



Department for Levelling Up,
Housing & Communities

Joanna Averley
Chief Planner

***Department for Levelling Up,
Housing and Communities***
3rd Floor, Fry Building
2 Marsham Street
London SW1P 4DF

Ade Adetosoye CBE
Chief Executive
London Borough of Bromley
Civic Centre
Stockwell Close
Bromley
BR1 3UH

Your reference:
Our reference:

12 September 2023

Dear Ade,

Re. Modification of 6 Article 4 directions in relation to Part 3, Class MA of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 for sites within the London Borough of Bromley

Background

As you are aware, with effect from 1st September 2021 Class MA was inserted into Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 ("the General Permitted Development Order").

Class MA permits development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 to a use falling within Class C3 (dwellinghouses) of Schedule 1 of that Order.

On 27th July 2021 the London Borough of Bromley made 6 non-immediate directions under Article 4(1) of the General Permitted Development Order disapplying Class MA for various sites within the London Borough of Bromley ("the Article 4 directions"). The sites relate to:

Bromley North Business Improvement Area
Bromley South Business Improvement Area
Crayfield Business / Industrial Park Strategic Industrial Location and Office Cluster
Knoll Rise Office Cluster
London Road Business Improvement Area
Masons Hill Office Cluster

The Article 4 directions were confirmed on 24th June 2022 and came into force on 27th July 2022.

Consideration and Reasons

In considering the Article 4 directions the Secretary of State has had regard to national policy on Article 4 directions. Paragraph 53 of the National Planning Policy Framework provides that-

The use of Article 4 directions to remove national permitted development rights should:

- where they relate to change from non-residential use to residential use, be limited to situations where an Article 4 direction is necessary to avoid wholly unacceptable adverse impacts (this could include the loss of the essential core of a primary shopping area which would seriously undermine its vitality and viability, but would be very unlikely to extend to the whole of a town centre);*
- in other cases, be limited to situations where an Article 4 direction is necessary to protect local amenity or the well-being of the area (this could include the use of Article 4 directions to require planning permission for the demolition of local facilities);*
- in all cases, be based on robust evidence, and apply to the smallest geographical area possible.*

Paragraph 050 of the Planning Practice Guidance provides that the Secretary of State will only intervene in Article 4 directions where there are clear reasons for doing so. The Secretary of State considers that there are clear reasons justifying his intervention in the Article 4 directions.

The Class MA permitted development right provides new opportunities for the conversion of vacant commercial buildings to support housing delivery, economic recovery and high street regeneration. The permitted development right includes a number of national safeguards: all new residential delivered through the permitted development right must meet nationally described space standards, the rights do not apply where the cumulative floor space of the building changing use exceeds 1,500 square metres, the building must have been vacant for at least 3 months, and there are prior approvals for, amongst other things, the ground floor of buildings in conservation areas.

The Article 4 directions, as made, do not take a sufficiently targeted approach in the assessment of the wholly unacceptable adverse impacts of the permitted development right in each location. Such an approach is necessary to ensure that Article 4 directions apply only to the smallest geographical area possible. The Secretary of State is therefore of the view that the boundaries must now be modified in accordance with the directions attached to this letter.

This will ensure that the Article 4 directions are focused on protecting the most significant areas, where the permitted development right would have a wholly unacceptable adverse impact on economic vitality and viability within the Borough through the loss of retail and other employment space.

These modifications will ensure that the Article 4 direction boundaries for areas within the London Borough of Bromley are justified by robust evidence and comply with national planning policy.

Decision

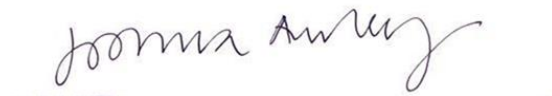
The Secretary of State has decided to modify the Article 4 directions to restrict the Article 4 directions to the areas shown on the attached maps and I attach directions to that effect.

Procedural issues

For the purposes of paragraph 1(13) and 1(16) of Schedule 3 of the General Permitted Development Order we hereby notify you of the modification of the Article 4 directions.

Under paragraph 1(17) of Schedule 3, you must give notice of the attached directions in accordance with the provisions of paragraphs 1(1) to 1(3) of Schedule 3 of the General Permitted Development Order. You are required to give notice of these directions as soon as reasonably practicable after receipt of this letter. Although it is a matter for you, it is suggested that you give notice of the directions in the same manner as for the original form of the directions. In due course, please confirm when and where the notice is published or served so we know the date the directions come into force.

The Secretary of State notes that the London Borough of Bromley may make new Article 4 directions in future if justified by further evidence. Any new directions will be considered by the Secretary of State following notification by the London Borough of Bromley.



Joanna Averley
Chief Planner
Department for Levelling Up, Housing and Communities

DIRECTION UNDER THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015

Modification of the Article 4 direction made by the London Borough of Bromley on 27th July 2021 in relation to development consisting of Class MA change of use from commercial, business and service (Class E) use to residential (Class C3) for Bromley North Business Improvement Area

The Secretary of State for Levelling Up, Housing and Communities, in exercise of the powers conferred by paragraph 1(13) of Schedule 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and of all other powers enabling him in that behalf, makes the following direction:

Interpretation

1. In this Direction-

" General Permitted Development Order" means the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended); and

"Article 4 direction" means the Direction made by the London Borough of Bromley under Article 4 of the General Permitted Development Order on 27th July 2021 in respect of development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Part A, Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 to a use falling within Class C3 (dwellinghouses) of Schedule 1 of that Order, namely development which is permitted by Class MA as inserted into Part 3 of Schedule 2 to the General Permitted Development Order. The Article 4 direction relates to Bromley North Business Improvement Area within the London Borough of Bromley.

Direction


2. The Secretary of State hereby directs that the Article 4 direction is modified as follows:
3. Instead of the Article 4 direction applying to land described in the plan attached to that direction, comprising Bromley North Business Improvement Area within the London Borough of Bromley, it shall apply only to the land specified in this Direction.
4. The specified land is the areas outlined in red on the attached map.
5. For the avoidance of doubt, any land outside the areas outlined is not covered by this Direction.

Entry into force

6. This Direction comes into force in accordance with paragraph 1(18) of Schedule 3 of the General Permitted Development Order.

Signed for and on behalf of the Secretary of State for Levelling Up, Housing and Communities

On: 12 September 2023

A handwritten signature in black ink, appearing to read 'Joanna Averley', written in a cursive style.

Joanna Averley
Chief Planner

DIRECTION UNDER THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015

Modification of the Article 4 direction made by the London Borough of Bromley on 27th July 2021 in relation to development consisting of Class MA change of use from commercial, business and service (Class E) use to residential (Class C3) for Bromley South Business Improvement Area

The Secretary of State for Levelling Up, Housing and Communities, in exercise of the powers conferred by paragraph 1(13) of Schedule 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and of all other powers enabling him in that behalf, makes the following direction:

Interpretation

1. In this Direction-

" General Permitted Development Order" means the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended); and

"Article 4 direction" means the Direction made by the London Borough of Bromley under Article 4 of the General Permitted Development Order on 27th July 2021 in respect of development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Part A, Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 to a use falling within Class C3 (dwellinghouses) of Schedule 1 of that Order, namely development which is permitted by Class MA as inserted into Part 3 of Schedule 2 to the General Permitted Development Order. The Article 4 direction relates to Bromley South Business Improvement Area within the London Borough of Bromley.

Direction

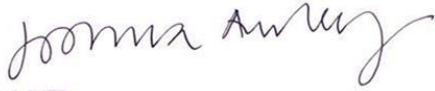
2. The Secretary of State hereby directs that the Article 4 direction is modified as follows:
3. Instead of the Article 4 direction applying to land described in the plan attached to that direction, comprising Bromley South Business Improvement Area within the London Borough of Bromley, it shall apply only to the land specified in this Direction.
4. The specified land is the areas outlined in red on the attached map.
5. For the avoidance of doubt, any land outside the areas outlined is not covered by this Direction.

Entry into force

6. This Direction comes into force in accordance with paragraph 1(18) of Schedule 3 of the General Permitted Development Order.

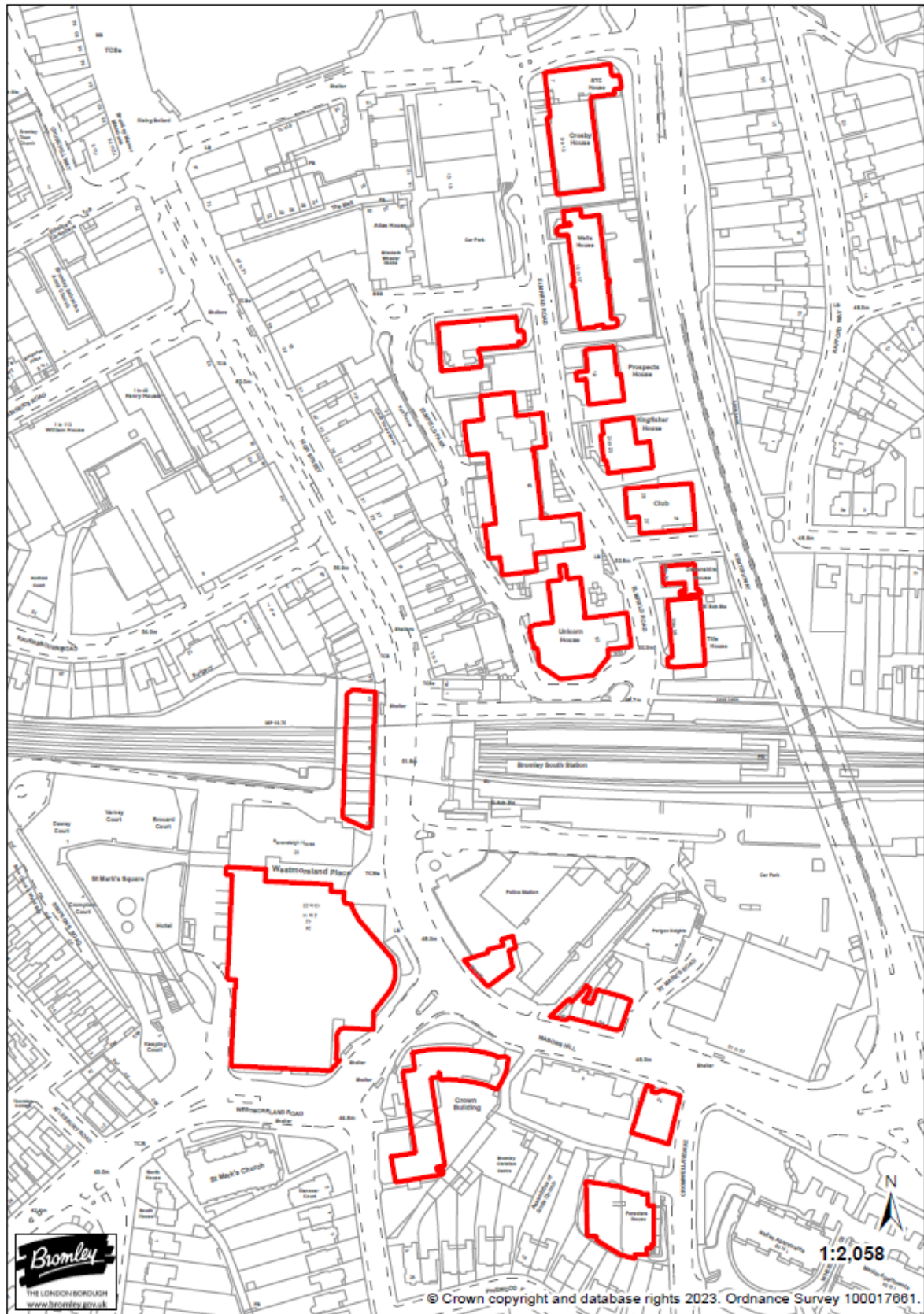
Signed for and on behalf of the Secretary of State for Levelling Up, Housing and Communities

On: 12 September 2023

A handwritten signature in black ink, reading "Joanna Averley". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Joanna Averley
Chief Planner

Map showing Article 4 direction coverage of Bromley South Business Improvement Area within the London Borough of Bromley



DIRECTION UNDER THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015

Modification of the Article 4 direction made by the London Borough of Bromley on 27th July 2021 in relation to development consisting of Class MA change of use from commercial, business and service (Class E) use to residential (Class C3) for Crayfield Business / Industrial Park Strategic Industrial Location and Office Cluster

The Secretary of State for Levelling Up, Housing and Communities, in exercise of the powers conferred by paragraph 1(13) of Schedule 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and of all other powers enabling him in that behalf, makes the following direction:

Interpretation

1. In this Direction-

" General Permitted Development Order" means the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended); and

"Article 4 direction" means the Direction made by the London Borough of Bromley under Article 4 of the General Permitted Development Order on 27th July 2021 in respect of development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Part A, Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 to a use falling within Class C3 (dwellinghouses) of Schedule 1 of that Order, namely development which is permitted by Class MA as inserted into Part 3 of Schedule 2 to the General Permitted Development Order. The Article 4 direction relates to Crayfield Business / Industrial Park Strategic Industrial Location and Office Cluster within the London Borough of Bromley.

Direction

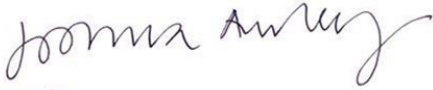
2. The Secretary of State hereby directs that the Article 4 direction is modified as follows:
3. Instead of the Article 4 direction applying to land described in the plan attached to that direction, comprising Crayfield Business / Industrial Park Strategic Industrial Location and Office Cluster within the London Borough of Bromley, it shall apply only to the land specified in this Direction.
4. The specified land is the areas outlined in red on the attached map.
5. For the avoidance of doubt, any land outside the areas outlined is not covered by this Direction.

Entry into force

6. This Direction comes into force in accordance with paragraph 1(18) of Schedule 3 of the General Permitted Development Order.

Signed for and on behalf of the Secretary of State for Levelling Up, Housing and Communities

On: 12 September 2023

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Joanna Averley
Chief Planner

DIRECTION UNDER THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015

Modification of the Article 4 direction made by the London Borough of Bromley on 27th July 2021 in relation to development consisting of Class MA change of use from commercial, business and service (Class E) use to residential (Class C3) for Knoll Rise Office Cluster

The Secretary of State for Levelling Up, Housing and Communities, in exercise of the powers conferred by paragraph 1(13) of Schedule 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and of all other powers enabling him in that behalf, makes the following direction:

Interpretation

1. In this Direction-

" General Permitted Development Order" means the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended); and

"Article 4 direction" means the Direction made by the London Borough of Bromley under Article 4 of the General Permitted Development Order on 27th July 2021 in respect of development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Part A, Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 to a use falling within Class C3 (dwellinghouses) of Schedule 1 of that Order, namely development which is permitted by Class MA as inserted into Part 3 of Schedule 2 to the General Permitted Development Order. The Article 4 direction relates to Knoll Rise Office Cluster within the London Borough of Bromley.

Direction

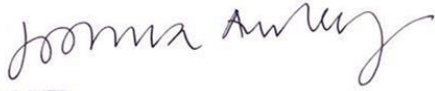
2. The Secretary of State hereby directs that the Article 4 direction is modified as follows:
3. Instead of the Article 4 direction applying to land described in the plan attached to that direction, comprising Knoll Rise Office Cluster within the London Borough of Bromley, it shall apply only to the land specified in this Direction.
4. The specified land is the areas outlined in red on the attached map.
5. For the avoidance of doubt, any land outside the areas outlined is not covered by this Direction.

Entry into force

6. This Direction comes into force in accordance with paragraph 1(18) of Schedule 3 of the General Permitted Development Order.

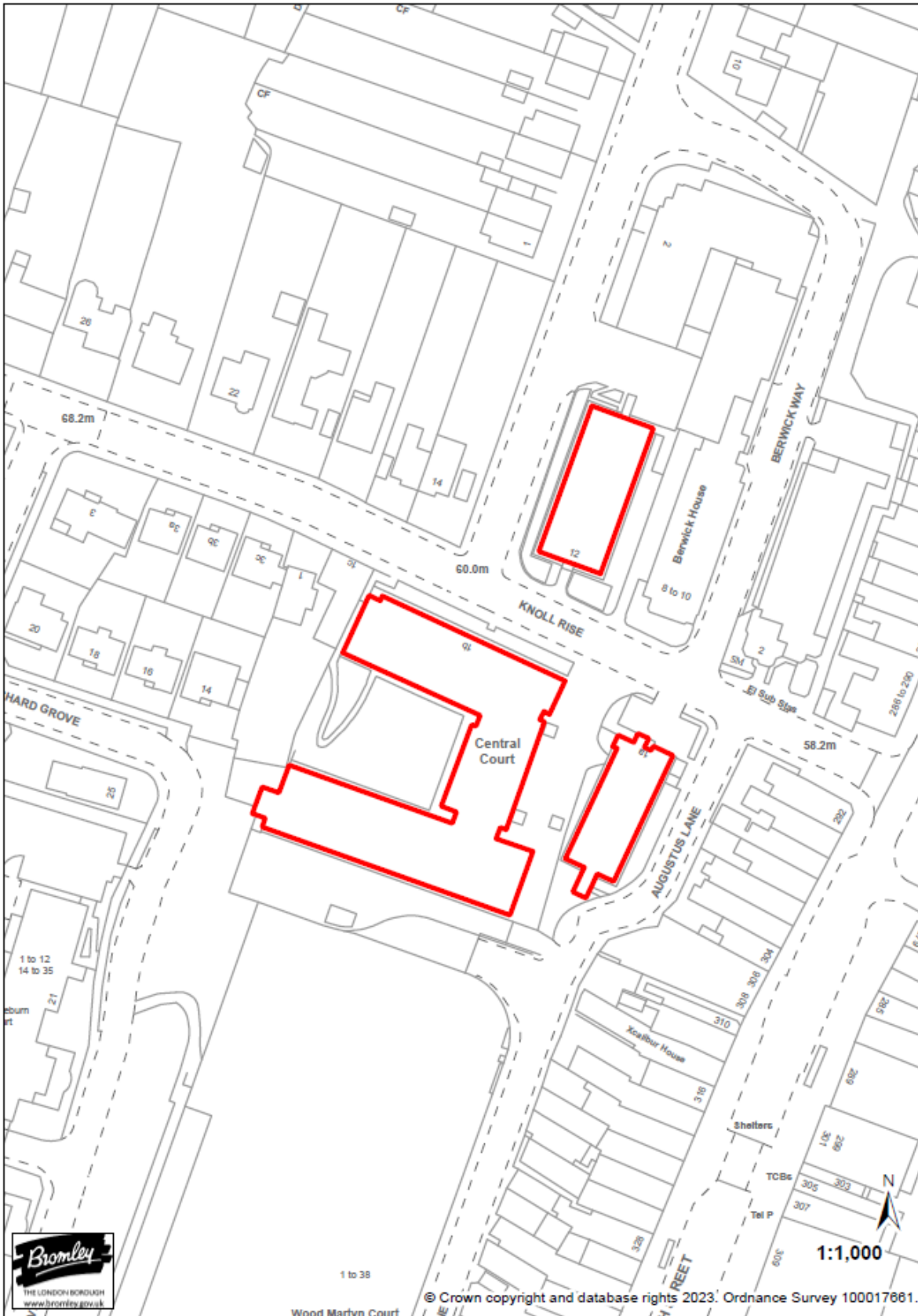
Signed for and on behalf of the Secretary of State for Levelling Up, Housing and Communities

On: 12 September 2023

A handwritten signature in black ink, appearing to read 'Joanna Averley', written in a cursive style.

Joanna Averley
Chief Planner

Map showing Article 4 direction coverage of Knoll Rise Office Cluster within the London Borough of Bromley



DIRECTION UNDER THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015

Modification of the Article 4 direction made by the London Borough of Bromley on 27th July 2021 in relation to development consisting of Class MA change of use from commercial, business and service (Class E) use to residential (Class C3) for London Road Business Improvement Area

The Secretary of State for Levelling Up, Housing and Communities, in exercise of the powers conferred by paragraph 1(13) of Schedule 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and of all other powers enabling him in that behalf, makes the following direction:

Interpretation

1. In this Direction-

" General Permitted Development Order" means the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended); and

"Article 4 direction" means the Direction made by the London Borough of Bromley under Article 4 of the General Permitted Development Order on 27th July 2021 in respect of development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Part A, Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 to a use falling within Class C3 (dwellinghouses) of Schedule 1 of that Order, namely development which is permitted by Class MA as inserted into Part 3 of Schedule 2 to the General Permitted Development Order. The Article 4 direction relates to London Road Business Improvement Area within the London Borough of Bromley.

Direction

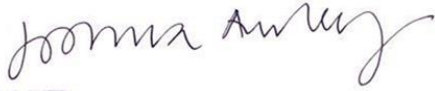
2. The Secretary of State hereby directs that the Article 4 direction is modified as follows:
3. Instead of the Article 4 direction applying to land described in the plan attached to that direction, comprising London Road Business Improvement Area within the London Borough of Bromley, it shall apply only to the land specified in this Direction.
4. The specified land is the areas outlined in red on the attached map.
5. For the avoidance of doubt, any land outside the areas outlined is not covered by this Direction.

Entry into force

6. This Direction comes into force in accordance with paragraph 1(18) of Schedule 3 of the General Permitted Development Order.

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On: 12 September 2023

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Joanna Averley
Chief Planner

Map showing Article 4 direction coverage of London Road Business Improvement Area within the London Borough of Bromley



**DIRECTION UNDER THE TOWN AND COUNTRY
PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015**

Modification of the Article 4 direction made by the London Borough
of Bromley on 27th July 2021 in relation to development consisting of
Class MA change of use from commercial, business and service
(Class E) use to residential (Class C3) for Masons Hill Office
Cluster

The Secretary of State for Levelling Up, Housing and Communities, in exercise of the powers conferred by paragraph 1(13) of Schedule 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and of all other powers enabling him in that behalf, makes the following direction:

Interpretation

1. In this Direction-

" General Permitted Development Order" means the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended); and

"Article 4 direction" means the Direction made by the London Borough of Bromley under Article 4 of the General Permitted Development Order on 27th July 2021 in respect of development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Part A, Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 to a use falling within Class C3 (dwellinghouses) of Schedule 1 of that Order, namely development which is permitted by Class MA as inserted into Part 3 of Schedule 2 to the General Permitted Development Order. The Article 4 direction relates to Masons Hill Office Cluster within the London Borough of Bromley.

Direction

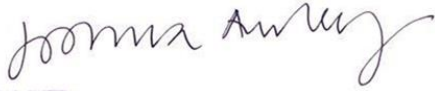
2. The Secretary of State hereby directs that the Article 4 direction is modified as follows:
3. Instead of the Article 4 direction applying to land described in the plan attached to that direction, comprising Masons Hill Office Cluster within the London Borough of Bromley, it shall apply only to the land specified in this Direction.
4. The specified land is the areas outlined in red on the attached map.
5. For the avoidance of doubt, any land outside the areas outlined is not covered by this Direction.

Entry into force

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Joanna Averley
Chief Planner

Map showing Article 4 direction coverage of Masons Hill Office Cluster within the London Borough of Bromley

