

London Borough of Bromley

Report No.
ELS05099

PART 1 - PUBLIC

Agenda
Item No.

9

Title: **UDP INQUIRY: INSPECTOR'S REPORT**

Decision Maker: **Development Control Committee** Decision Date: **19 April 2005**

Decision Type: Non-Urgent Non-Executive Non-Key

Budget/Policy Framework: Within policy and budget

Chief Officer: Chief Planner

Contact Officer: Colin Ruddlesden, Head of Development Plan
Tel: 020 8313 4517 E-mail: colin.ruddlesden@bromley.gov.uk

Ward: All Wards

1. SUMMARY

- 1.1 The Council has received the Unitary Development Plan (UDP) Inquiry Inspector's Report. Following clarification in writing by the Inspector of some matters of the content, the report was published on x April. Modifications to the UDP arising from the subsequent consideration of the Inspector's report will be published for public consultation in the autumn, leading to adoption of the Plan early in 2006.
- 1.2 Copies of the full report, which runs to 452 pages, and accompanying Appendices (a further xxx pages) have been made available in public libraries and at the Civic Centre. Copies are available for sale on request. The report can also be downloaded from the Council's website www.bromley.gov.uk. A copy has been placed in the Members' Room for information.

2. RECOMMENDATIONS

- 2.1 Members note the receipt of the Inspector's report.

3. COMMENTARY

- 3.1 A Public Inquiry was held between October 2003 and April 2004 to consider objections to the draft Unitary Development Plan (UDP), published in September 2002. The Inspector has now prepared a report making recommendations on the matters considered at the Inquiry. A part interim report, received in August 2004, dealing with the most controversial issues, namely housing (Chapter 4) and Green Belt and open space (Chapter 8) is incorporated into the full report.
- 3.2 The number of representations addressed by the Inspector at the Inquiry and her main recommendations on the remaining chapters are summarised in a covering letter (dated 9 February 2005). A copy of this letter is appended for information.
- 3.3 My report to the Committee on 26 October 2004 outlined the Inspector's main recommendations on the housing and Green Belt and open space chapters. I summarise these recommendations again below for completeness.

CHAPTER 4: Housing

- 3.4 Housing supply and density. Within the context of government policy placing emphasis on the need for adequate housing provision and reflected in the new London Plan, published by the Mayor of London in February 2004, the Inspector identified a shortfall in the provision of dwellings (currently about 1000 units) needed to meet the housing capacity figure of the UDP. This figure of 11,450 dwellings up to 2016 additionally requires an annual housing target of 573 units. The Inspector recommends that the Council must look to increasing the number of allocations and sites identified for the delivery of additional dwellings (Policy H1), as well as adopting the density levels (Policies H6 & H7) for new housing set out in the London Plan.
- 3.5 To remedy the apparent housing shortfall, she recommends that the Council undertakes a complete and proper 'sequential analysis' of all potential sites within the borough, in accordance with the requirements of PPG3: Housing. Such analysis would seek to indicate which potential sites are the most suitable in terms of proximity to existing shops and services, local infrastructure and transport. Previously developed land should take priority over GB and other protected open land.
- 3.6 Affordable housing. The Inspector recommends revisiting the UDP target figure of 2,300 additional affordable dwellings over the Plan period up to 2016 and assign a target predicated on need and achievability rather than on capacity. Affordable housing should be defined in terms set out in the London Plan, i.e. "social rented" and "intermediate" housing, thus overcoming the difficulties associated with defining key worker housing. The two-tiered approach to thresholds is discounted in favour of only one threshold with 35% provision and 70:30 split between social rented and intermediate provision, subject to applicants demonstrating where a lower provision or a different proportional split may be appropriate.

CHAPTER 8: Green Belt and open space

- 3.7 The Inspector is generally supportive of the protection of open land in Policies G1 and G2 (subject to the implications of any subsequent housing sequential test), though in the interests of brevity and clarity has recommended the deletion of some policies (Policies G3 and G4) and the amalgamation (Policies G11-G14) or rewording of others (Policy G15). The Major Developed Site (MDS) concept in both GB and MOL is supported, though she concludes that the former MOD research establishment at Aquila in Bickley, should be removed from the Green Belt. Similarly she concludes that Ravensbourne College, Chislehurst should be removed from the MOL and supports the Council's original intention

of reviewing the MOL boundary at Bushell Way and its inclusion as a possible housing site in the sequential analysis to be undertaken by the Council.

- 3.8 She supports the Council in its decision to retain the MOL designation and delete the Proposal Site on the 'Top Site' at Crystal Palace Park, although she recommends retention of the Proposal Site and MDS allocation on the National Sports Centre.

Implications of the Inspector's Report

- 3.9 The Inspector's findings are, in the main, related directly to current Government policy and the Mayor of London's London Plan. Her recommendations seek to achieve 'general conformity' between the UDP and the London Plan, which is a requirement of legislation. With commencement of the Planning & Compulsory Purchase Act on 28 September 2004, the London Plan is now part of the approved development plan for London (section 38(2)) against which planning applications should be determined (section 38(6)). Until the revised UDP is adopted, the London Plan will take precedence where there is a potential policy conflict (section 38(5)).

Next Steps

- 3.10 The Committee (October 2004) agreed the appointment of Consultants to undertake a comprehensive housing study to provide background data with which to address the apparent housing supply shortfall and assist the Council in its detailed consideration of the Inspector's individual recommendations. The Consultants have now concluded the study and their findings will be reported to the next meeting of the Committee in June.
- 3.11 Formal consideration of the Inspector's report and of the possible modifications to the UDP arising from her recommendations will take place at this Committee on 30 August, at the Executive on 5 September and Full Council on 19 September. Modifications to the UDP together with the Council's reasons for its decisions with respect to each of the Inspector's recommendations will be published as soon as possible after the Council meeting. This is followed by a six-week period for public consultations on the modifications. If objections to the modifications raise new issues, then a further modifications Inquiry may be needed. If there is no second Inquiry then it is likely that the UDP can be adopted early in 2006.
- 3.12 Progress towards adoption of the UDP forms a major component of the Council's Local Development Scheme. The LDS was submitted to and formally agreed by the Secretary of State in March.

4. POLICY IMPLICATIONS

- 4.1 The Inspector's report contains recommendations that have implications for the Council's housing and other strategies and some individual planning policies. These matters need resolution in order for the adopted UDP to become the key document of the new Local Development Framework.

Non-Applicable Sections:	Financial, Legal and Personnel Implications
Background Documents: (Access via Contact Officer)	Inspector's Report on objections to Unitary Development Plan 2002 - The Planning Inspectorate, 9 February 2005; Planning & Compulsory Purchase Act 2004; The London Plan: Spatial Development Strategy for Greater London, February 2004