biodiversity Net Gain on-site:** *“the mandatory 10% net gain of on-Site area habitat units (8.86 units; +5.21%). As such, the on-Site proposed development alone does not meet the mandatory 10% target”* (Biodiversity Net Gain Plan, p.25). It must rely on off-site units; the development is therefore a net biodiversity loss on the land itself. **[CONTESTABLE: test the baseline, the metric, and the deliverability/security of off-site units.]**
 - **The land is grazing land:** *“a complex of improved grassland parcels grazed by horses”* (BNG Plan, p.5). [The horses the campaign has highlighted are confirmed in the developer’s own ecology evidence.]
 - **River condition:** the watercourse is described as *“Fairly Poor condition”* (BNG Plan, p.14); test this against the River Condition Assessment and the SSSI headwaters value.
 - **Protected species present:** a Badger Mitigation Strategy is required (ES Ch.F Ecology, p.5); great crested newts may disperse from nearby ponds (p.13); bats, reptiles and hedgehogs are referenced. [Protected-species constraints and licensing apply.]
 - **Irreplaceable habitat:** the applicant states *“No irreplaceable habitats will be affected”* (BNG Plan, p.19), but the ES acknowledges *“ancient woodland which is one of the largest within Greater London”* near Keston Commons and the river (ES Ch.F, p.22–23). **[CONTESTABLE: verify the development boundary against the ancient-woodland and veteran-tree inventory; irreplaceable habitat cannot be offset.]**
-

7. Agricultural land: loss of Best and Most Versatile land

[ADMISSION] *“61.2% of the Site (over 35 ha) is ALC Grade 3a, which falls within the definition of ‘best and most versatile agricultural land’”* (ES Ch.N Soil & Agricultural Land, p.11; the survey classifies the site Sub-grade 3a 61.2% / Sub-grade 3b 38.8%, p.14). The applicant rates the impact on the 3a land as High sensitivity (p.16). This is a concrete objection: the loss of 35+ hectares of BMV agricultural land engages NPPF protection and exceeds the 20-hectare threshold for mandatory Natural England consultation.

8. Climate: be precise

- **Energy:** the development adopts an *“all-electric energy strategy”* with *“Air Source Heat Pumps”* and solar PV (ES Ch.K Climate, p.34, p.36, p.41). [Concede this, as it is good practice; do not attack the heating

strategy.]

- **Where the climate case lies:** operational transport emissions (driven by the PTAL 0–3, car-dependent location) and embodied carbon of ~2,200 homes, plus loss of greenfield carbon/soil function. Test the Whole Life-Cycle Carbon Assessment against GLA benchmarks (App K2). Construction emissions are acknowledged as embodied carbon (p.26).

9. Cumulative effects, heritage, contamination

- **Cumulative:** the ES assesses a defined set of “*Potential Cumulative Schemes*” (ES Ch.O, Table O4.1; map at App O1) and largely concludes no significant cumulative effects (p.19, p.30). [CONTESTABLE: check the scheme list is complete, given Bromley’s wider pipeline.]
- **Heritage:** Built Heritage Impact Assessment and Archaeology DBA submitted (ES Ch.L, Ch.M); the Grade II listed Hayes Street Farmhouse setting is a footnote-7 consideration (see Section 13 of the Formal Report).
- **Contamination:** a multi-part Desk Study Report is included, relevant to the former-farm land and the Ravensbourne.

10. Quantum, affordable housing and design

- **Up to 2,200 homes** (Development Specification, p.7, p.11); **Phase 1 = 578 dwellings, 50% affordable** (Dev Spec, p.19).
- **Heights:** houses “*up to 3 storeys*”; apartments “*in buildings ranging from 2 to 5 storeys*” (Dev Spec, p.12). (*The GLA record listed 6 storeys for the detailed component; confirm the maximum against the Building Height Parameter Plan.*)
- **Affordable housing offered as policy-compliant 50%** with no separate Financial Viability Assessment; the affordable detail sits in the Planning Statement §7 and the Phase 1 Tenure Split (Dev Spec Table 5.1). [Action: confirm the social-rent proportion and press for the 50% to be fixed with no later viability review; see Section 15 of the Formal Report.]
- **Children’s home:** a “*residence for children in care*” is included (Planning Statement, p.31, p.37). [A substantive element; test funding/securing, and note it is in the outline (deferred) phase.]

11. Top citable points for objections (quick reference)

POINT	DOCUMENT & PAGE	TAG
VISSIM traffic model not available; driver delay by “professional judgment”	ES Ch.E Transport, p.~22/51/60	ADMISSION
~18,000 daily / 2,633 AM-peak two-way trips	Transport Assessment Pt 1, p.114	Scale
Parking up to 1.5 spaces/dwelling	Transport Assessment Pt 1, p.64	Car-dependent
Site is within the Bromley AQMA (NO ₂ exceedance)	ES Ch.H Air Quality, p.27	ADMISSION
Secondary deficit of 28; SEN deficit 87 + 75 generated	ES Ch.J Socio-Economics, p.26/28/45	ADMISSION

GPs at 2,570 patients/FTE vs 1,736 national; health centre not guaranteed	ES Ch.J, p.46/48	ADMISSION
Multiple areas of medium/high surface-water flood risk on site	Flood Risk Sequential Test, p.8	ADMISSION
Fails mandatory 10% BNG on-site (+5.21%)	Biodiversity Net Gain Plan, p.25	ADMISSION
Over 35 ha of Best and Most Versatile (Grade 3a) land lost	ES Ch.N Soil & Ag Land, p.11/14	ADMISSION
Site claimed “grey belt” / runs para 11(d)(ii) tilted balance	Planning Statement, p.21/43/96	Their case

Part B: Supplementary forensic detail (deeper dig)

B1. Affordable housing: the “50%” is mostly the weaker tenure

- Phase 1 tenure split is “**Low Cost Rented (21%) / Intermediate (29%)**” (Development Specification, p.13, Table 5.1); of the 50% “affordable,” the rented element is only ~21% of homes and the majority (29%) is “intermediate” (shared ownership / intermediate rent), which is often unaffordable to those in genuine housing need. “Low cost rented” is not stated to be social rent.
- The applicant matches Bromley’s 60:40 (affordable-rented : intermediate) split only for the first 35%; the extra 15% to reach 50% is on more flexible terms (Planning Statement, pp.40, 91).
- [ADMISSION] “*there is no requirement for early, mid or late stage affordable housing reviews*” (Planning Statement, p.92); there is therefore no clawback if the scheme proves more profitable, and nothing here prevents a later s.73 application to cut affordable housing. [Action: a s.106 that fixes 50%, raises the social-rent share, and adds an upward-only review.]

B2. Transport: deeper detail

- The relevant target is **75% of trips in Outer London by sustainable modes** (Mayor’s Transport Strategy; Transport Assessment Pt 1, p.5), ideally 80% London-wide. The TA does not present junction-capacity results (no degree-of-saturation / RFC tables), consistent with the admission that the VISSIM model was unavailable at submission.
- The applicant asserts “*both Hayes Lane and Bromley Common have good existing bus services*” (TA Pt 1, p.81). [CONTESTABLE: difficult to square with PTAL 0 on parts of the site and TfL’s bus-capacity “vicious circle” warning; test bus spare capacity.]

B3. Flood and drainage: deeper detail

- Surface water is discharged into the River Ravensbourne and its tributaries at “restricted rates” via attenuation tanks beneath parking areas (FRA Pt 1, pp.38, 42), with a claimed “*reduction in flood risk compared with the existing situation*” (p.25). [CONTESTABLE: the betterment claim depends on SuDS performing and being maintained in perpetuity; test the assumptions, adoption and maintenance.]
- The climate-change allowance used is “**plus 40%**” (FRA Pt 1, p.40). [Check this is the correct upper-end allowance for the Ravensbourne catchment over the development’s lifetime.]

B4. Flood sequential test: the area-of-search dispute

- [ADMISSION] The applicant’s scoping proposed that “*only sites which abut*” the application site be considered, but “*LBB suggested that... the search be conducted Borough-wide*” (Flood Risk Sequential Test, pp.15–16, 19). A narrow area of search artificially excludes lower-risk alternatives; press Bromley’s

borough-wide steer. On a 59-ha Green Belt release, reasonably available lower-risk, non-Green-Belt sites should defeat the test (*Mead Realisations*).

B5. Green Belt: the applicant's own conclusion

- The Planning Statement concludes the site makes “a moderate contribution to purpose (a), no contribution to purpose (b), and a moderate contribution to purpose (d)” (p.138). The companion Green Belt Purposes Assessment rebuts this: the site strongly contributes to (a) and (b), so it is not grey belt.
- The Planning Statement describes the land as “Grade 3 (Good to Moderate)” agricultural land (p.11), understating that 61.2% is Grade 3a BMV (ES Ch.N, p.11).

B6. Housing-supply context (for the planning balance)

- Bromley's 5-year housing land supply is now ~1.93 years (Oct 2025 trajectory; ~2.4 years per the Oct 2024 appeal), and it failed the Housing Delivery Test (~58%). This is why the applicant runs the tilted balance, and why defeating the grey-belt classification (which disapplies it) is central to the case.

Appendix: application documents downloaded (for verification)

Saved in 07_Comprehensive_Report/application_documents/ (downloaded 25 June 2026 from Bromley's planning register, application 26/02199/OUT). Key files: Planning Statement (159pp); Development Specification (36pp); ES Non-Technical Summary (29pp); ES chapters E Transport (73pp), F Ecology (81pp), G Flood Risk (27pp), H Air Quality (55pp), J Socio-Economics (54pp), K Climate (70pp), N Soil & Agricultural Land (24pp), O Cumulative (43pp); Transport Assessment Parts 1–3 (567pp); Flood Risk Assessment Parts 1–2 (776pp); Flood Risk Sequential Test (50pp); Biodiversity Net Gain Plan (46pp); Health Impact Assessment (66pp); Building Height & Density Parameter Plans. The full register lists 234 documents; all document IDs were captured and are available on request.

Forensic annex to the Hayes Farm Comprehensive Report. Not legal advice. Page references are to the PDF files saved on 25 June 2026; confirm wording in context before formal use.



HAYES FARM CAMPAIGN

RAVENSBOURNE PLACE · APPLICATION 26/02199/OUT

THE CASE AGAINST RAVENSBOURNE PLACE

Strategic Risks and Deeper Investigations

Phase 2 brief. Application 26/02199/OUT.

Application

26/02199/OUT

Authority

London Borough of Bromley

Consultation deadline

24 July 2026

Applicant

Berkeley Homes (Southern) Ltd

GLA referral

2026/0331/S1

Status

For circulation · v2.0

Prepared for the Hayes Farm Campaign and Keep Bromley Green · Dr Alexander Deighton · Not legal advice

Purpose

This brief sits alongside the Formal Report, the Executive Summary, the Legal Strategy Brief and the Application Document Analysis (the forensic annex). It does three things the others do not:

- 1. identifies the principal strategic risk that determines whether the planning balance favours the developer or the community;
- 2. sets out the legal grey areas the developer is exploiting, and how to close them; and
- 3. lists the verifications and deeper investigations that will most strengthen the campaign.

It is written after retrieving and analysing the live application (234 documents) and verifying Bromley’s housing-supply position. It is not legal advice.

1. The central issue: the “tilted balance” is engaged, and the developer is relying on it

A principal fact uncovered is that Bromley is highly vulnerable on housing supply, and Berkeley’s Planning Statement is built around it:

TRIGGER	VERIFIED POSITION	SOURCE
5-year housing land supply	~1.93 years (Oct 2025 trajectory; ~2.4 years per Oct 2024 appeal)	Bromley AMR / appeal APP/G5180/W/24/3340223
Housing Delivery Test	58% (well below the 75% threshold)	HDT 2023 measurement; Bromley HDT Action Plan (Sept 2025)
Local Plan	Adopted Jan 2019, ~7 years old; review only at early stage	Bromley Local Plan review pages
Borough Green Belt review	None completed; Bromley declined the GLA’s 2025 joint review	GLA / council records

Berkeley’s Planning Statement expressly runs the “presumption in favour” (NPPF para 11(d)(ii)) and states that policies are “out-of-date in situations where the LPA cannot demonstrate a five-year supply” (Planning Statement, p.3, p.21, p.96). The developer’s strategy is to use Bromley’s supply deficit to engage the tilted balance.

Why this is the central determinant. With no 5-year supply, the tilted balance normally applies. But NPPF para 11(d)(i) switches it off where a footnote-7 asset, which includes land designated as Green Belt, gives a clear reason for refusal. Accordingly:

- If the campaign establishes “this is Green Belt, not grey belt”, the development is inappropriate, footnote 7 applies, the tilted balance is disapplied, and the “very special circumstances” test protects the site. The supply deficit then largely falls away.
- If Berkeley establishes “grey belt + sustainable + golden rules”, the development is not inappropriate, footnote 7 does not apply, the tilted balance is engaged, and the golden rules add “significant weight” in favour.

Strategic consequence. The grey-belt/footnote-7 argument is not one ground among many; it is the threshold question that determines whether the planning balance favours refusal or approval. Two practical implications:

1. The campaign should aim to succeed at committee, because at appeal, with under two years' housing land supply, Inspectors are currently granting grey-belt schemes. Bromley's reasons for refusal must be built to survive appeal.
2. Bromley has no Green Belt assessment. That evidence vacuum is being filled by Berkeley's own assessment (Planning Statement Table 6.1, p.34), which concludes the land "*does not strongly contribute*" (p.43). Commissioning an independent, site-specific Green Belt purposes assessment is the most important action; it gives the council the evidence to refuse and to win the appeal.

2. Legal grey areas the developer is exploiting

GREY AREA	HOW IT IS BEING WORKED	HOW TO CLOSE IT
Grey-belt self-classification	Berkeley's own assessment concludes the land "does not strongly contribute" (PS Table 6.1). No Bromley review exists to rebut it.	Independent Green Belt assessment; deploy the PPG "strongly contributes" test and <i>Broad Lane</i> (road-bounded land still contributes).
Green Belt release by application, not plan	Releasing ~59 ha via a planning application sidesteps the "exceptional circumstances" test and public scrutiny of the Local Plan process (only the lower "grey belt/VSC" route is used at application stage).	Argue the site must be tested through the plan review , not pre-empted; a live national JR theme.
Hybrid/outline as commitment-avoidance	Most of the scheme is outline , all matters reserved : heights, density, tenure, design and golden-rules <i>delivery</i> deferred to reserved matters, when scrutiny is lower.	Press that golden-rules and affordable compliance cannot be guaranteed; demand they be fixed now or refuse.
The viability loophole (in waiting)	50% is offered as policy-compliant with no viability assessment now , but an outline consent can be followed by a late-stage review or s.73 variation to cut affordable housing later (the Aylesham pattern; ministerial guidance encourages s.73 "flexibility").	Demand a s.106 that fixes 50%, weighted to social rent, with no downward review and an upward-only review if values rise.
"Affordable" definition & metric	"50%" can be largely shared ownership / First Homes (unaffordable to those in need); measured by habitable room it overstates the figure (Aylesham: 12% by room = 8% by unit).	Insist on the tenure split (social-rent %) and reporting by unit ; the detail is in PS §7 / Dev Spec Table 5.1; obtain it.
Rochdale-envelope EIA	The outline EIA assesses parameter ranges ; worst cases assessed in isolation can hide interaction/cumulative effects, and construction impacts are pushed to a (non-statutory) CEMP.	Scrutinise the envelope; demand the CEMP be a condition ; test the cumulative chapter's scheme list (ES Ch.O).
Flood sequential-test area of search	A sequential test was required for surface-water risk (Sequential Test, p.8). Developers draw the search area narrowly to conclude "no alternatives", and Bromley appears to have challenged the area of search (Sequential Test, p.16).	Pursue the area-of-search dispute (<i>Mead Realisations</i>); on a 59-ha Green Belt release, lower-risk non-Green-Belt sites should be reasonably available.

BNG that fails on-site	The scheme achieves only +5.21% net gain on-site and leans on off-site units (BNG Plan, p.25); the river is rated “Fairly Poor” to depress its value (p.14).	Test the baseline (survey season), the metric, and the security/deliverability of off-site units; protect the river-corridor value.
Irreplaceable-habitat exclusion	Applicant says “no irreplaceable habitats affected” (BNG p.19), yet ancient woodland exists near the river/Keston Commons (ES Ch.F, p.22–23).	Verify the red-line against the ancient-woodland/veteran-tree inventory; irreplaceable habitat cannot be offset.
“Hope value” land-banking	The land (Rookery Estates, the Norman family, co. 00414067) is Green Belt bought/optioned in anticipation of policy change; Berkeley’s control is a private agreement.	CPRE’s “hope value” critique; a Land Registry/Companies House trail to evidence speculation.
The additional benefits	The children’s home (“Bromley’s acute need”) and health centre add weight to the balance, but both sit in the outline (deferred) phase, and the health centre is expressly not guaranteed (ES Ch.J, p.48).	Test funding/securing; argue deferred, contingent benefits carry little weight.

3. Public services: golden-rules infrastructure failures

The golden rules (NPPF para 156) require infrastructure to support the development. The evidence, including Berkeley’s own ES, shows it is not in place:

- **Schools.** Bromley’s secondary schools are largely at/above capacity (Bromley School Places Plan; e.g. Hayes School heavily oversubscribed). The ES concedes a secondary deficit of 28 places and an existing SEN deficit of 87 places to which the scheme adds demand for ~75 more (ES Ch.J Socio-Economics, p.26, p.28, p.45). Its claimed “660 primary surplus” is a wide-area figure that masks local pressure.
- **Healthcare.** Local GPs already carry 2,570 patients per FTE versus the 1,736 national average (ES Ch.J, p.46); around two-thirds of Bromley practices are not taking new patients. The proposed on-site surgery (only 3 FTE GPs) is contingent and may not be delivered (ES Ch.J, p.48–49). The Princess Royal University Hospital A&E is space-constrained and its maternity unit “requires improvement.”
- **Water & sewerage: an under-used objection.** Thames Water is in special-administration risk (>£20 bn debt), was fined £123 m by Ofwat (May 2025) including £104.5 m for wastewater failures, and is under an enforcement order on storm overflows. No dedicated sewerage upgrade for the Ravensbourne catchment appears in its AMP8 plan. Adding ~2,200 homes’ foul and surface water to a stressed, spilling network, run by a distressed operator, is a serious, evidence-rich objection that links directly to the surface-water flood risk the applicant concedes.
- **Air quality.** The site is within the Bromley AQMA, declared for NO₂ exceedances (ES Ch.H, p.27), and Bromley’s own 2024 report says the 2026 objectives are not achievable. ~18,000 daily trips (Transport Assessment Pt 1, p.114) will add emissions in an area already in breach.
- **Open space.** ~59 ha of de facto open countryside is lost for ~15 ha of managed space, in an area the Local Plan already flags as deficient in access to nature.

Framing: present each as a failure of the golden-rules infrastructure test (para 156), not merely as “harm”, so that, even on the developer’s own grey-belt case, the scheme does not qualify.

4. Environmental and technical gaps

- **Best and Most Versatile farmland: a concrete, conceded harm.** The applicant's own survey finds 61.2% of the site (over 35 ha) is Grade 3a, i.e. BMV land (ES Ch.N, p.11, p.14). Loss on this scale engages NPPF protection and exceeds the 20-ha threshold for mandatory Natural England consultation.
- **Ancient woodland / veteran trees / TPOs / SINCs.** Irreplaceable habitat is excluded from BNG and cannot be offset. Ancient woodland exists near the river/Keston Commons (ES Ch.F, p.22–23). Verify the red-line against the Ancient Woodland Inventory and Bromley's TPO/SINC registers; if any clips the site, it is a strong point.
- **Nitrogen deposition.** New traffic adds nitrogen to the nitrogen-sensitive heath and acid grassland of Keston and Hayes Commons SSSI; this is often understated in outline ESs, so demand it be modelled at the upper-bound traffic scenario.
- **Protected species.** Badgers (mitigation strategy required), great crested newts nearby, bats and reptiles are referenced (ES Ch.F); licensing and survey-adequacy points apply.
- **Contaminated land.** A former farm with a multi-part Desk Study Report; test remediation and any pathway to the Ravensbourne.
- **Public Rights of Way.** The application proposes "enhancements to PRoW," so footpaths cross the site; diversion/extinguishment is a statutory process and the loss of informal access is a material consideration.
- **Correction to earlier working notes:** there is no SAC/SPA/Ramsar on the Ravensbourne, so a Habitats Regulations "appropriate assessment" is unlikely to be a strong trigger; rely on the SSSI regime plus nitrogen/recreation pathways instead. Likewise, the energy strategy is all-electric/heat-pump (ES Ch.K), so do not attack the heating; aim the climate case at car-dependency (transport emissions) and embodied carbon.

5. Verifications still outstanding: prioritised

Primary: 1. Confirm Bromley's *current* 5YHLS and latest HDT (now ~1.93 years per the Oct 2025 trajectory; HDT 2024 measurement not yet published; track for release). 2. **Independent Green Belt purposes assessment** of the site (fills the council's evidence vacuum; the greatest leverage). 3. **Affordable-housing tenure split and draft s.106 heads of terms:** is there a viability-review mechanism? (PS §7 / Dev Spec Table 5.1). 4. **Ancient woodland / veteran trees / TPO / SINC** on or adjoining the red-line. 5. **Thames Water's capacity position** for this application.

Supporting: the maximum heights/density in the parameter plans; the cumulative-scheme list's completeness; TfL's formal consultation response (against its "high risk" pre-app advice); the Mayor's Stage 1 report when issued; whether Bromley will produce its own Green Belt assessment; any AQMA/standard-method/"Opportunity Area" claims that would affect the housing-need weighting (treat the reported ~3,001/yr standard-method figure and any "Bromley Opportunity Area/Bakerloo" claim as to be verified).

6. Deeper investigations to commission

- **Independent Green Belt assessment** (as above): the priority.
- **Forensic continuation of the application review:** the Transport Assessment (567 pp) and Flood Risk Assessment (776 pp) reward deeper reading; the Application Document Analysis annex captures the headline admissions already found.

- **Independent viability “sense-check”**, ready to deploy if and when a viability case appears at reserved matters or via s.73.
 - **Land-ownership / hope-value trail** (Land Registry title plus Rookery Estates filings) to evidence speculative land-banking.
 - **Expert witnesses lined up now** for an inquiry (Green Belt/landscape, transport, flood/hydrology, ecology, heritage), given that an appeal is the likely venue.
-

7. Bottom line

The developer’s submitted documents indicate how it intends to succeed: declare the land “grey belt,” invoke Bromley’s housing-supply deficit to engage the tilted balance, and rely on deferred (outline) commitments. The campaign’s task is to deny the grey-belt premise with independent Green Belt evidence (which disapplies the tilted balance), and to convert the developer’s own admissions (failed on-site BNG, 35+ ha of BMV land lost, the site inside an AQMA, secondary/SEN school deficits, overloaded GPs, a non-guaranteed health centre, surface-water flood risk, and a missing VISSIM traffic model) into golden-rules and sustainable-location failures that defeat the scheme even on its own terms.

Phase 2 brief for the Hayes Farm campaign. Not legal advice. Verified to 25 June 2026; re-check the planning register and Bromley’s supply position before formal use.



HAYES FARM CAMPAIGN

RAVENSBOURNE PLACE · APPLICATION 26/02199/OUT

THE CASE AGAINST RAVENSBOURNE PLACE

Legal Strategy Brief

Routes of challenge to planning application 26/02199/OUT. For instructing planning and public-law advisers.

Application

26/02199/OUT

Authority

London Borough of Bromley

Consultation deadline

24 July 2026

Applicant

Berkeley Homes (Southern) Ltd

GLA referral

2026/0331/S1

Status

For circulation · v2.0

Status of this document. This is a strategy note to brief qualified planning and public-law lawyers. It is not legal advice and is not privileged. Counsel/solicitors should verify the authorities and the application documents before any step is taken. A fuller evidence base (the Formal Report) accompanies this brief.

1. The application and its status

- **Reference:** 26/02199/OUT (London Borough of Bromley). Hybrid: full permission for a first phase (578 homes); outline (all matters reserved) for the remainder, totalling up to ~2,200 homes.
- **Applicant:** Berkeley Homes (Southern) Limited (Companies House 01454061; Berkeley Group Holdings plc).
- **Site:** ~59.3 ha of Metropolitan Green Belt at Hayes Farm (“Land at Rookery Estates, Bromley Common”), unallocated in the Bromley Local Plan; three wards.
- **Key dates:** validated 16 June 2026; consultation deadline 24 July 2026; scheduled decision 15 September 2026; referred to the Mayor (Stage 1, ref 2026/0331/S1), Mayor’s response anticipated by 3 August 2026.
- **EIA development:** a full Environmental Statement has been submitted.

2. Decision routes and the realistic sequence

Determination involves three potential decision-makers; the strategy must address all of them:

1. **Bromley Council** (determines at first instance), already opposed in principle to Green Belt development of this kind. Most likely outcome: refusal.
2. **The Mayor of London**. The scheme is of Potential Strategic Importance and has been referred. Under the Town and Country Planning (Mayor of London) Order 2008 the Mayor may direct refusal at Stage 2 or take over the application as local planning authority. This has implications in both directions (§7).
3. **The Secretary of State**, who may call in under s.77 TCPA 1990, and will hear any appeal via the Planning Inspectorate (including a possible non-determination appeal).

Working assumption: the campaign should plan for refusal by Bromley, followed by a developer appeal (likely public inquiry), while guarding against a Mayoral take-over or call-in that results in approval. Judicial review is a backstop against any grant. The priority now is to build a robust evidence base capable of withstanding appeal.

3. Grounds: objection now, and challenge later

#	GROUND	LEGAL/POLICY BASIS	WHERE IT BITES	INDICATIVE STRENGTH
1	Site is not “grey belt”; strongly contributes to Green Belt purposes (a) and (b)	NPPF Dec 2024 para 143 & Annex 2; PPG “Green Belt” (27 Feb 2025) “strongly contributes” test; <i>Broad Lane</i>	Refusal; appeal; JR	Strong
2	Footnote 7 exclusion: heritage (listed farmhouse setting) and flood risk give strong reason to refuse, taking the site outside the grey belt definition	NPPF para 143 footnote 7; <i>Waterstock Golf Course</i>	Refusal; appeal; JR	Strong–moderate
3	Not a sustainable location	NPPF para 155(c); TfL pre-application advice (PTAL 0–3; “high risk”); <i>Holyport</i>	Refusal; appeal	Strong
4	Flood risk / sequential test not satisfied	NPPF flooding policy; applicant’s own Flood Risk Sequential Test; <i>Mead Realisations</i>	Refusal; appeal; JR	Moderate–strong
5	Inadequate EIA: failure to assess likely significant indirect effects	TCP (EIA) Regulations 2017; <i>R (Finch)</i> (apply with care)	JR	Moderate
6	Golden rules / infrastructure not met; deferral via outline	NPPF paras 156–157; s.106/CIL	Refusal; appeal	Moderate
7	Affordable-housing deliverability (no viability assessment; track record)	London Plan / Local Plan affordable policy	Conditions; politics	Moderate
8	Heritage harm to setting of listed building	P(LBCA)A 1990; NPPF heritage policy	Refusal; appeal	Moderate

4. Key authorities, and corrections to earlier drafts

- ***R (Finch) v Surrey County Council* [2024] UKSC 20** (20 June 2024). EIA must assess indirect/“downstream” effects that are a true consequence of the project. Caveat: the case concerned oil extraction; its application to a housing scheme’s traffic/operational effects is not settled. It should be advanced carefully, primarily to require the ES to assess downstream flood, water-quality, air-quality and cumulative effects.
- ***Mead Realisations Ltd v SSHCLG* [2025] EWCA Civ 32** (CA, 30 January 2025; below, [2024] EWHC 279 (Admin)). Concerns the flood-risk sequential test and the relationship between the NPPF and PPG. Correction: the PPG does not have “the same legal status as the NPPF”; both are material considerations from the same source, and the PPG interprets national policy but does not override the NPPF. Earlier campaign wording overstating this should be amended.
- **Appeal decisions** (Planning Inspectorate):
 - ***Broad Lane, Holtspur, Beaconsfield***, APP/N0410/W/24/3337981, 24 February 2025, dismissed; land between the A40 and M40 still strongly contributed to purposes (a) and (b). (*Later quashed by consent on a separate golden-rules point and to be re-determined; cite for the Green Belt-purposes reasoning.*)
 - ***Waterstock Golf Course***, APP/Q3115/W/24/3343775, dismissed December 2025; the footnote 7 heritage exception took the site outside grey belt.
 - ***Holyport (Gays Lane), Windsor & Maidenhead***, recovered appeal 3346409, SoS decision 6 June 2025, dismissed despite the site being accepted as grey belt, on sustainable-location and unmet-need grounds.
- **Caveat, “R (Ribble Valley) / Broxbourne principle”**: this was cited in earlier drafts for the proposition that partial previously developed land does not make a whole site PDL. The specific citation could not be verified for this brief. The underlying principle is sound, but it should not be cited to that case without confirming the authority.

5. Procedure, time limits and costs

- **Judicial review / statutory review:** any challenge to a grant of permission must be brought within six weeks (planning JR under CPR 54.5(5); statutory review under s.288 TCPA 1990). The deadline is strict and cannot be extended by agreement. Permission of the court is required. Solicitors should be engaged within days of any approval.
- **Pre-action protocol:** observe the Pre-Action Protocol for Judicial Review (subject to the compressed planning timetable).
- **Aarhus costs protection:** in an environmental JR the claimant's adverse-costs liability is capped (default £5,000 for an individual, £10,000 for an organisation), with the defendant's exposure capped (£35,000). These figures are current as at 2025; the court may vary caps in defined circumstances. This materially reduces the financial risk of a challenge and should be explained to funders.
- **Funding:** the Keep Bromley Green crowdfunder (funded Feb 2026) and CrowdJustice; free/low-cost support via the Environmental Law Foundation and Planning Aid England; CPRE London is engaged.

6. The Mayoral and call-in routes: handle with care

- **Mayor (Stage 1 now open).** File representations. The Mayor can, however, take over a refused application and grant it, and is generally supportive of housing delivery and grey-belt release. It should not be assumed that the Mayor will support refusal. Pitch the strategic-harm case (Green Belt integrity, transport unsustainability, flood risk) and monitor the Stage 1 report.
- **Secretary of State call-in (s.77).** A call-in can be requested via the National Planning Casework Unit on “more than local importance” grounds. Risk: call-in is discretionary and the current Government is pro-housing; it could equally produce an approval. This should be weighed carefully before any request, since a refusal by an opposed local authority, defended on appeal, may be the safer route.

7. Recommended instructions and immediate steps

1. **Now (pre-24 July):** coordinate individualised objections; lodge GLA representations; download and preserve the application documents (Planning Statement, Environmental Statement + NTS, Transport Assessment, FRA + Sequential Test, BNG Plan, Built Heritage Impact Assessment, HIA, Whole Life-Cycle Carbon Assessment).
2. **Instruct** a planning solicitor and, if to inquiry, planning counsel; secure Rule 6 party status for the campaign at any inquiry.
3. **Commission expert evidence** (subject to funds): Green Belt/landscape, transport, flood/hydrology, ecology, heritage, to rebut the applicant's submissions and support refusal/appeal.
4. **Obtain** the statutory consultee responses (TfL, NE, EA, HE) and the Mayor's Stage 1 report when published.
5. **On any approval:** trigger the six-week clock; assess JR grounds (§3, especially grounds 1, 2, 4, 5) under Aarhus protection.

8. Evidence and verification caveats relevant to legal reliance

Before relying on the following in formal documents, confirm them (see Appendix A of the Formal Report):

- Exact **flood-zone boundaries** for the site (Environment Agency Flood Map for Planning) and the FRA's climate-change allowances.
- The site's **Agricultural Land Classification** grade (applicant's ALC Report).
- The **National Heritage List entry** for Hayes Street Farmhouse (Grade II and address are confirmed; obtain the entry number and description).
- TfL's **formal consultation response** to 26/02199/OUT (to corroborate the FOI-disclosed pre-application quotations).
- The **outline-phase parameters** (maximum units, heights, densities, affordable tenure split) within the Planning Statement / Development Specification.

Prepared for the Hayes Farm campaign. Not legal advice; for the purpose of instructing qualified advisers. Verified to 25 June 2026.



HAYES FARM CAMPAIGN

RAVENSBOURNE PLACE · APPLICATION 26/02199/OUT

THE CASE AGAINST RAVENSBOURNE PLACE

Model Objection

A template for residents objecting to application 26/02199/OUT.
Consultation deadline 24 July 2026.

Application

26/02199/OUT

Authority

London Borough of Bromley

Consultation deadline

24 July 2026

Applicant

Berkeley Homes (Southern) Ltd

GLA referral

2026/0331/S1

Status

For circulation · v2.0

How to object (read first)

- Where: Bromley Council planning register. Search application 26/02199/OUT at planningaccess.bromley.gov.uk and use the “Comment” option; or email planning@bromley.gov.uk quoting the reference. Include your name and address (anonymous comments are usually disregarded).
- Deadline: the published consultation deadline is 24 July 2026; submit before then. (Late comments are often still accepted up to the decision, but should not be relied on.)
- Make it your own. Identical “copy-paste” letters are typically counted as one. Put the first paragraph in your own words and keep any points that matter to you. A short, personal letter that raises planning reasons carries more weight than a long generic one.
- Stick to “material planning considerations.” These carry weight: Green Belt/grey belt, sustainable location and traffic, flood risk, air quality, loss of best-and-most-versatile farmland, biodiversity, heritage, infrastructure capacity (schools, GP, sewerage), design and the development plan. The following do *not* count and are best avoided: the effect on your house price or view, loss of a private outlook, who the developer is, or general “we don’t want it.”
- One ask: request refusal. You can also ask to speak at the planning committee.

Template letter (personalise the bracketed parts)

To: Planning Department, London Borough of Bromley Re: **Objection to planning application 26/02199/OUT, “Ravensbourne Place”, Land at Rookery Estates / Hayes Farm, Bromley Common**

Dear Sir/Madam,

I am writing to object to application 26/02199/OUT. I live at [your address] / I am a resident of [Hayes / Coney Hall / Bromley] and [say in a sentence why this place matters to you, for example “my family uses Norman Park and the surrounding green space every week”]. I ask that the application be refused, for the following planning reasons.

1. This is Green Belt, not “grey belt.” The site is open, undeveloped former farmland that, on the Government’s own tests (NPPF paragraph 143 and the Planning Practice Guidance), strongly contributes to checking the sprawl of Bromley (purpose a) and to preventing Bromley from merging with Hayes, Coney Hall and West Wickham (purpose b). Land that strongly contributes to these purposes cannot be “grey belt.” The developer’s own assessment concedes the site makes a “*moderate contribution*” to purpose (a); its claim of “*no contribution*” to purpose (b) is not credible for open land of this scale in the gap between settlements. Recent appeal decisions confirm that even road-bounded land can strongly contribute to these purposes (*Broad Lane, Beaconsfield*, 2025).

2. It is not a sustainable location. Transport for London’s own pre-application advice records that public-transport accessibility ranges “*from 3 in the north to zero on the eastern edges of the south site*” (zero being the worst possible rating) and warns of a “*high risk of getting it wrong*” and a possible “*vicious circle*” of congestion. The applicant’s Transport Assessment expects the development to generate around 18,000 vehicle/person trips on a typical day and proposes up to 1.5 car-parking spaces per home. This is a car-dependent scheme, contrary to NPPF paragraph 155(c). The traffic model that TfL required (VISSIM) was not available when the application was submitted, so the impact on local junctions has not been properly assessed.

3. Flood risk and water. The applicant’s own documents confirm “*multiple small areas of medium and high surface water flood risk*” across the site. Covering ~59 hectares of fields with houses and roads will increase

run-off into the River Ravensbourne, a catchment with a serious flooding history (record river levels at Hayes Lane in December 2013; the 1968 Lewisham floods). [If relevant: “My property / road already experiences [surface water / drainage] problems.”] Thames Water, currently in serious financial difficulty and under enforcement for sewage spills, has no dedicated upgrade for this catchment; the network cannot safely absorb 2,200 more homes.

4. Air quality. The site lies within the Bromley Air Quality Management Area, declared because nitrogen-dioxide limits are exceeded, and the Council’s own reports say the 2026 air-quality objectives will not be met. Adding thousands of car trips a day in an area already in breach is unacceptable.

5. Pressure on schools and healthcare. The applicant’s own Environmental Statement concedes a deficit of secondary-school places and an existing shortfall of 87 special-school (SEN) places, to which this scheme would add demand for around 75 more. Local GPs already serve 2,570 patients each, far above the national average of 1,736, and the proposed on-site health centre is not guaranteed (“in the event that no agreement is reached”). The “golden rules” require infrastructure to support development; here it is missing.

6. Loss of best farmland and of nature. Over 35 hectares of the site is Grade 3a, “best and most versatile” agricultural land (the applicant’s own survey), which national policy protects. The development also fails to achieve the mandatory 10% biodiversity net gain on site (only +5.21%), relying on off-site credits, and would harm the River Ravensbourne corridor and land grazed by horses. Protected species (badgers; great crested newts nearby) are present.

7. Heritage. The development would harm the setting of the Grade II listed Hayes Street Farmhouse and its historic farm buildings.

8. Loss of irreplaceable open space and quality of life. [In your own words: what the loss of this open countryside would mean for you and your community, such as recreation, walking, wellbeing, the character of the area, and construction disruption over many years.]

For these reasons the proposal conflicts with the development plan and the National Planning Policy Framework, and any benefits do not amount to the very special circumstances needed to justify inappropriate development in the Green Belt. I respectfully ask the Council to refuse application 26/02199/OUT. [I would also like to speak at the planning committee.]

Yours faithfully, [Your name] [Your address and postcode] [Date]

Pick-and-choose extra points (optional)

Add any that apply to you, in your own words: - Children’s home and community facilities are welcome in principle but are placed in the deferred “outline” part of the scheme and are not guaranteed. - Affordable housing: the “50% affordable” is mostly the less-affordable “intermediate” tenure (only ~21% is rented affordable housing), and there is no mechanism to increase it. - Cumulative impact with other developments in the area. - Construction: years of HGV traffic, dust and noise from a multi-phase build. - The development plan: Hayes Farm is not allocated for development in the Bromley Local Plan.

Template provided by the Hayes Farm campaign to help residents object in their own words. It is not legal advice. Always check the current deadline on the planning register before submitting.