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# Report to the London Borough of Bromley

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by Mrs Ava Wood Dip Arch Architect

DATE

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The Chief Executive  
London Borough of Bromley  
Bromley Civic Centre  
Stockwell Close  
Bromley  
BR1 3UH

Our Ref: PINS/G5180/429/1

Dear Sir,

## **REPORT ON OBJECTIONS TO UNITARY DEVELOPMENT PLAN 2002 – SECOND DEPOSIT DRAFT**

1. I was appointed by the First Secretary of State to hold a public inquiry into objections to the September 2002 Second Deposit Draft of the London Borough of Bromley Unitary Development Plan, referred to hereafter as the UDP or the Plan. The Inquiry sat a total of 22 days between 28 October 2003 and 15 April 2004. Before, during and after the Inquiry I visited the sites that attracted objections. The attached Report follows on from the part Report, issued to the Council on 25 August 2004, and recommends what actions the Council should take in respect of the policies and supporting text that attracted objections and counter-objections.
2. The emerging UDP covers the period to 2016 and will supersede the adopted London Borough of Bromley Unitary Development Plan. The First Deposit Draft (1DD) of the emerging Plan was placed on deposit for 6 weeks between 29 March and 10 May 2001 and attracted some 2752 objections and 150 expressions of support. The Second Deposit Draft (2DD) was placed on deposit for 6 weeks between 19 September and 31 October 2002. Some 1127 objections were received to the 2DD with 74 supporting representations. Prior to the Inquiry commencing, the Council advertised pre-Inquiry changes (PIC), which led to some 112 counter-objections and 20 supporting representations. I have considered the counter-objections in my Report. Further changes came forward during the Inquiry and these are referred to as Further Inquiry Changes or FIC. I have noted and taken account of

all the changes in the Report. These demonstrate the Council's readiness to amend matters in the light of discussions and consultations.

3. Unconditionally withdrawn objections are not dealt with in my Report but those that were conditionally withdrawn fall to be considered as duly made objections. In making my recommendations, I have had regard to all the representations made, including those in support of the Plan, although my Report does not expressly refer to them. The supporting representations are recorded in the Council's proofs of evidence.

### **REPORT FORMAT**

4. I report only on the policies or paragraphs to which there have been objections. The format of the Report is as follows:
  - List of objectors' names and objection numbers.
  - Summary of objections: In each case, I present a summary of the nub of the objection. I have not expressly dealt with objections that draw attention to grammatical or spelling errors.
  - Background: The pre-inquiry and further inquiry changes (PIC and FIC respectively) proposed by the Council are summarised.
  - List of counter-objectors, if any.
  - Summary of counter-objections.
  - Inspector's Reasoning and Conclusions: In my conclusions I have had regard to all representations made by objectors and supporters, as well as the Council's responses. Objections made in writing are given equal weight with those aired at the Inquiry.
  - Recommendations: The recommendations flow from my reasoning and conclusions. All recommendations appear in bold and changes to supporting text additionally appear in italics.
5. I have not had regard to changes in local planning circumstances subsequent to the closing of the Inquiry. My Report takes account only of the representations received before the Inquiry closed, of national policy current at the time of writing (including the recently published PPS7, PPS22 and updates to PPG3), as well as of adopted and emerging regional policy documents. The Council should study any revisions to national and regional policy before formally adopting the UDP. I also urge the Council to ensure that policies and text throughout the emerging UDP are consistent with changes to be adopted as a result of my recommendations.

### **MAIN ISSUES**

6. Below I provide an overview and summary of my responses to the main issues on a chapter by chapter basis. The main conclusions and recommendations to chapters 4 and 8 were recorded in the letter accompanying my part report and need not be repeated here. I have corrected the errors drawn to my attention in the letter from Mr Ruddlesden responding to the part Report. In addition to which, in Chapter 8 I have completed Sections 8.14 and 8.15, as my conclusions and recommendation were withheld until completion of the full Report. Other changes made to Chapters 4 and 8 are generally minor. The attached Chapters 4 and 8 supersede the versions that were submitted to the Council in August 2004.
7. A general criticism I have of the UDP is the propensity to include policies that are repetitive, over-long and in some instances lack certainty and clarity by the use of words such as "normally", "encourage" and "resist". Where relevant, I recommend deletion of

such words, given that the required flexibility can be achieved by the way proposals are considered, balancing material considerations against the requirements of the UDP.

8. There is also a tendency to express statements of intent and the Council's wishes in policy. I am aware that the Plan was prepared at a time of a land use planning system and there was not the same requirement for community involvement and engagement with stakeholders, as promoted by the new spatial planning system. Therefore, statements of intent have less substance than if they were made in partnership with others. They have little meaningful effect, as they neither bring forward development nor control it. In my view, there is considerable scope for deleting or shortening policies and supporting text, and the Council should consider such an approach in the interest of achieving a focused and streamlined UDP.

#### **CHAPTERS 1 & 2**

9. There were no objections to Chapter 1. None of the objections raised has led me to recommend changes to text in Chapter 2.

#### **CHAPTER 3**

10. In Chapter 3, I recommend the addition of a further objective under the **Leisure, Recreation and Tourism** section that would recognise the importance of Crystal Palace Park, as well as a new sub-section to **Transport** Objective 3, which gives a commitment to adopting maximum parking standards and reducing parking provision. To ensure that the UDP has a strategic aim to address the issue of people with disabilities and the built environment, I recommend a new objective in the **Conservation and Built Environment** section. The recommendation to reword the **Town Centre and Shopping** Objective 4 is intended to bring the aim into line with PPG6. Rewording of the **Biggin Hill and Environs** Objective 1 is, in my view, necessary to redress the balance, as the social and economic benefits of the airport and environs are not sufficiently recognised. Finally, I recommend that **Implementation** Objective 1 be reworded and a new objective introduced, which would commit the Council to monitoring and reviewing the UDP policies.

#### **CHAPTER 5**

11. I recommend one significant change in the Transport chapter and that is the approach to parking levels. My criticism stems from a perceived reluctance to adopt maximum standards. Consequently, I recommend extensive rewording of Policy T3, which would refer the reader to the maximum parking standards in Appendix II and provision at higher levels would be permitted only under limited circumstances. I also recommend a reworded Policy T7, in order to provide a basis for considering Park and Ride schemes, as opposed to just the statement of intent currently expressed by the policy.

#### **CHAPTER 6**

12. In the interest of clarity, and to increase the force of policy concerned with listed buildings, I consider that there is a need to recast Policy BE7 and to introduce a new policy to specifically address demolition of listed buildings. For the same reasons, I recommend changes to Policy BE9 (conservation areas) and to add two new policies: a) to control demolition in conservation areas and b) to ensure that development adjacent to a conservation area is acceptable. Each of these recommendations is on all fours with national policy, as expressed in PPG15.
13. Although I recognise that opportunities for high buildings in the Borough may be limited, in the quest for using land effectively, I do not consider that such buildings should be discounted. Accordingly, I recommend a more positively worded Policy BE13.

## **CHAPTER 7**

14. I record that Policy NE1 fails to distinguish between local and national designations and recommend two separate policies that recognise the distinction. Other modifications suggested are intended to add clarity or force to policies.

## **CHAPTER 9**

15. I find it necessary to suggest deletion of Policy L2 and a recast of Policy L1, as the present wording offers support for recreational uses on land in the Green Belt, MOL or Green Chain but provides no real policy direction. The substitute policy I recommend allows for such proposals to be judged against a defined set of criteria. I do not support the call for an hotel allocation at the Rose and Crown Public House, Farnborough Way, as the site lies in the Green Belt and I am not satisfied that sequentially preferable sites have been adequately explored.

## **CHAPTER 10**

16. The Council's evidence confirms that Bromley does not possess a surplus of industrial or commercial land. Against that background, and having considered all the evidence, I do not support the objectors' requests to remove 24A Scotts Road, Bromley, Altercrombe House, Murray Road or the site at Oakfield Road, Penge from Business Area designations. I find that there is justification for altering the GB boundary to incorporate land to the north of the A20 into the Cray Business Area but not for removing the Sports Ground at New Mill Road from the GB, in order to extend the nearby Business Areas.
17. My recommendation for Policy EMP1 allows for large office developments to locate in highly accessible areas other than the town centres listed in the 2DD version. Given the long term paucity of employment land in the Borough, I consider that there needs to be a restricted approach applied to designated Business Areas, and recommend a more focussed wording for Policy EMP4 accordingly, which in turn obviates the need for Policies EMP5 and EMP6. A similarly restrictive approach to loss of business sites located outside designated Business Areas is warranted, and I recommend two criteria in Policy EMP7 for judging proposals that would lead to the loss of such sites.

## **CHAPTER 11**

18. The main recommendation in Chapter 11 is for the Council to adopt a more pro-active approach in meeting the comprehensive retail needs of the Borough. Such needs will have to be established through a retail needs assessment and capacity study. In areas where need is demonstrated, a sequential search for suitable sites should be carried out. Where sites are allocated to meet a future retail need, they should be included in the Schedule of Proposal Sites.
19. In the interest of clarity, and to comply with the town centre policies of the London Plan and PPG6, I recommend an overhaul of Policy S6, as well as the introduction of a new policy to address proposals for retail or leisure developments on sites within the sequentially preferable areas.

## **CHAPTER 12**

20. While supporting the principle and extent of the Major Developed Sites (MDS) on Areas 1, 2 and 3 (land at Biggin Hill Airport), I recommend removal of Area 4 from the MDS designation. The land comprises runways, taxiways and parking. It is essentially, predominantly open and uninterrupted by built development. Policy BH7 is also recommended for deletion.

### **CHAPTER 13**

21. In pursuit of clarity and certainty in the application of Policy C1, I recommend a recast of the policy wording. The text suggested indicates the circumstances under which loss of a community facility will be considered and the decision maker would have the opportunity to assess a proposal against the benefits that might be forthcoming.

### **CHAPTER 14**

22. To ensure compliance with MPG6 and the London Plan, I suggest to the Council that the scope for aggregate/mineral working and landbanks be established and sites/areas of search as necessary identified. Although I do not agree with the objector's call to allocate land adjacent to the Chalk Pit, Old Maidstone Road, Sidcup as a waste management facility, there is a concern that no site or sites have been allocated to meet the need for additional waste facilities.
23. I recognise that there is a low level of flood risk in the Borough, but nevertheless have recommend rewording of Policy ER13, to allow for a change in the flood pattern in future years. The wording reflects advice in PPG25.

### **CHAPTER 15**

24. Policies in Chapter 15 comprise statements of the Council's intention to carry out administrative or procedural arrangements. While these are essential functions that assist in the effective functioning of the planning process, they should not be expressed as policy. I recommend that the policies be expressed as statements and Chapter 15 entitled "Implementation and Monitoring".

### **CHAPTER 16**

25. A large number of objections relating to the allocations in the Schedule of Proposal Sites and those seeking to have particular sites included are considered in Chapter 8. Listed below are the key recommendations concerned with the objections raised in Chapter 16 alone.
  - Make no modification to Proposal Site 8: National Sports Centre, Crystal Palace.
  - Delete Proposal Site 8A: Crittalls Corner, Orpington.
  - Retain Proposal Site 9A: Nugent Industrial Estate, but with some modification to the description of development.
  - Delete Proposal Site 10: Biggin Hill Airport.
  - Delete Proposal Site 18: Churchill Theatre.
  - Make no modification Proposal Site 23: Station Road Car Park, Orpington.
  - Review the allocation of Proposal Site 27A, A21 Masons Hill, in the light of the most up to date position with the bus lane scheme and delete the allocation if uncertainties remain.
  - Do not allocate OM Site 49: London Electricity Depot, Elmers End in the Schedule of Proposal Sites.
  - Assess the comparative merits of OM Sites 13, 26, 28 and 63 (land adjacent to stations) in the sequential analysis of potential housing sites.
  - Assess the comparative merits of Proposal Site 5A: Worsley Bridge Road in the sequential analysis of potential housing sites.

#### **APPENDICES AND GLOSSARY**

26. I agree with some of the objections raised in connection with Appendix II (Parking Standards) and advise the removal of reference to Transport Assessment, as well as recommending an overhaul of the Table to accord with the parking standards format featured in the London Plan.

#### **PROPOSALS MAP**

27. There are no significant changes I recommend to the Proposals Map other than those already covered in other Chapters.

#### **OTHER MATTERS**

28. A copy of this letter has been sent for information to the Head of the Development Plans Branch of the Government Office for London and to the Plans International Compensation and Assessment of the Office of the Deputy Prime Minister.
29. Finally, I wish to express my thanks for the help and co-operation I received from those that appeared at the Inquiry and others that made their representations in writing. The Council's advocates, Mr Straker and Mr Strachan, Bromley Council's officers, representatives of the objectors and the objectors themselves displayed consideration and courtesy to me during my involvement with the Inquiry, for which I am grateful. Throughout I was assisted efficiently and professionally by the Programme Officer, Mr Keith Sherlock. His willingness to help all those involved with the process with humour and patience did much to ease the task for myself and I am certain for all those participating at the Inquiry. My thanks must also go to the staff at the Bromley Council offices and those at the Salvation Army Hall in South Norwood; they were meticulous in maintaining the venues and facilities at standards that assured our comfort and facilitated expeditious operation of the Inquiry.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Anna Wood', with a long horizontal flourish extending to the right.