

# REPRESENTATIONS MADE TO THE DRAFT REPLACEMENT LONDON PLAN

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## Appendix 1

### **Policy 2.13 Opportunity Areas and Intensification Areas**

These are typically built up areas with good existing public transport accessibility which can support redevelopment at higher densities. They have significant capacity for new jobs and homes.

Planning frameworks for these areas should focus on implementation, identifying both the opportunities and challenges that need resolving such as land use, infrastructure, access, energy requirements, spatial integration, regeneration, investment, land assembly and phasing. With the support from strategic partner, they should set realistic programmes and timescales for delivery.

#### Background

Bromley responded to a GLA consultation earlier this year highlighting concerns that the identification of some Metropolitan Centres as Opportunity or Intensification Areas may lead to an unequal approach to infrastructure and other investment decisions to the detriment of other Metropolitan Centres.

Building a Better Bromley identifies as a strategic priority the redevelopment of Bromley's Town Centres, to achieve long term prosperity in the Borough.

The Council has already committed, via the submission of the Bromley Town Centre Area Action Plan (2009), to promoting a more intensive form of development in the town centre. Over the lifetime of the Plan this could amount to an additional 42,000 sqm of retail floorspace, 7,000 sq m of offices, 5,000 sqm of leisure space, 2,000 new homes and over 2,000 new jobs. Delivering these quantum will be subject to the provision of the appropriate physical and social infrastructure needed to support this level of growth.

In terms of potential growth what is being proposed in the AAP certainly meets the criteria for the designation under Policy 2.13. Indeed, the projected level of growth compares favourably to the other Metropolitan Centres, as much as Ilford and Wood Green, who have been included as Opportunity Areas in the Plan and Harrow which is identified as a new Intensification Area. We understand that the London Borough of Kingston is currently reviewing the status of Kingston Town Centre in this context.

The spatial strategy for Bromley Town Centre, promoted by the AAP, recognises the contribution the Opportunity Sites in the town centre can make in accommodating employment and housing growth and safeguarding more sensitive areas of the Borough. By promoting its designation as an Opportunity Area under Policy 2.13, the Council can ensure that future infrastructure funding programmes of the GLA family: Transport for London, London Development Agency and other external agencies such the Homes & Communities Agency and Network Rail are aligned to deliver the enabling infrastructure. There has been a recognised failure in the past for central agencies to adequately fund infrastructure in Outer London and the London Plan makes clear that in future Opportunity Areas will be prioritised for funding.

**It is requested that Policy 3.13 of the draft London Plan be amended to include Bromley Town Centre as an Opportunity Area with targets of 2000 Housing units and 2,000 jobs.**

## Appendix 2

### Policy 3.3 Increasing housing supply

The policy seeks to improve housing choice and affordability and provide better quality accommodation for Londoners by setting an annual average housing provision monitoring target for each borough. The policy refers to Table 3.1 (p66) showing LBB with a provisional annual monitoring target of 565 dwellings from 2011 to 2021.

It is essential that the figure in Table 3.1 for the borough is realistically achievable. If housing completions do not come forward at the rate assumed in the target there is a risk that developments at densities out of character with local context or on sites in the Green Belt or MOL will be promoted by developers as a means of meeting what is perceived to be a shortfall against the target.

#### Background

The Council's Annual monitoring Report for 2009 contains a housing trajectory. The current London Plan target figure for Bromley of **485** for the period 2007 to 2016 is used to monitor current performance in terms of housing completions; annual completions are currently running ahead of this target. For the years after 2011 the new draft London Plan monitoring target of 565 has been used (although this has not been agreed by the Council). When monitored against the new target there is a continuing shortfall in housing completions occurring into the future. This demonstrates that the new London target figure is too high and will result in notional shortfalls occurring in the future.

The annual average housing provision monitoring targets used by the GLA in the draft London Plan is made up from two elements: an annual large sites allowance and an annual small sites allowance. The large sites allowance is based on a list of some 65 sites in the borough, over 0.25 hectares, identified in the Strategic Housing Land Availability Assessment (SHLAA) where housing is expected to come forward in the period 2011 to 2021. The total number of units on each site is discounted by a 'probability factor' to account for the fact that not all the sites will come forward. The list includes sites that already have planning permission including those lost on appeal eg at Blue Circle (788 units).

The small sites allowance is based on an estimate of net completions taking place in the past. This is discounted to take account of the future policy on protecting garden land.

The basis of the Council's objection is as follows:

- (i) The sites identified in the SHLAA need to be reviewed insofar as there some among the 65 sites that are considered unlikely to come forward for development in the period 2011 to 2021;
- (ii) The small sites allowance has been reduced by GLA officers to reflect a more normal completions rate in contrast to the boom in housing development in recent years. It has been discounted to take account of a likely effect of a future policy to protect garden land. It may need to be reduced still further however to reflect future policies aimed to ensure that the character of residential areas where such developments take place is not adversely affected by unsympathetic development;
- (iii) The SHLAA refers to several sites that have gained permission as a result of appeals. These were determined by Inspectors who had perceived a shortfall of housing as monitored against previous targets. These sites should not be counted in the SHLAA as they have the effect of inflating the target figure;
- (iv) There has been a decline in the number of planning applications reflecting the effects of the recession; this will feed through into a downturn in completions in

three to four years time. This effect has not been adequately reflected in the monitoring targets.

Further analysis has been carried out in respect of sub para (i) above which could further reduce the annual monitoring target.

**LB Bromley's Response**

**OPPOSE** Policy 3.3 on the grounds that 565 dwellings per annum is too high a target that will put Green Belt and MOL at risk in the future.

**AMEND** Table 3.1 to show a lower figure for Bromley that reflects the analysis above

## Appendix 3

### **Policy 3.9 Gypsies and travellers (including travelling show people)**

The policy refers to Table 3.4 (pg77) which sets out Gypsy and Traveller Pitch Provision 2007-2017; required provision for Bromley is 58 pitches.

Bromley opposes this figure as set out below.

#### **Background**

A London wide Gypsy Traveller Accommodation Needs Assessment (GTANA / GTAA) was carried out by Fordhams in 2007 and the final report produced March 2008. The GTAA, which in accordance with circular guidance, included an element of provision for gypsies & travellers currently in houses but with a “psychological aversion” to bricks and mortar, produced an overall additional requirement for Bromley of a 119 pitches by 2017. At the time the first drafts were published in November 2007 and January 2008 officers of the Council made representations about the inclusion of ‘psychological aversion to bricks and mortar’ being classed as a ‘need’ for the purposes of the Assessment

In developing the draft London Plan the GLA undertook three informal consultations with local authorities regarding the translation of the findings of the GTAA into London Plan borough pitch targets.

Bromley’s responses of 28th March, 21st August and 11th September raised a number of objections to a range of suggested pitch requirements, from which the target within the draft London Plan was ultimately derived. A number of issues were raised during the informal consultation and several remain outstanding. Bromley objects to the target figure of 58 pitches on the basis of the following issues.

**Housed Gypsies and Travellers** - Draft London Plan para 3.48 notes that 72% of the need identified by the GTAA comes from Gypsies & Travellers who already live in bricks and mortar.

In line with Bromley’s informal representations the London Plan target has moved away from the GTANA maximum need figure with its significant provision for housed gypsies and travellers (some 79 pitches). This move is welcomed however it is noted that the Bromley target still seeks approximately 30 pitches which would address the needs of those “psychologically averse” to bricks & mortar.

**Bromley believes this figure to be artificially and unacceptably high for the reasons set out below:**

As highlighted in previous representations we are concerned that the original maximum needs figure (upon which the current reduced target is based) is derived on the basis of families with “a cultural tradition of nomadism and/or caravan dwelling” (Housing Act 2004 section 225) rather than “Persons of nomadic habit of life” (the planning definition as set out in Circular 1/2006)

The GTANA itself indicates that the accommodation need identified in the GTANA includes gypsies & travellers for whom bricks and mortar accommodation is unsuitable due to the “psychological effects brought about *by giving up* the traditional, caravan-based life” (para

1.12). As stressed in early representations on the GTANA (Nov 2007) some of those included in the study in Bromley were 2<sup>nd</sup> & 3<sup>rd</sup> generation. Although they have kept their distinct cultural identity and are legally recognised as an ethnic group, protected under the Race Relations Act (1976) they have not personally experienced, and therefore cannot have “given up” the traditional caravan-based life.

Bromley therefore contends that the maximum figure (from which the current reduced figure was derived) over estimates the need related to “psychological aversion” which has been applied to the wider ethnic group and is therefore artificially high.

Additionally whilst Bromley acknowledges that a degree of provision for housed gypsies & travellers is required by the circular it has not been Bromley’s experience that housed gypsies and travellers within Bromley borough are actively seeking pitches - none have sought to join the waiting list, which consists chiefly of those currently living on pitches but seeking additional pitches due to increases in family size.

Bromley welcomes the priority need for provision for groups already living in caravans as opposed to the need created by the alleged psychological aversion to bricks and mortar accommodation. Provision beyond this minimum need in Bromley, in advance of the London wide minimum need having been met elsewhere would lead to an increased inequality of provision, contrary to the intentions of para 3.50 of the draft plan which seeks a more even distribution of provision than in the past.

**Distribution of Pitches across London** – The target figure of 58 pitches in Bromley reflects the informally discussed option whereby the “need” has been given twice the weight of the available “land”. This supports the contention that need should be met where it arises. Bromley raises objections to this approach for the following reasons:

Clearly such an approach leads to a higher target for boroughs where there is already a large gypsy & traveller community, such as Bromley. Such an approach appears to be contrary to the intentions of draft London Plan para 3.50 which seeks a more even distribution of provision than in the past. Bromley is further penalised due to the artificially high figure produced in the GTAA for settled travellers (as discussed above).

As stressed in previous informal consultations Bromley is strongly of the view that the availability of “land” (which is a matter of fact being pushed to the limit through tough SHLAA\* negotiations) should be given twice the weight of need since there is clearly a flexibility about where that need can be met. There is no requirement for need to be met where it arises in circular guidance, neither is there a call from the Gypsy & Traveller community for need to be met where it arises, since they themselves favour a minimum provision in every borough, including those where there is currently no or very limited provision.

The distribution of gypsy and traveller sites should be considered carefully to avoid clustering which can cause tensions between groups. In line with the circular (para12) the provision should be made fairly and effectively and with a view to “creating and supporting sustainable, respectful and inclusive communities”. Bromley’s target is far in excess of those for other Boroughs (16 pitches more than the second place borough of Havering and 42 pitches above the average figure of 16 pitches across all boroughs). This is contrary to the redistribution intentions of para 3.50, and an increased inequality of distribution across London may present pressures in community relations, potentially straining relations between the gypsy & traveller community and the general population where the provision is further intensified. Consideration also needs to be given to the effect of clustering across Borough boundaries, particularly in South East London in the Cray Valley / Footscray area, straddling Bromley & Bexley.

\* the 2009 SHLAA figure of 684 annual housing capacity upon which the “land” figure is based has not been agreed by Bromley.

### **LB Bromley’s Response**

**OPPOSE** Policy 3.9 which indicates a required pitch provision of 58.

**AMEND** Table 3.4 to set a target for Bromley based on the availability of “land” being given twice the weight of “need”.

**WELCOME** the acknowledgement within the policy that the priority is to address the needs of groups already living in caravans on sites. Particularly given Bromley’s concerns relating to the derivation of the Bromley element relating to meeting the needs of housed gypsies & travellers.

### **Further response to the Minor Amendment to Draft Replacement London Plan Policy 3.9 Gypsies and Travellers**

The draft replacement London Plan (October 2009) set a pitch provision requirement for Bromley of 58 additional pitches between 2007 and 2017. The Minor Amendment has the effect of reducing the provision in Bromley to 17 additional pitches between 2007 and 2017. The Council’s response, sent to the GLA on 11<sup>th</sup> May 2010, was as follows:

*The amendments to the Gypsy and Traveller pitch targets are welcomed, addressing Bromley’s various concerns as outlined during the consultation phase and provide a realistic and sustainable target capable of implementation.*

*The reduction in the targets for Transit Pitches & Showpeople Plots is also welcomed although the manner of their allocation remains unclear.*

- The provision of 15 Transit Pitches could not be evenly distributed as this would result in 0 or 1 per authority. The CLG “Designing Gypsy & Traveller Sites Good Practice Guide” recommends accommodation for a resident manager (to deal with the “particular management challenges” of transit sites). In order to achieve a critical mass worthy of a resident manager there could only really be 1, 2 or maybe 3 sites (the guidance indicating 15 to be the recommended maximum number of transit pitches on a site). The provision of Transit Pitches will therefore fall on particular boroughs.*
- Similarly, the distribution of 53 plots for Travelling Showpeople will also be difficult to evenly distribute since it is likely to involve grouping related to family / funfair business. It should be noted that the land take for Plots will be greater than for Gypsy & Traveller pitches due to the need for yard space to carry out activities relating to the Showpeople’s business (storage & repair of fairground equipment).*

*To ensure that the Governments equity concerns are fully addressed (draft amendment document paras 23 & 27) it is suggested that it The London Plan make it explicit that Boroughs catering for any additional Travelling Showmen Plots will not be required to contribute to meeting the need for Transit Pitches (and visa versa).*